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

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SOUTHERN RHODESIA

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\* Note: This document contains the chapter on Southern Rhodesia. Parts I and II of this chapter were previously issued as a working paper prepared by the Secretariat (A/AC.109/L.99). The working paper was approved for inclusion in the chapter on Southern Rhodesia. The general introductory chapter of the report of the Special Committee will be issued subsequently under the symbol A/5800. Other chapters will be issued as addenda.

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I. ACTION TAKEN BY THE SPECIAL COMMITTEE IN 1963, BY THE  
SECURITY COUNCIL AND BY THE GENERAL ASSEMBLY DURING ITS  
EIGHTEENTH SESSION

1. Following the adoption by the General Assembly at its seventeenth session of resolution 1760 (XVII) on 31 October 1962, the Special Committee again considered the question of Southern Rhodesia at its meetings in 1963. At the conclusion of the general debate, the Special Committee decided to set up a Sub-Committee to visit London and undertake conversations with the Government of the United Kingdom concerning Southern Rhodesia.
2. The Sub-Committee on Southern Rhodesia, composed of representatives of Mali, Uruguay, Syria, Sierra Leone, Tanganyika and Tunisia, visited London from 20 to 26 April and unanimously adopted its report<sup>1/</sup> on 8 May 1963. The Sub-Committee gained the impression that the United Kingdom Government intended to seek, through persuasion, a compromise solution aimed at widening the franchise but not in a way desired by Africans nor according to the terms of General Assembly resolutions. The Sub-Committee was of the opinion, inter alia, that the United Kingdom, consistent with its obligations to protect the interests of the majority of the Territory's inhabitants, should take a more direct and positive position concerning future action. It believed that there would be serious repercussions if the present stalemate was allowed to continue. Therefore, in the absence of any favourable developments in the immediate future, it recommended that the Special Committee should consider ways and means of dealing with the question on an urgent basis. It believed that such means might include: consideration of the question at a special session of the General Assembly; drawing the situation to the attention of the Security Council; and requesting the Secretary-General to draw the attention of the United Kingdom to the seriousness of the situation and to continue to lend his good offices in accordance with the mandate given to him by the General Assembly in resolution 1760 (XVII).
3. On 5 June, the Secretary-General submitted to the Special Committee a further report (A/AC.109/33/Add.1) in accordance with paragraph 4 of General Assembly resolution 1760 (XVII) by which he was requested to lend his good offices to

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<sup>1/</sup> Official Records of the General Assembly, Eighteenth Session, Annexes, addendum to item 23 (A/5446/Rev.1), chapter III, appendix.

promote conciliation among the various sections of the population of Southern Rhodesia by initiating prompt discussions with the United Kingdom Government and other parties concerned with a view to achieving the objectives set out in this and all the other resolutions of the General Assembly on the question of Southern Rhodesia, and to report to the Assembly at its present session as well as to the Special Committee. This report contained letters exchanged between the Secretary-General and the Permanent Representative of the United Kingdom to the United Nations. In his letter dated 26 February 1963 the Secretary-General inquired once again about the views of the Government of the United Kingdom in connexion with paragraph 4 of the resolution in order that he might take them fully into account before considering any further action in implementation of that paragraph. In his reply dated 21 May 1963, the Permanent Representative of the United Kingdom stated that as a result of previous exchanges between his Government on the one hand, and the Sub-Committee of the Special Committee and the Secretary-General on the other, his Government's attitude towards that resolution should be abundantly clear. He also stated his Government's belief that the Secretary-General would understand the difficulties which lay in the way of its contemplating compliance with that resolution.

4. After considering the report of the Sub-Committee on Southern Rhodesia, the Special Committee, on 20 June 1963, adopted a resolution<sup>2/</sup> which called upon the United Kingdom Government to abrogate the 1961 Constitution, to hold without delay a constitutional conference in which representatives of all political parties of Southern Rhodesia would take part with a view to making constitutional arrangements for independence on the basis of universal suffrage including the fixing of the earliest date for independence, and to declare unequivocally that it would not transfer the powers and attributes of sovereignty to any government constituted under the 1961 Constitution. It recommended that, if developments necessitated and circumstances warranted, a special session of the General Assembly should be convened to consider the situation in the Territory; and that in any event, the question of Southern Rhodesia should be placed on the agenda of the eighteenth regular session of the General Assembly as a matter of high priority and urgency. Finally, it drew the attention of the Security Council to the deterioration of the explosive situation which prevailed in Southern Rhodesia.

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<sup>2/</sup> Ibid., para. 282.

5. The text of this resolution was transmitted on 21 June 1963 to the United Kingdom Government, the President of the Security Council and the President of the fourth special session of the General Assembly. On 26 June 1963, the Chairman of the Special Committee transmitted to the President of the Security Council the Special Committee's report on Southern Rhodesia (S/5378).
6. On 2 August 1963, the representative of Ghana, Guinea, Morocco and the United Arab Republic addressed to the President of the Security Council a communication (S/5382) drawing attention to the refusal of the United Kingdom to comply with General Assembly decisions on Southern Rhodesia and protesting the proposed transfer to the Government of that Territory of extensive powers, including the control of substantial military forces recruited on a racial basis. According to this communication, these circumstances posed an immediate and grave danger to the peace and security of the African continent. A meeting of the Security Council should therefore be convened in order to take appropriate measures. This request was subsequently endorsed by the representatives of twenty-eight other African States (S/5409).
7. The Security Council considered this matter at its 1064th to 1069th meetings between 9 and 13 September 1963. On 13 September 1963 the Council failed to adopt, because of the negative vote of a permanent member, a draft resolution co-sponsored by Ghana, Morocco and the Philippines which would have invited the United Kingdom not to transfer any powers and attributes of sovereignty to Southern Rhodesia until a fully representative government had been established. The draft resolution would also have invited the United Kingdom Government not to transfer to Southern Rhodesia armed forces and aircraft as envisaged by the Central African Conference in June that year. The vote was 8 in favour to 1 against (United Kingdom) with 2 abstentions (France and United States).
8. At its eighteenth session, the General Assembly, on the recommendation of the Fourth Committee, adopted two resolutions on the question of Southern Rhodesia. On 14 October 1963, it adopted resolution 1883 (XVIII), which was similar to that which failed of adoption in the Security Council.
9. During its consideration of the question of Southern Rhodesia, the Fourth Committee, in October 1963, heard statements by Mr. Robert Mugabe, Secretary-General of the Zimbabwe African National Union and Mr. George Silundika, Secretary of Publicity, Zimbabwe African People's Union.<sup>3/</sup>

3/ Ibid., Eighteenth Session, Fourth Committee, 1442nd and 1449th meetings.

10. On 11 October, in response to a request concerning the action taken by the Secretary-General in the matter of Southern Rhodesia since his last report and on the action envisaged in the future, the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories made a statement to the Fourth Committee. In this statement he recalled the two reports of the Secretary-General on the implementation of operative paragraph 4 of General Assembly resolution 1760 (XVII) and informed the Committee that in view of the terms of the reply received from the Permanent Representative of the United Kingdom, and having regard to the Special Committee's own examination of the reports of the Subcommittee and of the Secretary-General, as well as to the subsequent discussions in the Security Council, it had not been possible to take additional steps for the implementation of paragraph 4 of that resolution. The Secretary-General had, however, maintained continuous contact with the Permanent Representative of the United Kingdom. The Under-Secretary also referred to a statement made by Mr. Butler, then Minister responsible for Central African Affairs, in the United Kingdom House of Commons on 16 July 1963. In this statement Mr. Butler had told the House of Commons that while the matter of the independence of Southern Rhodesia was open, the United Kingdom Government had not got further than the suggestion that it would look to the Southern Rhodesia Government to submit proposals for any amendments of the Constitution which would result in broadening the basis of representation of the Legislature to take effect as soon as practicable.

11. On 6 November 1963, the General Assembly adopted resolution 1889 (XVIII), recommended to it by the Fourth Committee, on this question. The operative paragraphs of this resolution were as follows:

"The General Assembly,

.....

"1. Approves the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, particularly its conclusions and recommendations, and expresses appreciation for its work;

"2. Reaffirms the inalienable right of the people of Southern Rhodesia to self-determination and independence;

- "3. Expresses its appreciation to the Secretary-General for his efforts in connexion with the question of Southern Rhodesia;
- "4. Expresses deep regret that the Government of the United Kingdom of Great Britain and Northern Ireland has not implemented the various resolutions of the General Assembly on Southern Rhodesia;
- "5. Calls upon the Government of the United Kingdom not to accede to the request of the present minority government of Southern Rhodesia for independence until majority rule based on universal adult suffrage is established in the Territory;
- "6. Once more invites the Government of the United Kingdom to hold without delay a constitutional conference in which representatives of all political parties of the Territory will take part with a view to making constitutional arrangements for independence, on the basis of universal adult suffrage, including the fixing of the earliest possible date for independence;
- "7. Urges all Member States, in particular those having the closest relations with the Government of the United Kingdom, to use their influence to the utmost with a view to ensuring the realization of the legitimate aspirations of the peoples of Southern Rhodesia;
- "8. Requests the Secretary-General to continue to lend his good offices to promote conciliation in the Territory, as stated in paragraph 4 of resolution 1760 (XVII), and to report both to the General Assembly during the eighteenth session and to the Special Committee on the results of his efforts;
- "9. Decides to keep the question of Southern Rhodesia on the agenda of its eighteenth session."

12. On 11 December 1963, the Secretary-General submitted to the Assembly a report<sup>4/</sup> on the implementation of operative paragraph 8 of this resolution. In his report, the Secretary-General stated that he had submitted the text of resolution 1889 (XVIII) to the Permanent Representative of the United Kingdom on 8 November 1963 and subsequently discussed the question with him. On 10 December 1963, the Secretary-General had received in reply a letter from the Permanent Representative of the United Kingdom recalling the difficulties in the way of his Government's compliance with the United Nations resolutions on Southern Rhodesia. His Government acknowledged the honest concern shown by many Members of

4/ Ibid., Eighteenth Session, Annexes, agenda item 75, document A/5664.

the United Nations about the future of Southern Rhodesia and thought it right to reform the United Nations of its policy regarding Southern Rhodesia's constitutional status. His Government's intention was to work towards a solution to the problems which faced the Territory in a manner best calculated to achieve such a solution. In conclusion, the report stated that bearing in mind the mandate given by the General Assembly, the Secretary-General had also undertaken conversations with representatives of African countries in the hope that the Organisation of African Unity might assist in preparing the ground for initiating discussions with the other parties concerned.



## II. INFORMATION ON THE TERRITORY

### A. General

13. Information on the Territory is already contained in the Special Committee's first report on Southern Rhodesia,<sup>5/</sup> which was considered by the General Assembly at its resumed sixteenth session, and in its reports for the seventeenth and eighteenth sessions of the General Assembly.<sup>6/</sup> Supplementary information on recent developments is set out below.

### B. Status of the Territory

14. On 11 February 1964, in reply to a question concerning a reported decision that the United Kingdom Government would henceforth refrain from officially referring to Southern Rhodesia as a Colony, the Commonwealth Relations and Colonial Secretary gave the following reply:

"We usually try to avoid as far as possible the use of the word 'Colony' when referring to Territories which have reached an advanced stage of internal self-government. There is no constitutional significance. Mr. Field drew my attention to the fact that we had on some occasions departed from this practice in respect of Southern Rhodesia. I assured him that if that was so, it was unintentional."

### C. Political development

#### The question of independence

15. Following the visit, mentioned in the Special Committee's last report, of Mr. R.A. Butler, the United Kingdom Minister responsible for Central African Affairs, to Central Africa in January and February 1963, he had discussions with representatives of the Federal Government and of the Governments of Northern and Southern Rhodesia with the object of finding a basis on which a conference on the future association between the Territories might be held. In the light of the views expressed in these discussions, the United Kingdom Government accepted in March 1963 the principle that any Territory which so wished could secede from the Federation.

<sup>5/</sup> Ibid., Sixteenth Session, Annexes, agenda item 97, document A/5124.

<sup>6/</sup> Ibid., Seventeenth Session, Annexes, addendum to item 25 (A/5233), chapter II; Ibid., Eighteenth Session, Annexes, addendum to item 23 (A/5446/Rev.1), chapter III.

16. The Government of Southern Rhodesia did not oppose the principle of secession but made an immediate and formal request for the granting of independence on the first date on which either of the other Territories, Northern Rhodesia, or Nyasaland, was allowed to secede or obtained its independence. The Southern Rhodesian Government also declared that without an undertaking to this effect, it would not attend the proposed conference.
17. The United Kingdom Government replied that although it accepted in principle that Southern Rhodesia, like the other Territories, would proceed through the normal processes to independence, it would not be possible to make Southern Rhodesia a fully independent country whilst it remained in the Federation, which was not itself independent. Discussions about the broad lines of a future relationship between the Territories were therefore necessary before Southern Rhodesia could be in the constitutional position to move to full independence. When this stage was reached, the United Kingdom Government would expect to convene a conference to discuss financial, defence, constitutional and other matters prior to independence.
18. The Southern Rhodesian Government was unable to accept this view and repeated its request in April 1963. While recognizing the desirability of discussions between the Territories on future relationship, it insisted on the prior recognition of its right to independence. It could not accept the idea of a subsequent conference to discuss financial, defence, constitutional and other matters before independence, since it had been entirely responsible for its own financial affairs and defence before the Federation came into being, and since, with regard to constitutional matters, the United Kingdom's reserve powers had been eliminated under the 1961 Constitution.
19. The United Kingdom Government's reply in May 1963 was that there were matters of mutual interest, including the exercise of the powers for amending Southern Rhodesia's Constitution, which had to be discussed if the transfer of sovereignty on the grant of independence was to be effected in an orderly manner. Further, none of the members of the Federation would become independent while the Federation remained in existence and the Federation could be brought to an end only by United Kingdom legislation. If the Southern Rhodesian Government would co-operate in discussing matters which must be resolved before independence could be granted, the United Kingdom Government would undertake to enter into negotiations with

Southern Rhodesia on the subject of independence not later than the date on which similar negotiations were initiated with either of the other Territories.

20. The response of the Southern Rhodesian Government was to ask that Southern Rhodesia be given full independence not later than the date of the dissolution of the Federation, that pre-independence discussions should take place and that agreement be reached on all requirements for independence before the conference on dissolution. The United Kingdom Government then proposed that discussions on Southern Rhodesia's independence should begin in London without delay and that, at the same time, invitations be issued to the Governments concerned to attend a conference on the orderly dissolution of the Federation and on future links between the Territories.

21. Discussions accordingly took place in London at the end of May 1963 between Mr. Butler and Mr. Field, the Prime Minister of Southern Rhodesia, but agreement was not reached on the basis for the grant of independence. In a subsequent message to Mr. Butler, Mr. Field stated that the terms suggested by the United Kingdom as a basis for independence were unacceptable to the Southern Rhodesian Government and invited him to discuss the question further, in Southern Rhodesia. Mr. Butler agreed to meet Mr. Field at Victoria Falls prior to the conference on dissolution scheduled to start there on 28 June 1963, and on the understanding that, at this meeting, discussion would be resumed of the question of broadening the basis of representation in the Southern Rhodesian Legislature and of future development of policy on non-discrimination.

22. In a speech to the Southern Rhodesian Parliament on 18 June, Mr. Field restated the reasons for Southern Rhodesia's demand for independence. He recalled that during his discussions with the United Kingdom Government, he had encountered little opposition on the validity of Southern Rhodesia's claim to independence but the United Kingdom Government had rejected a suggestion that the bill enabling the dissolution of the Federation should include powers to grant all the Territories independence at the same time. The United Kingdom had also stipulated that certain constitutional changes be made which would lead to more representative government, although the existing Constitution had been negotiated by the United Kingdom Government for this very purpose and accepted as such. He had been informed that there was opposition to independence for Southern Rhodesia under the present Constitution from members of the Commonwealth, particularly some of

the new members. The older Commonwealth countries, Australia, Canada, and New Zealand, had also expressed to him the hope that Southern Rhodesia would move towards a franchise whereby the African would have the same rights as the European. His Government, for its part, was prepared to consider changes in the "B" roll franchise, to simplify it so that the system of voting might be understood by all.

23. At the Victoria Falls Conference, which was attended by representatives of the Federal Government, the Governments of Northern and Southern Rhodesia and observers from Nyasaland, general agreement was reached that arrangements should be made for the orderly and speedy transfer of Federal responsibilities to the Territories, and that where practicable, the transfer of particular services should be effected in advance of the dissolution of the Federation. The Conference established two main Committees, which, as inter-governmental negotiating bodies, would study and recommend solutions to the complex problems involved. The Conference was also able to reach agreement on guide-lines for these Committees on a number of matters. Among these was the reversion of the control of the armed forces to the pre-Federation position when the dissolution took effect, with the air force accruing to Southern Rhodesia, as well as arrangements to permit members of the forces to opt in which Territory they wished to serve.

24. In a speech to the House of Commons on 11 July 1963, Mr. Butler stated that the position with regard to independence for Southern Rhodesia had been left open, following the exchange of letters described above. So far as the United Kingdom Government was concerned, the position was still one for further consideration. The House was also informed that the conversations which took place with Mr. Field at Victoria Falls were simply an examination of the problem without any undertakings or pledges by Mr. Butler.

25. Addressing the annual congress of the Rhodesian Front on 20 September 1963, Mr. Field affirmed that, though the United Kingdom was being unco-operative in the matter, the issue of Southern Rhodesia's independence had not been dropped, but that it was necessary first to complete the exercise of dissolving the Federation. The congress unanimously adopted a resolution expressing support for the Prime Minister in his determination to secure independence for Southern Rhodesia, provided no conditions were attached and the 1961 Constitution remained unaltered. On 26 September 1963, following the announcement of the date for Nyasaland's independence, Mr. Field reiterated that if independence was accorded to one Territory, it should be accorded to all on the break-up of the Federation.

26. At the annual congress of the Rhodesia National Party on 4 October 1963, Sir Edgar Whitehead, Leader of the Opposition, expressed himself in favour of a negotiated independence within the Commonwealth. He also said that an African majority government was not called for as the country was not ready for this, but that the Africans must be given greater representation in Parliament.
27. On 25 October 1963, before the departure for London of Mr. Ian Smith, the Southern Rhodesian Minister of the Treasury, for talks with the United Kingdom Government, Mr. Field declared that Southern Rhodesia would request further urgent discussions with the United Kingdom on independence, and might have to make firm proposals itself if nothing definite emerged. He would continue to negotiate, but not to the extent of handing over authority to those as yet unfitted and untrained for it.
28. Commenting on his talks with United Kingdom Ministers, Mr. Smith said, on 7 November 1963, that the United Kingdom Government had not yet opened any line of advance towards Southern Rhodesia's independence. If this was not settled before Nyasaland's independence, the Southern Rhodesian electorate might turn against the Government. On 12 November 1963, the Prime Minister of the United Kingdom told the House of Commons, in reply to questions about Southern Rhodesia, that his Government accepted the principle that the majority should rule, but that minorities should be protected; this principle would apply if the question of independence for Southern Rhodesia came up for consideration after the dissolution of the Federation.
29. On 15 November 1963, the Commonwealth Relations and Colonial Secretary stated in a speech to the House of Commons that the United Kingdom Government was prepared to grant independence to Southern Rhodesia in the same circumstances as it had granted it to other British Territories. In particular, the United Kingdom Government looked for a widening of the franchise so as to give greater representation to the Africans who constituted nine-tenths of the population but had less than a quarter of the seats in Parliament. He further explained that, in order not to cause injury to the unity of the Commonwealth, its members would have to be consulted as to the terms on which independence within the Commonwealth would be granted to Southern Rhodesia.
30. However, replying to a question in the Southern Rhodesian Parliament on 21 November 1963, Mr. Field denied that the question of Southern Rhodesia's

independence was one for Commonwealth consultation. Asked what changes he would be prepared to make to the Constitution before independence, he said that certain changes to the "B" roll were being proposed and that his Government was considering every approach.

31. Opening a parliamentary debate on the Southern Rhodesia independence question on 26 November 1963, Mr. Smith remarked he had gained the impression from his discussions in London that the United Kingdom Government was thinking in terms of African majority rule in five years. In his Government's opinion, however, independence under the present Constitution was essential for political stability and the recovery of economic confidence. He urged that, in view of the United Kingdom's record of broken pledges, Southern Rhodesia should stand up for its rights. Mr. Field, in his turn, stated that the Southern Rhodesia Government was prepared to continue discussions with the United Kingdom but that a negotiated settlement before the general elections in the United Kingdom would be nothing but a handover to African nationalism at the next Southern Rhodesian elections. Also addressing the House, Sir Edgar Whitehead warned that, if the Government took illegal and unconstitutional action to achieve independence, Southern Rhodesia would crash within six months. A long-term solution, in his view, must rest with all the people and not with one section of the community.

32. On 3 December 1963 in the United Kingdom House of Commons, the Prime Minister, Sir Alec Douglas-Home stated, in answer to questions, that the Commonwealth Relations and Colonial Secretary was in touch with the Commonwealth Prime Ministers on the question. On 19 December 1963, he explained in reply to another question that what had been suggested was not that other Commonwealth countries should share in a decision concerning Southern Rhodesia but that they might be able to help towards a solution.

33. The dissolution of the Federation came into effect on 1 January 1964. Nyasaland will become independent on 6 July 1964 and Northern Rhodesia is also expected to attain independence during the year. According to an announcement previously made by the Federal Ministry of Defence, the agreements reached between the Territories and the United Kingdom Government provided for the following disposition of the Federation's armed forces to take effect from the date of dissolution. The Royal Rhodesian Air Force, slightly reduced in strength to about seventy-five aircraft, would revert to Southern Rhodesian control. In addition, Southern Rhodesia would have a squadron of the Special Air Services Regiment,

comprising about 150 fully trained parachute commandos. The Selous Scouts armed car squadron would be disbanded and its members be offered positions in other units. The regular army of Southern Rhodesia would consist of two brigades, each comprising a regular infantry battalion and an active Territorial battalion. The total strength of the regular army would be about 3,400 men, amounting to just under one half of the Federal regular army.

34. In a New Year broadcast, Mr. Field referred to the financial costs of dissolution and to his previous warning of the necessity to face up to some belt-tightening. He also expressed willingness to undertake informal talks with the Opposition on the question of independence. He affirmed that his Government must attempt to secure a negotiated settlement of the question but that if this was not possible, it would have to think again.

35. On 10 January 1964, Sir Edgar Whitehead again warned that a unilateral declaration of Southern Rhodesian independence would bring complete disaster and that the outside world would not recognize the regime founded upon it. He criticized the Government for trying to negotiate independence without bringing in outside parties. Meanwhile, Mr. Smith, now Deputy Prime Minister and Minister for the Treasury, was quoted as saying that if Southern Rhodesia declared its independence, there would be no belt-tightening. Indeed the days of belt-tightening would be over and the attendant excitement in financial circles would be short-lived. Whatever the United Kingdom Government said or did would not make the slightest difference to Southern Rhodesia's intention to get independence.

36. On 18 January 1964, Mr. Joshua Nkomo, President of the People's Caretaker Council, declared that he would never allow the granting of independence to the minority Government of Mr. Field and urged that all Africans be prepared to resist a unilateral declaration of independence by the present regime.

37. On 24 January 1964, Mr. Eddison Zvogbo, Secretary of the Zimbabwe African National Union, warned at a public meeting that if the Southern Rhodesian Europeans seized independence unconstitutionally, the Africans would take it as an act of war and would immediately engage in unconstitutional modes of struggle to liquidate that state.

38. Mr. Field visited London on 24 January for a few days in order to discuss with the United Kingdom Government his Government's demand for independence. No

official communiqué was issued, but according to reports Mr. Field indicated that, in view of the clamour of certain elements in his party for a unilateral declaration of independence, he would find it difficult to continue as Prime Minister unless he obtained a clear statement of the United Kingdom policy in the matter. It has been reported that Mr. Field's proposals, in keeping with his pledge to make no constitutional changes during the life of the present Parliament, did not include any substantial changes in the "A" roll franchise, which affects 50 per cent of the sixty-five seats in the Legislature nor in the Land Apportionment Act which provides for racial restrictions on the ownership of land. According to reports, the United Kingdom Government, on the other hand, continued to insist that Commonwealth acquiescence was important for any grant of independence to Southern Rhodesia. In order to obtain this, the franchise should be widened sufficiently to give a political voice to the majority, and to provide for majority rule in about five years, rather than in twelve or fifteen which the Southern Rhodesian Government thinks would apply under present franchise qualifications. The United Kingdom Government was also reported to desire the removal of discriminatory clauses in the Land Apportionment Act. These talks failed to resolve the deadlock.

39. At a press conference on his return on 2 February 1964, Mr. Field said that he would negotiate with the United Kingdom Government up to the point where no further negotiation was possible and the point where it would bear no further fruitful result. That stage, in his view, had not yet been reached.

40. Mr. Kenneth Kaunda, the Prime Minister of Northern Rhodesia, pledged on 5 February 1964 that his Government would do anything within its power to help the United Kingdom Government control any situation that might arise in Southern Rhodesia should the latter declare itself independent unilaterally. In that event there would be civil war in the Territory and his Government would sever all relations with Southern Rhodesia irrespective of the economic sacrifices involved.

41. During the middle of February, Mr. Field visited South Africa for talks with the Government of the Republic. On that occasion, a South African newspaper sympathetic to the Government suggested that precipitate action by Southern Rhodesia would merely increase its difficulties with the United Kingdom and the African nationalists, and that the statesman-like thing was to persist in negotiations for



a peaceful settlement. It has been reported that Mr. Field's visit did not yield any pledges of support from Dr. Verwoerd for a unilateral declaration of independence.

42. On 20 February 1964, Sir Alec Douglas-Home told the House of Commons, in answer to questions, that the United Kingdom Government was trying to reach agreement with the parties concerned on the next step to be taken, and expressed the hope that there would be no question of unconstitutional action by Southern Rhodesia.

43. Meanwhile the belief seems to be growing among the colleagues and supporters of Mr. Field that further negotiations with the United Kingdom will produce nothing acceptable to them and accordingly the pressures on him to take action, preferably before the United Kingdom general elections, by a unilateral declaration of independence are increasing. Mr. John Gaunt, the Minister of Mines, has been quoted as saying that it was the duty of Southern Rhodesia to take whatever action was necessary before the United Kingdom Government destroyed the country.

Mr. Smith has been reported as arguing for a swift decision, though, according to him, all the constitutional avenues must be explored before the broader field is considered. Mr. William Harper, the Minister of Transport and Power, is also said to be advocating action independently of the United Kingdom, without any provocative declarations.

44. On 25 February 1964 Sir Humphrey Gibbs, the Governor, said in the Speech from the Throne at the opening of Parliament:

"My Prime Minister had the opportunity last month of having personal and private discussions with the British Prime Minister and the Secretary of State for Commonwealth Relations on independence for Southern Rhodesia. It is now plain that the British Government are not prepared to be brought to any conclusion except on the most extravagant terms; not because of misgivings about my Government's competence or ability to govern in the interests of the country or the logic and rightness of my Ministers' case but because they wish to placate at all costs those members of the Commonwealth who have declared openly their hostility to my Government and country.

"My Ministers consider they have done their utmost and there is no obligation upon them to initiate further discussions."

45. In the ensuing debate, Sir Edgar Whitehead said, inter alia, that he could not sympathize with any nationalist movement at all and that the task of solving the country's pressing problems could not be done by either race alone. The

African nationalists had no policy other than to obtain control of the Government and had no policy for future development if they ever achieved that control. Referring to the outflow of Europeans from Southern Rhodesia, he said there was nothing in the Speech from the Throne to change the mind of any one planning to leave the country or to influence any one leaning towards nationalism to seek something better.

46. In a speech at the same meeting, Mr. Field stated that for the first time he really knew what the United Kingdom Government's point of view was and that it was thoroughly wrong. He pointed out that the country was no longer the self-governing "Colony of Southern Rhodesia" but just "Southern Rhodesia". Referring to Commonwealth susceptibilities about Southern Rhodesia attaining independence under the present Constitution, he said that Southern Rhodesian membership of the Commonwealth must go by the board if this impedes its progress to independence. His Government did not recognize the right of any one to interfere in the affairs of Southern Rhodesia nor would it tolerate any such interference. Thenceforth, the Government would pursue its own course within the framework of the Southern Rhodesian Constitution, and act as a Government owing allegiance to the Crown and not to any particular United Kingdom Government. Further, his Government regarded as legally binding on the United Kingdom Government the convention that the Constitution could not be amended without the consent of the Southern Rhodesian Government. With regard to his Government's demand for independence now, he said that this did not necessarily mean independence immediately. Reason and logic were on the side of this demand and all that was holding up the final act was the desire to appease certain members of the Commonwealth, be they Communist or otherwise. His Government had not accepted defeat on the independence issue, but realized there was much to be done in other directions, including the achievement of a really strong economy.

47. A Government Member of Parliament, Mr. D.W. Lardner-Burke, gave notice on 27 February 1964 that he would introduce a motion on 11 March 1964 which would in effect seek legislative recognition for the convention that the United Kingdom Parliament does not legislate for Southern Rhodesia except with the Southern Rhodesian Government's consent.

48. At a press conference outside Salisbury the same day, Mr. Nkomo said that the Africans were British citizens and members of the Commonwealth and intended to remain so. If Mr. Field's Government decided to achieve independence by leaving the Commonwealth, the Africans would fight side by side with United Kingdom troops to restore legal government in the country and enter into negotiations to bring about majority rule and independence thereafter.

49. At the same time, commenting on Mr. Field's speech, the Rev. Sithole claimed that Mr. Field was merely trying to avoid serious charges of rebellious conduct.

#### Political parties

50. On 9 July 1963, it was reported from Dar-es-Salaam that seven members of the twelve-man executive of the banned Zimbabwe African Peoples Union (ZAPU) had decided to depose Mr. Joshua Nkomo as party leader and had elected Rev. Ndabaningi Sithole as interim president until a party congress could be held. Dissatisfaction with Mr. Nkomo's leadership was given as the reason for this decision. The Rev. Sithole has taken a leading part in the organization of all three African nationalist parties successively banned in Southern Rhodesia. A member of his group stated that the change of leadership would mean more militant approach to independence and that it might be necessary to use methods other than constitutional ones. The following day, however, it was announced from the ZAPU headquarters in Dar-es-Salaam that the Rev. Sithole and three other members of the party executive associated with him had been suspended by Mr. Nkomo, who remained party leader.

51. On 8 August 1963, it was announced that the Rev. Sithole had formed a new party, the Zimbabwe African National Union (ZANU) of which he had become Chairman with a party executive comprising his three associates. At a press conference, Mr. Nkomo said he had invited these leaders to a conference for discussions. They, however, declined to attend and urged their followers to boycott the conference. Subsequent attempts to bring about a reconciliation have met with little success.

52. In a policy statement issued on 21 August 1963, the Rev. Sithole announced plans for turning Southern Rhodesia into a Republic of Zimbabwe within the fraternity of African States and the Commonwealth. He urged that, in future,

Southern Rhodesian institutions must reflect the will of the Africans, while respecting the rights and aspirations of minority groups. A ZANU Government would repeal the Unlawful Organisations Act, the Law and Order (Maintenance) Act, and all other repressive and discriminatory legislation, and would establish a retroactive Bill of Rights. A strong national army would be formed to assist in the liberation of Africa from colonialism.

53. On 5 September 1963, Mr. Nkomo announced the formation of the "People's Caretaker Council", of which he would be President, with a sixteen-man cabinet and local committees. His choice of title was said to be due to his pledge, when ZAPU was banned in September 1962, not to form a new party.

54. The Secretary-General of ZANU, Mr. Robert Mugabe, was received by Mr. Butler at the end of September 1963. In a letter he delivered to the Minister, ZANU protested the United Kingdom Government's lack of concern for the interests of the Africans, as exemplified by its decision to strengthen the military position of the Southern Rhodesian Government on dissolution. The letter demanded that the United Kingdom should impose a new Constitution in keeping with the wishes of the majority before dissolution and that, meanwhile, the United Kingdom should withhold all financial aid, as well as control over the armed forces, from Southern Rhodesia.

55. There have been reports of considerable divergence of views in Mr. Field's Rhodesian Front between those who favour an early unilateral declaration of independence under the present Constitution and those who see the need for negotiated settlement, with or without African participation. Similar developments are said to have taken place within Sir Edgar Whitehead's Rhodesian National Party. The executives of one party branch were recently reported to have resigned in protest against Sir Edgar Whitehead's advocacy of multi-racial policies and his tendency to placate African nationalism. There have been hints of the formation of a new centre party and reports of the possible return to political life of Sir Roy Welensky, the retired Prime Minister of the dissolved Federation.

#### Recent legislation

56. The proposed amendment to the Law and Order (Maintenance) Act, 1961, to which reference is made in paragraph 28 of the last report of the Special Committee,

was passed through its final stages by the Southern Rhodesian Parliament on 20 March 1963. This amendment, embodied in the Law and Order (Maintenance) Amendment Act provided, inter alia, for a mandatory death sentence for certain offences, including the throwing of explosives and petrol bombs, as well as increased penalties for other offences. It also made permanent the existing temporary ban on the holding of public meetings on Sundays and public holidays.

57. On the same day, the Southern Rhodesian Parliament passed the Unlawful Organisations (Amendment) Act, which empowered the Governor to order former leaders of banned organizations to resign from other organizations, gave the police greater powers of search and seizure in such cases, and made it an offence to be in possession of documents or insignia relating to an unlawful organization.

58. The Preservation of Constitutional Government Act was also passed on 20 March 1963. It provided for sentences of up to twenty years imprisonment for persons convicted of organizing, either inside or outside the country, bodies whose aim is to overthrow the Government by unconstitutional means. It also extended the provisions of the Law and Order (Maintenance) Act so that the penalties for certain offences under that Act, such as inciting illegal strikes, making subversive statements, publishing false news or threatening violence will apply when Southern Rhodesian residents commit them outside the country. The Act also provided for sentences up to five years for persons convicted of setting up bodies in Southern Rhodesia which aim at the unconstitutional overthrow of any State.

59. In a Speech from the Throne to Parliament on 25 February 1964, the Governor stated that the split in the ranks of African nationalists had resulted in increased crime, particularly in the African townships and indicated that the Government would seek renewal of the Preventive Detention Act and the Unlawful Organisations Act, both of which are due to expire on 14 May 1964. Both measures were introduced five years ago.

#### Arrests and trials of nationalist leaders

60. On 1 April 1963, Mr. Nkomo was sentenced in Rusape to six months imprisonment on conviction of an offence under the Law and Order (Maintenance) Act; the offence involved wrongfully and unlawfully assaulting, resisting or obstructing police officers in the execution of their duty. On 19 July, this conviction and sentence

were quashed in an appeal hearing and he was found guilty, cautioned and discharged on an alternative charge of assault, which the Court described as trivial. Two other associates convicted along with Mr. Nkomo similarly won their appeals.

61. On 28 October 1963, Mr. Nkomo was sentenced at Gwelo to nine months imprisonment, with five months suspended if the offence was not repeated within three years, for making a subversive statement in August. His offence related to a statement attributed to him that Germans and Italians had been given land from which Africans had been evicted after the First World War, and that the ~~XXXX~~ Government desired the nationalists to form another political party so that it could be banned and its assets sold. Having appealed, he was granted bail, provided he did not leave the country.

62. On 7 November 1963, the Southern Rhodesian Government prohibited Mr. Nkomo from attending or addressing public gatherings other than religious services for three months, and his People's Caretaker Council was barred from convening such meetings for a similar period. Mr. Clifford W. Dupont, Minister of Justice, stated that he considered this action necessary for the maintenance of law and order.

63. On 20 December 1963, Mr. Nkomo was again sentenced at Bulawayo to nine months imprisonment, with six months suspended if he was not convicted of an offence under the Law and Order (Maintenance) Act within three years, for publishing a subversive statement. This statement was that the violence complained of by the Southern Rhodesian Government was a direct natural reaction against the country's Nazist and Fascist regime. He was granted bail, pending an appeal.

64. On 2 January 1964, Mr. Nkomo was banned by the Broadcasting Corporation from appearing on a television personality programme on which Mr. Field and Sir Roy Welensky had previously been featured. The grounds given were that Mr. Nkomo was currently under a ban from making public appearances.

65. On 28 January 1964, Mr. Nkomo was sentenced at Umtali to six months imprisonment, with three months suspended for three years, for holding the police to contempt or disesteem during a speech in October. He was granted bail pending an appeal. While in court he was served with an order banning him indefinitely from entering any tribal trust lands in Southern Rhodesia. He was also reported to have been banned from going within fifteen miles of Salisbury for three months.

On 18 February 1964, he was arrested and charged in Salisbury with contravening the order banning him from tribal trust land. He was released on bail.

66. On 28 July 1963, the Rev. Sithole was arrested and charged with distributing a subversive document. He was remanded on bail and on 6 September 1963, his bail was forfeited for failing to comply with its conditions. Mr. Robert Mugabe, the Secretary-General of ZANU, was also arrested, on 19 December 1963, and charged under the Law and Order (Maintenance) Act on three counts related to allegedly subversive statements made outside Southern Rhodesia. Bail was refused.

67. Actions involving other African political personalities include a sentence of one year's imprisonment for writing a subversive statement, imposed on Mr. Eddyson Sambo, a leader of the Zimbabwe National Party on 1 July 1963; the holding for trial of Mr. Patrick Matimba, President of that party from 2 July 1963, on charges of inciting others to harm people and to set fire to homes with petrol or inflammable liquid; the conviction on 23 October 1963 and imprisonment for twelve months of Mr. Phineas F. Sithole for possession of an alleged subversive document; and the sentencing of Mr. Stephen Nkomo, brother of Mr. Joshua Nkomo, to imprisonment for four months for illegally possessing a pistol and a fine of £5 or one month's imprisonment for having a copy of a banned publication.

68. Since July 1963 there have been clashes between the supporters of Mr. Nkomo and the Rev. Sithole and other outbreaks related to the trials of nationalist leaders. It is estimated that between January and December 1963, there have been about fifty cases of arson and similar offences punishable under the Law and Order (Maintenance) Act. Between November 1963 and January 1964, serious disturbances, mainly in the African townships, which have had to be dispersed by the police, sometimes with the use of teargas and vomitgas, have become more frequent; one such disturbance, in Salisbury on 28 January, led to the shooting of two Africans and the wounding of several by the police and the arrest of sixty-eight. There were sixteen incidents involving explosives, thought to be cases of sabotage, in November and December. The most serious of these was the blowing up of part of a railway line near Bulawayo; most of the other targets have been public buildings and installations. There have also been a few cases of bomb-throwing at policemen. It has been reported that, during February,

hundreds of Africans were arrested in surprise raids. The arrested persons, according to Mr. Clifford Dupont, have been placed under restriction, in accordance with the security laws permitting summary detention, "in order to protect Africans from intimidation and robbery by terrorists and hooligans".

Other developments

69. On 11 February 1964, the Southern Rhodesia Constitutional Council, which was set up to examine and report on any Act that is inconsistent with the declaration of rights in the Constitution, reported that, in its view, the Land Apportionment Act is an Act which, in express terms and with penal sanctions, enforces racial discrimination. The Council questioned the value of the declaration of rights so long as one of these rights, the right to freedom from discrimination in regard to ownership and occupation of land, was specifically denied by the Act. Such discrimination, in the Council's opinion, was based on an imputation of inferior status to one race, which was sufficient to invite a conflict. Further, the implementation of the Act had caused actual material prejudice in the financial sense to all races in Southern Rhodesia.

70. The Government is not obliged, however, to take any action on any laws thus criticized by the Council which were passed before the 1961 Constitution came into effect. The Land Apportionment Act falls within this category.



### III. CONSIDERATION BY THE SPECIAL COMMITTEE

#### Introduction

71. The Special Committee considered the question of Southern Rhodesia at its 223rd to 233rd meetings between 6 and 24 March 1964.<sup>1/</sup>

#### A. Report of the Secretary-General

72. On 5 March 1964, the Secretary-General submitted to the Special Committee a report (A/AC.109/57) on the implementation of operative paragraph 8 of General Assembly resolution 1889 (XVIII). In his report, the Secretary-General stated that since his last report of 11 December 1963 (A/5664), he had maintained continuous contact with the Permanent Representative of the United Kingdom and had had informal discussions on this matter with United Kingdom Ministers and senior officials visiting New York. He had also kept in close touch with developments in Southern Rhodesia and their bearing on his mandate. During his visit to the Territory in January-February 1964, the Under-Secretary for Trusteeship and Non-Self-Governing Territories had an opportunity for informal contact, in the spirit of the resolution, with political leaders, both African and European, and with officials.

73. The Secretary-General further stated that on the basis of these contacts and discussions, he was not in a position to report any progress in the promotion of conciliation among the various sections of the population of the Territory in the sense desired by the General Assembly.

74. Finally, the Secretary-General said that he was now awaiting information as to the outcome of the approaches, mentioned in his last report, which he had made to representatives of African countries, in the hope that the Organization of African Unity might assist in preparing the ground for initiating discussions with a view to achieving the objectives of the resolutions of the General Assembly on the question of Southern Rhodesia.

#### B. Written petitions

75. The Special Committee had before it the following written petitions concerning Southern Rhodesia:

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<sup>1/</sup> See sections V and VII for an account of the discussions which took place on Southern Rhodesia at subsequent meetings of the Special Committee.

<u>Petitioner</u>	<u>Document No.</u>
Zimbabwe African National Union Women's Organization	A/AC.109/PET.187
Three petitions from Mr. C.S. Lombard, Mr. S. Makoni and Miss J.G. Todd	A/AC.109/PET.188
Mr. Silundika, Zimbabwe African People's Union (ZAPU)	A/AC.109/PET.189
The Rev. Ndabaningi Sithole, President, Zimbabwe African National Union (ZANU)	A/AC.109/PET.190

C. General statements by members

76. The representative of the United Kingdom said that the question of Southern Rhodesia had been discussed on a number of occasions in the General Assembly, in the Fourth Committee and in the Committee of Twenty-Four. On each occasion his delegation had explained its view that the United Nations had no authority to intervene in the affairs of Southern Rhodesia. His delegation maintained its position on that issue. He was making this statement without prejudice to the usual reservations of the United Kingdom on the matter and simply in order to give the Committee an account of the existing state of relations between the United Kingdom Government and the Southern Rhodesian Government.

77. His Government was not the Administering Power in Southern Rhodesia and his delegation could not therefore discuss the internal affairs of that country. He was glad to note that his country's position in this context was beginning to be understood, and was grateful to the Ambassador of Iraq for recognizing that fact in the Committee on 3 March, even if the Ambassador himself did not fully accept it.

78. Since the question had been discussed in the Fourth Committee at the eighteenth session of the General Assembly, the agreement reached last June to dissolve the Federation of Rhodesia and Nyasaland, known as the Victoria Falls Agreement, had been largely implemented. The three countries formerly comprising the Federation were now leading a separate existence as Northern Rhodesia, Nyasaland and Southern Rhodesia. All three had full self-government and the first two were preparing for independence. Nyasaland would celebrate her independence on 6 July and discussions were going on with the Northern Rhodesian Government which would doubtless lead to early independence for that country. As was well known,

Southern Rhodesia had been fully self-governing for a very long time. It was not surprising therefore that its Government should have wished to obtain independence for that country at approximately the same time as the other two territories with which it was formerly federated. However, as his colleagues were aware, it had long been the desire of the United Kingdom Government that certain changes should be made in the political structure of Southern Rhodesia which would result in broadening the franchise and in allowing its people to participate more directly in the political life of the country. Now Her Majesty's Government in the United Kingdom, for reasons fully explained by Sir Patrick Dean in the Security Council on 10 September, 1963 had neither the right in law nor the means in practice to interfere in the internal affairs of Southern Rhodesia. Consequently, his Government had taken the only action open to it in the circumstances. It had made known to the Government of Southern Rhodesia that before granting independence to that country it looked to its Government to propose appropriate changes to its political structure. Mr. Butler, then Minister for Central African Affairs, had explained the position in two statements to the House of Commons last year. On 18 June he had said:

"The position has not yet been reached which would enable Her Majesty's Government to arrive at a decision on the question of Southern Rhodesia's independence"

and when questioned on 16 July he had explained the position further in the following terms:

"While the matter (i.e. the independence of Southern Rhodesia) is open, we have not got any further than the suggestion we made there that we would look to the Southern Rhodesian Government to make proposals to us for any amendments to their Constitution which would result in broadening the basis of representation of the legislature to take effect as soon as practicable... that is where the matter lies".

79. That was where the matter had laid in July 1963 and - although time had passed and much had been said on the subject - that was really where, basically, the matter still laid. The question of broadening the franchise was still fundamental.

80. Mr. Sandys had explained the position in a statement to the House of Commons on 15 November. Having said that certain territories had not achieved independence because in one way or another they had presented special problems, in most cases an economic one, he had continued:

"There are certain territories whose independence is delayed for other reasons. Of these the problem of Southern Rhodesia is undoubtedly the most urgent and most difficult. Southern Rhodesia, we must remember, has for over forty years enjoyed complete internal self-government. Up to the creation of the Federation she was responsible for her own defence ... and was represented by a High Commissioner in London. I hope that those outside who always tell us that we ought to interfere, and do this or that in Southern Rhodesia, will realise that there is not a single official or soldier in Southern Rhodesia responsible to the British Government. We have long ago accepted the principle that Parliament at Westminster does not legislate for Southern Rhodesia except as it requests.

"It is understandable that the Government and Parliament of Southern Rhodesia should also wish to see their country take its place without further delay among the independent nations of the Commonwealth. We have made it clear that we are prepared to grant independence to Southern Rhodesia in the same circumstances as we have granted it to other British territories. In particular, we look for a widening of the franchise so as to give greater representation to the Africans who constitute nine-tenths of the population, but have less than a quarter of the seats in Parliament."

81. Mr. Winston Field, the Prime Minister of Southern Rhodesia, had made a private visit to the United Kingdom towards the end of January 1964 where he had had discussions about the future of his country with the United Kingdom Prime Minister and with the Commonwealth Secretary. Those discussions were confidential - he was sure members of the Committee would understand that they could not be otherwise - and neither the United Kingdom Government nor the Southern Rhodesia Government had given details about them. Mr. Sandys had said, in the House of Commons, on 30 January:

"I have been having talks with the Prime Minister of Southern Rhodesia. This is obviously a most difficult and delicate subject and I think that until any conclusion is reached it is better that I should not make partial statements about these matters."

When asked for an assurance that no departure had been made from Government policy on the question of independence for Southern Rhodesia as already stated in the House, he had said: "There has been no change." When Mr. Field returned to Salisbury at the beginning of February he had stated, with regard to the discussions on independence he had had in London: "The stage has not yet been reached where negotiations are no longer possible."

82. That view was, of course, shared by the United Kingdom Government. The United Kingdom Prime Minister had been asked about it in the House of Commons on 27 February and had replied that he "would wish to see a negotiated settlement of this matter. The present constitution contained the principle of majority rule. It was a matter of timing." In answer to a further question about Her Majesty's Government's present policy, Sir Alex Douglas Home had said:

"I think that the Prime Minister of Southern Rhodesia said that he did not feel that he should initiate any more conversations. There are two opinions as to whether further conversations can be useful. I hope he will agree that they will be."

In that connexion, he believed it had been reported that Mr. Field had taken back to Salisbury Her Majesty's Government's terms for independence. That was quite untrue. His Government had not set out such conditions. Indeed, that would not be an appropriate procedure for conducting discussions between the two Governments. Nor had there been any "secret agreement". Indeed, as must be clear to all, there had been no agreement at all.

83. He had chosen to set out the position in that manner, by way of quotations from statements by Ministers of the United Kingdom Government; so that the Committee might know exactly what his Government's position was, what it had done and what it had not done. It would be clear from what he had said that there had been no change in the constitutional status of Southern Rhodesia. It must also be clear that the discussions or negotiations between the United Kingdom

Government and the Southern Rhodesia Government were difficult and delicate and that if agreement was to be reached, great care and patience would be required. The responsibility in the matter lay with the two Governments concerned. His Government's ultimate aims were similar to those of other members of the Committee, but his Government did not believe that they could, in the existing circumstances, be achieved by precipitate action. Peace and orderly development in Southern Rhodesia were at stake. It was his Government's belief that the problems would be approached by all concerned with prudence, wisdom and restraint.

84. The representative of India observed that the question of Southern Rhodesia was one of the most urgent ones now before the United Nations since the situation there was grave and potentially dangerous. The United Kingdom delegation's statement of 6 March had come as a great disappointment to those who believed that the United Kingdom had sole and final responsibility for Southern Rhodesia until such time as that territory attained the goal set in General Assembly resolution 1514 (XV). The United Kingdom representative had again taken the position that the United Nations had no authority to intervene in the affairs of Southern Rhodesia, although that view had been rejected not only by the Committee and its predecessor, the Committee of Seventeen, but also by the Fourth Committee and the General Assembly as indicated by the voting on General Assembly resolution 1883 (XVIII). In particular, General Assembly resolution 1747 (XVI) had clearly stated that Southern Rhodesia was a Non-Self-Governing Territory within the meaning of Chapter XI of the Charter. Had the United Kingdom not cast its vote against the resolution introduced by the Ghanaian, Moroccan and Philippine delegations in the Security Council in September 1963, affairs in Southern Rhodesia would not have reached the present state of crisis.

85. The United Kingdom representative had stated in the Security Council on 9 September 1963 that steady progress was being made in Southern Rhodesia. That assertion required some explanation, inasmuch as the United Kingdom refused to accept the view that Southern Rhodesia was a Non-Self-Governing Territory or to state categorically that power would not be transferred to the white racist minority. He referred, in that connexion, to the mysterious declaration of the

United Kingdom Government that Southern Rhodesia would be granted independence in the same circumstances as the granting of independence to other British territories. Although the United Kingdom Government had spoken vaguely of its hope that the franchise would be broadened in Southern Rhodesia so as to grant proper representation to the African population, it did not appear from the Secretariat's working paper (paras. 1-70 above) that any substantial changes were in prospect. The United Kingdom Prime Minister's statement on 27 February that the present constitution of Southern Rhodesia contained the principle of majority rule meant very little in the light of the territory's peculiar electoral system based on A and B rolls which did not incorporate the principle of "one man, one vote". The Prime Minister had also said that "It is a matter of timing". Here there were differences of approach to the conception of timing. However, the vast majority of the people of Southern Rhodesia were not prepared to wait indefinitely; General Assembly resolution 1514 (XV) must be implemented immediately.

86. He wanted the United Kingdom Government to make a categorical statement that power would not be transferred to the minority government. He wished to know why the United Kingdom Government had not made arrangements for holding elections on the basis of universal adult suffrage or convened a fully representative constitutional conference which could solve the problems of the Non-Self-Governing Territory of Southern Rhodesia. Instead, it continued to maintain that it could not interfere in the affairs of Southern Rhodesia, although Sir Garfield Todd, a former Prime Minister of the territory, thought otherwise. The repressive legislation continued to darken the lives of the people of Southern Rhodesia.

87. The Government of Southern Rhodesia was persecuting African nationalists under the repressive Law and Order (Maintenance) Act and had forbidden meetings of the People's Caretaker Council, headed by Mr. Joshua Nkomo and prevented all political activity by the African people. Many had been arrested and detained without trial and force was being used even against women and children. More repressive legislation was being threatened. Two Africans had already been sentenced to death under the mandatory "hanging clause" of the Law and Order (Maintenance) Act; and three more were being tried; according to a letter

published recently in the British magazine The Spectator, one of them had been involved only indirectly in an unsuccessful attack. The letter in The Spectator also pointed out that only the United Kingdom Government without breach of the constitutional convention, could adopt legislation empowering the Governor of Southern Rhodesia to exercise the prerogative of mercy, which he was now prevented from doing except on the advice of the Southern Rhodesian Cabinet. The representative of India appealed to the United Kingdom Government to act by exercising the prerogative of mercy to save the lives of those condemned under the Law and Order (Maintenance) Act. He recalled in that connexion that Mr. Dupont, the Southern Rhodesian Minister of Law and Order, had recently made the offensive statement that the leaders of the indigenous population lacked brains and that the territory was confronted by "a carefully planned campaign of ... the enemies of constitutional government and Western civilization"; it was doubtful, however, that Mr. Dupont knew what "constitutional government" and "Western civilization" really meant.

88. The situation in Southern Rhodesia had gone from bad to worse because of the passive role played by the United Kingdom Government, which had permitted the Territory's white minority Government to ride roughshod over the wishes of the African population. The United Kingdom Government had constantly yielded to the Southern Rhodesian Government of Mr. Winston Field. Just recently, for example, the United Kingdom Colonial Secretary had confirmed the fact that Southern Rhodesia was no longer to be referred to as a colony, even though the Southern Rhodesian Constitution of 1923 and the constitution of the defunct Federation of Rhodesia and Nyasaland both defined it as such. Responsibility for the present grave situation lay with the United Kingdom, which had disregarded the efforts of various United Nations bodies to suggest methods of bringing about an improvement and in turn had accused the many members of the United Nations of lacking common sense and of abusing the functions of United Nations bodies.

89. The Southern Rhodesian minority Government continued to press the United Kingdom Government to grant independence to the Territory. Moreover, Mr. Field was reported to have stated in the Southern Rhodesian Parliament that Southern Rhodesia would withdraw from the Commonwealth if continued membership impeded



its progress towards independence. That was on the same lines as the Governor's speech which endorsed the Government's policy of discontinuing discussion with the Government of the United Kingdom on the problems of Southern Rhodesia, which was a preliminary step in the unilateral declaration of independence by the settler regime. He had also declared on 26 February 1964 that his Government did not recognize the right of anyone to interfere in the affairs of Southern Rhodesia and that it owed allegiance to the British Crown rather than to any particular United Kingdom Government, a statement with ominous implications. He wanted to know what the United Kingdom Government proposed to do in these circumstances. There was obviously a serious danger of a unilateral declaration of independence by the Field Government, a reality underscored by the recent moves in the Southern Rhodesian Parliament to amend the present constitution resulting in the abridgement of the powers of the Crown; as Mr. Mboya, the Kenyan Minister of Justice, had pointed out recently, the United Kingdom's failure to act in such a case would harm relations between the African people and the Commonwealth and would jeopardize the position of white settlers in the African-ruled States of East and Central Africa. The crucial question was whether the United Kingdom Government would use force in the event of a unilateral declaration of independence by Mr. Field, which would constitute an act of rebellion against the Crown. The United Kingdom should inform the Field Government in categorical terms that independence would not be granted to Southern Rhodesia until all the Territory's inhabitants received full and equal rights. In his statement at the last session of the General Assembly, Sir Alec Douglas-Home had affirmed the United Kingdom's commitment to the principle of majority rule; yet, the minority was permitted to rule in Southern Rhodesia, and independence was being denied to British Guiana, which was ruled by a majority Government.

90. The representative of India suggested that the United Kingdom Government, which constantly asserted its belief in moderation and constitutional methods, should call a constitutional conference at which representatives of both the Field Government and the African nationalists could work out a new, democratic constitution providing for elections based on universal adult suffrage. The

United Kingdom Government should make it clear that continued intransigence on Mr. Field's part would result in the immediate freezing of Southern Rhodesia's foreign reserves and the withdrawal of imperial preferences and loan guarantees, and that a unilateral declaration of independence would cause the termination of all United Kingdom assistance. Such action would unquestionably bring about a change in the attitude of the Field Government. He recalled in that connexion that the United States representative in the Committee, speaking on 25 March 1963, had urged the United Kingdom to exert its special influence in Southern Rhodesia, regardless of what its legal authority might be.

91. The United Kingdom had sufficient experience in such matters to find a solution in Southern Rhodesia that was in keeping with its age-old democratic traditions. Of particular importance was the immediate termination of repressive measures and the unconditional release of all political prisoners, so that normal political activity could take place in the territory. The peace and orderly development not only of Southern Rhodesia but of the whole of southern Africa were at stake. If the United Kingdom Government acted with foresight and boldness, it could still save the situation and earn the friendship of millions of people in Africa and throughout the world. But if they failed, there would be unrest and discord for years to come.

92. The representative of Iraq said that the Committee's decision to give high priority to the question of Southern Rhodesia was justified by the continued deterioration of the situation in that Territory. With the dissolution of the Central African Federation at the beginning of 1964, the minority Government in Southern Rhodesia had received a substantial part of the Federal army's armed forces and equipment. That had unquestionably helped to make the position of the Southern Rhodesian Government more intransigent and defiant, while the African majority had reacted with protest demonstrations resulting in bloodshed and the arrest of hundreds of African political leaders. The African population was rapidly coming to the conclusion that it could achieve its just aspirations only through violence, and an outbreak of violence in the Territory would have serious repercussions throughout the African continent, which regarded Southern Rhodesia

as an African problem that transcended all others. What made the situation particularly intolerable was the ability of a small settler minority to wield such disproportionately great influence in the councils of governing and financial circles in the United Kingdom.

93. An overwhelming majority of the Members of the United Nations held the United Kingdom responsible for the affairs of Southern Rhodesia. The argument that certain constitutional principles prevented the United Kingdom Government from interfering in the Territory's domestic affairs was untenable, for the United Kingdom had undertaken international obligations that must take precedence over constitutional principles. Moreover, the principle of not legislating for self-governing colonies could not be invoked in the case of Southern Rhodesia, whose government was not based on the consent of the governed, as in Canada, Australia and New Zealand, but maintained itself by terror and oppression.

94. In its effort to speed the attainment of independence by Southern Rhodesia in accordance with the wishes of the population, the Committee must be guided by the relevant resolutions of the General Assembly. In its most recent resolution (1889 (XVIII)), the Assembly called upon the United Kingdom not to grant independence to the Territory until majority rule based on universal adult suffrage was established and to hold a fully representative constitutional conference. There was nothing to prevent the United Kingdom Government from issuing an immediate statement pledging not to grant independence to Southern Rhodesia until majority rule was established. Yet, the statements of United Kingdom representatives on the matter continued to be vague and ambiguous.

Mr. Sandys, the United Kingdom Colonial Secretary, had stated on 15 November that the United Kingdom was prepared to grant independence to Southern Rhodesia in the same circumstances as it had granted it to other British territories; that could only mean after majority rule had been established. However, Mr. Sandys had gone on to speak merely of "a widening of the franchise so as to give greater representation to the Africans" - a formula that could mean anything at all. Once independence was granted, the settler Government could ignore its earlier promises and amend the constitution so as to prevent the Africans from ever achieving a majority in Parliament. The Committee must therefore use all

available means to obtain from the United Kingdom Government a solemn undertaking that independence would under no circumstances be granted until majority rule was firmly and irrevocably established in Southern Rhodesia. The United Kingdom must also state clearly that it would do everything in its power to prevent a unilateral declaration of independence by Southern Rhodesia's minority government.

95. He had been greatly disappointed by the United Kingdom representative's statement at the 223rd meeting, which had given the Committee no new information. Far from adopting a more sympathetic attitude towards African aspirations, the United Kingdom Government seemed to be trying to appease the Southern Rhodesian government of Mr. Winston Field. For example, whereas that Government's reply to the Secretary-General in 1962 (A/5396) had suggested that the United Kingdom might be in a position to give the Secretary-General fuller information in the future, its reply in 1963 (A/5664) had all but closed the door to that possibility.

96. A solemn declaration by the United Kingdom Government undertaking not to grant independence before majority rule was firmly established would help to ease tension and offer a better chance for progress. Unaccompanied by action to deal effectively with the essence of the problem, however, such a declaration would be insufficient. It would merely freeze the existing situation, for the Field government, having abandoned hope of early independence on its own terms, might well be content to maintain the status quo so long as the United Kingdom Government clung to the myth of constitutional principles which prevented it from interfering.

97. The United Kingdom Government was reported to have proposed a broadening of the franchise providing for an African majority within five years. A four-point programme reportedly prepared for presentation during Mr. Field's visit to London in January was said to have included a broadening of the lower- and upper-roll franchises, an increase in African representation in Parliament from fifteen to twenty-two, a blocking third of sixty-five members in the House, and repeal of the Land Apportionment Act and other racially discriminatory legislation. Such a proposal had possibly been made and rejected; in any event, he did not believe that it would be acceptable to the Africans. What the African majority demanded was the establishment of majority government now rather than

at some future date to be determined by the settler minority. The United Kingdom Government had the means to exert sufficient political, moral and, in particular, economic pressure to induce the Southern Rhodesian Government to accept peacefully a rapid change from minority to majority rule. The question was whether it was prepared to do so instead of using legalistic arguments to justify inaction.

98. His delegation felt that the Committee should first seek to obtain a solemn, clear undertaking from the United Kingdom Government not to grant independence to Southern Rhodesia until majority rule was firmly and irrevocably established. It might be advisable in that connexion to send a small sub-committee to London for further talks with the Government. The Committee should also continue its efforts, with the United Kingdom Government, to initiate steps leading to the abrogation of the 1961 Southern Rhodesian constitution and the convening of a constitutional conference to draft a new constitution providing for majority rule. The sub-committee might also be asked to explore those possibilities. If all such efforts failed, the Committee could avail itself of the right given to it by the General Assembly to apprise the Security Council of the situation.

99. The representative of the Union of Soviet Socialist Republics said that the question of Southern Rhodesia was still before the United Nations and a matter of concern to the African peoples because of the determined effort being made by the United Kingdom colonialists to preserve their rule over Southern Rhodesia, which they regarded as a military and political base and as a bulwark in the struggle against the African national liberation movement. Supported by public opinion throughout the world, the Africans of Southern Rhodesia were striving to obtain freedom and independence - legitimate rights already enjoyed by most African peoples.

100. Recent developments had shown that on the question of Southern Rhodesia the United Kingdom Government intended to continue its policy of disregarding the decisions of the United Nations and the will of an overwhelming majority of its Members. The United Kingdom Government had failed to comply with General Assembly resolutions 1883 (XVIII) and 1889 (XVIII) and had turned a deaf ear to appeals

and warnings from the representatives of many countries, especially African countries, in the Security Council and at the eighteenth session of the General Assembly. Following the dissolution of the Central African Federation on 31 December 1963, it had transferred to Southern Rhodesia seven squadrons of aircraft, four infantry battalions and armoured units consisting exclusively of white troops, thus creating a threat not only to the indigenous inhabitants of Southern Rhodesia but also to the neighbouring independent countries and to Africa as a whole.

101. Having strengthened Southern Rhodesia's racist Government militarily, the United Kingdom was now preparing to transfer full authority to the racists and proclaim the independence of Southern Rhodesia. The parties to the conspiracy, in an attempt to mislead world opinion and absolve the United Kingdom of all blame, were pretending that the initiative for Southern Rhodesia's independence was coming from so-called "rebels" in the present Southern Rhodesia Government. On 1 December 1963, The Observer (London) had reported that Mr. Field, the Southern Rhodesian Prime Minister, would make the Territory independent in the first half of 1964 and that only the date and the exact procedure remained to be decided. In that connexion, attention should also be drawn to the clear-cut statements made in December by Sir Roy Welensky, the former Prime Minister of the Central African Federation.

102. The white settler Government of Southern Rhodesia enjoyed the support of an influential lobby within the British Conservative Party and of powerful London banking circles. The role played by four closely interlinked foreign companies - the Rhodesian Anglo-American Limited, the Rhodesian Selection Trust Company (46 per cent of whose stock was owned by American Metals Climax, a United States company), the British South Africa Company and Tanganyika Concessions Limited - had long been recognized. Writing in the January 1964 issue of International Affairs, Mr. Kenneth Younger, a former Minister of State at the Foreign Office, described how at different times in the United Kingdom's history major companies had sought to impose certain policies on the Government.

103. At the beginning of February 1964, Mr. Field had visited London and South Africa. As he had stated on 6 February upon his return, his purpose in going to London had been to make it clear that no one could interfere with or suspend Southern Rhodesia's constitution; that refuted the contention of the United Kingdom that it could not intervene in the affairs of Southern Rhodesia. As a result of the visit to London, the term "colony" was no longer being applied to Southern Rhodesia. The purpose of the visit to South Africa had been to obtain guarantees of South African support when the United Kingdom joined the Southern Rhodesian Government in proclaiming the Territory's independence. According to press reports, Mr. Field had discussed with Mr. Verwoerd, the South African Prime Minister, the question of forming a union of Southern Rhodesia and South Africa.

104. At the same time that they were making preparations at the international level for Southern Rhodesia's independence, the Territory's racists were trying to strengthen their domestic position by methods largely borrowed from South Africa, such as the enactment of emergency legislation, the dissolution of political parties, the persecution of indigenous political leaders, executions, and the breaking up of meetings. In December 1963, Mr. Sithole, the leader of the Zimbabwe African National Union, and Mr. Nkomo, the Leader of the People's Caretakers Council, had been sentenced to prison for publishing and disseminating subversive literature. Mr. Nkomo had been rearrested on 18 February 1964, when hundreds of Africans had been rounded up and many of them sent to concentration camps. The authorities were continuing their attacks on democratic rights and freedoms, including the freedom of the press; even white-controlled publications were being threatened. Unemployment was growing and, according to the 7 September 1963 issue of the United States magazine The Nation, the average living standard of the African inhabitants of Southern Rhodesia was less than one-fortieth as high as that of the Europeans.

105. Racial discrimination permeated all spheres of State and public life in Southern Rhodesia. In February 1964, the Constitutional Council of Southern Rhodesia, an organ set up under the notorious 1961 constitution, had itself found that the Land Apportionment Act was the embodiment of racial discrimination. Yet, the magazine Statist had expressed the opinion on 21 February 1964 that the Act would not be amended because it was a prop of Mr. Field's policy of refusing to placate African nationalism.

106. The repressive actions of the Southern Rhodesian authorities, which were meeting with increasing resistance by the national liberation movement, were gradually inflaming the situation to the point of an explosion. Responsibility for that fact and for the preparations to proclaim Southern Rhodesia independent without transferring power to the indigenous inhabitants rested squarely with the United Kingdom, which was refusing to grant the legitimate rights and aspirations of Southern Rhodesia's African inhabitants and was preparing the way for the virtual transformation of the Territory into a second Republic of South Africa.

107. The granting of independence to Southern Rhodesia under existing conditions was opposed by an overwhelming majority of the States Members of the United Nations, by the entire membership of the British Commonwealth, and by all Asian, African and Latin American countries, as well as the socialist States. Warnings of the serious consequences of the United Kingdom's policies towards Southern Rhodesia had been voiced at the Conference of the African Ministers for Foreign Affairs at Lagos and by spokesmen of the indigenous inhabitants of the Territory.

108. It was thus clear that an explosion might occur at any moment and that the peace and security of the entire area were in jeopardy.

109. Under those circumstances, the United Kingdom might have been expected to take a different approach from the one it had adopted at the Committee's 223rd meeting, when the United Kingdom representative had merely repeated the trite assertion - long since refuted - that the United Nations was not entitled to interfere in Southern Rhodesia's internal affairs and that the United Kingdom was powerless to take any action regarding Southern Rhodesia because of a special relationship existing between the two countries. The United Kingdom representative had thus disregarded the General Assembly resolutions concerning Southern Rhodesia and the historic Declaration on the granting of independence to colonial countries and peoples, which was applicable to Southern Rhodesia. He should not have overlooked the fact reported in The Washington Post on 23 February 1964 that in the past thirty-five years the United Kingdom had amended eighty Southern Rhodesian bills and that no important law and no law affecting non-Europeans could be adopted in Southern Rhodesia without prior consultation with London. Indeed, everything that happened in Southern Rhodesia happened with the consent and



approval of the United Kingdom Government, and nobody would be convinced of the contrary by the endless repetition of discredited arguments.

110. The United Kingdom representative had spoken of the desirability of broadening the franchise in Southern Rhodesia and enabling the indigenous inhabitants to participate more directly in political life. It was as though Southern Rhodesia's African inhabitants - supported by the entire world with the exception of the United Kingdom itself, some of its allies and the Republic of South Africa - had not been demanding universal suffrage on the principle of "one man, one vote", the establishment of representative legislative and executive organs under a democratic constitution, the transfer of full powers to those organs, and the granting of independence to the country. Although the United Kingdom representative had professed to be reporting to the Special Committee "in a spirit of co-operation", he had failed to mention the fact that the United Kingdom had not complied with any of the General Assembly resolutions concerning Southern Rhodesia.

111. In the view of his delegation, the Special Committee's main task under the present circumstances was to frustrate the plans of the Administering Power and of Southern Rhodesia's racists for granting independence to that Territory under the present colonial regime of exploitation. The time had come for the United Kingdom to state unequivocally that Southern Rhodesia would not be granted independence so long as power remained with a handful of white settlers. Furthermore, the situation in Southern Rhodesia was so explosive and so grave a threat to peace in Africa that it called for immediate consideration by the Security Council.

112. His delegation supported the demand of the African States and the people of Southern Rhodesia for the immediate revocation of the racist constitution of 1961, the establishment of representative organs of the indigenous inhabitants through general elections based on universal and equal suffrage, and the transfer of full powers to those organs. It advocated immediate independence, accompanied by the transfer of full powers to the indigenous inhabitants, and the immediate, unconditional abolition of colonialism in Southern Rhodesia in accordance with the Declaration on the granting of independence to colonial countries and peoples.

113. The representative of Tanganyika said that it was contradictory for the United Kingdom delegation to argue, on the one hand, that its Government would have to hand over independence to Southern Rhodesia as it had in the case of many former colonies and, on the other hand, that the United Kingdom was not the Administering Power in Southern Rhodesia. As far as the Tanganyikan delegation was concerned, the United Kingdom was the Administering Power and would remain so until independence was granted to the majority of the Territory's inhabitants. In the meantime, it bore a heavy responsibility for the grave events taking place in Southern Rhodesia.

114. The situation in the Territory had continued to deteriorate. The minority settler regime was waging a campaign of terror against the African people. Following the dissolution of the Central African Federation, the regime of Prime Minister Field had been generously equipped with powerful war matériel with which it could intensify its repression of the African inhabitants. United Nations efforts to prevent the transfer of dangerous weapons and other attributes of power to Mr. Field's irresponsible clique had been blocked only by the United Kingdom's veto in the Security Council. The Committee and the United Nations must make a further vigorous effort to break that vicious circle and bring about an immediate solution of the problem.

115. Since Mr. Field's assumption of power, the harassment, humiliation and repression long inflicted on Africans in Southern Rhodesia had proceeded at a greatly accelerated pace. Scarcely a week passed without reports of mass arrests of Africans and of the prosecution and imposition of restrictions on nationalists leaders. On 19 February 1964, The New York Times had reported the arrest of Mr. Joshua Nkomo, the leader of the People's Caretaker Council. The Times of London of 29 February had reported further action against Mr. Nkomo. An article published in The Observer on 1 March had asserted that the United Kingdom Government could wield powerful political and economic weapons in Southern Rhodesia without deploying a single soldier. The New York Times had reported on 5 March 1964 that some 15,000 African school children had stayed away from classes in Salisbury on the third day of a growing boycott.

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116. Mr. Field had added fuel to the flames by his irresponsible utterances, especially after his recent visits to London and to his patron Mr. Verwoerd of South Africa. On 8 February 1964, The Star of Johannesburg had reported Mr. Field as saying that while in London he had obtained agreement that the Territory would no longer be referred to as a colony; when asked to define Rhodesia's status, he had said that he "would rather answer that question in a few months' time". On 27 February, The Times of London had quoted Mr. Field as saying that if Southern Rhodesia's membership in the Commonwealth impeded its progress towards independence, "then Commonwealth membership must go". Commenting on that statement, The Observer of 1 March had said that the white settlers of Southern Rhodesia were growing restless and regarded the country as independent in all but name.

117. Mr. Field spoke for men who, intoxicated by the doctrine of the "white man's burden" and the Herrenvolk mentality, had decided to make a last-ditch stand against African nationalism. However, African nationalism was part of the movement for the emancipation of mankind everywhere, and it would soon neutralize such stubborn remnants of the era of darkness as Mr. Field and his colleagues, Mr. Verwoerd and Mr. Salazar. Sir Roy Welensky, another champion of European settler domination, had recently been forced to face the realities of the African liberation movement, and his artificial Federation had been dissolved. Now Nyasaland and Northern Rhodesia were self-governing, with governments elected by the majority of the people, and would soon attain full independence. Mr. Field and his regime were destined to suffer the same fate as Sir Roy Welensky. The freedom movement would smash even the fortified walls of Mr. Verwoerd in South Africa.

118. The Committee should once again condemn the denial of basic human rights to the Africans of Southern Rhodesia and assure them that the United Nations supported them in their struggle. The African States would act on the present issue in accordance with the decisions taken at the Addis Ababa Conference and reaffirmed subsequently at Lagos and elsewhere. The United Nations should continue to bring the full weight of its authority to bear in the matter; it could not permit men like Mr. Field to go on jeopardizing world peace. It was not too late for the United Kingdom to take action to avert catastrophe in Southern Rhodesia.

119. His delegation hoped to join with others in putting forward more specific proposals.

120. The representative of Cambodia said that the constituent elements of the question of Southern Rhodesia were colonialism and racial discrimination. The essence of the question lay in the fact that 250,000 Europeans, helped by discriminatory measures in many spheres of life and particularly in respect of the franchise, were ruling the country in disregard of the wishes of the 3 million indigenous African inhabitants.

121. His delegation's point of view on the question was clear from the fact that Cambodia was a co-sponsor of General Assembly resolutions 1747 (XVI), 1760 (XVII), 1883 (XVIII) and 1889 (XVIII). In its opinion, the best way to remedy the situation - consistent with the principles of the United Nations Charter and of the Declaration on the granting of independence to colonial countries and peoples - would be to convene without delay a constitutional conference, to be attended by representatives of all political parties of the Territory aimed at making the necessary constitutional arrangements for independence on the basis of universal adult suffrage. That recommendation had been made repeatedly since 1962 by the overwhelming majority of the States Members of the United Nations. He was disappointed to see in the report of the Secretary-General (A/AC.109/57) that the Secretary-General was not in a position to report any progress in the promotion of conciliation among the various sections of the population of the Territory in the sense desired by the General Assembly.

122. In the meantime, the situation in the Territory had been deteriorating. Mr. Field's standpoint had been made quite clear: he did not accept United Nations intervention; he was opposed to any amendment of the 1961 Constitution; and, if the United Kingdom did not grant independence to Southern Rhodesia, he proposed to proclaim it unilaterally.

123. That the United Nations was fully entitled to intervene in the question of Southern Rhodesia was not in doubt. The question of Southern Rhodesia concerned matters within the purview of the Charter: racial discrimination, the denial of fundamental human rights and rights of citizenship to an entire population, and the denial of the right to self-determination. Moreover, the serious situation resulting from the non-application of the principles of the Charter was likely to

disturb international peace and security; the United Nations could not remain indifferent to that. The assertion repeated by the United Kingdom representative at the 223rd meeting that the United Nations was not competent to intervene in the affairs of Southern Rhodesia was inconsistent with the fulfilment of the obligations assumed by the United Kingdom as a Member of the United Nations.

124. The United Kingdom bore responsibilities as the Administering Power and should clearly indicate to Mr. Field's Government that Southern Rhodesia would not be granted independence so long as political rights, including the right to vote, were withheld from the population as a whole. The United Kingdom's responsibility had been admitted by that country's representative himself, who had said at the 223rd meeting that "the responsibility in the matter lay with the two Governments concerned".

125. With reference to future action, he felt, firstly, that the steps suggested at the 224th meeting by the Iraqi and Indian representatives should be borne in mind. Secondly, all Member States which had the principles of the Charter and the abolition of colonialism at heart could begin by clearly defining their reaction to a possible unilateral proclamation of independence by Mr. Field, and, perhaps, follow such a statement with more specific action such as the severance of economic and cultural relations with the present Government in Southern Rhodesia. Lastly, there remained the possibility of bringing the matter before the Security Council and, if necessary, of convening an extraordinary session of the General Assembly.

126. Past General Assembly resolutions were still valid and should be carried out. At the same time Member States should take a firm attitude and be ready to intervene, individually or collectively, should a serious crisis develop. His delegation could not agree to a situation in which the 3 million indigenous African inhabitants of Southern Rhodesia were left at the mercy of a minority, and would support any suggestion designed to safeguard the rights of the people of Southern Rhodesia and to enable them freely to express their wishes.

127. The representative of Syria said that, despite the vague promises made by the United Kingdom Government to the Sub-Committee sent to London by the Special Committee, the situation in Southern Rhodesia appeared to be developing in a way

which conflicted with the objectives of General Assembly resolution 1514 (XV) and which might create a threat to peace in Africa. The two remaining obstacles to Africa's irresistible movement towards liberation from colonialism and the abolition of racial discrimination were the efforts of certain colonial Powers such as Portugal to maintain their position, and the outmoded policy of apartheid pursued by the Government of South Africa. The situation in Southern Rhodesia was one in which Europeans were disregarding the interests of the African inhabitants as they clung to privileges acquired by wrongful means.

128. In a document circulated at the request of the United Kingdom delegation,<sup>8/</sup> the Southern Rhodesian Government had suggested that the white settlement of Southern Rhodesia had represented the advance of civilization and had been justified by an earlier invasion of the Territory by the Matabele tribe. Quite apart from the fact that the Matabele had in no sense been strangers to that area, however, intertribal quarrels could not serve to justify outside military intervention. All the European nations had come into being as the result of a long series of tribal conflicts, but in Africa a tiny minority had prevented a similar process of evolution and denied the Africans the right to govern themselves. As Mr. George W. Shepherd, an American professor, had pointed out in his book, The Politics of African Nationalism, a high level of civilization had existed in Southern Rhodesia before the arrival of the white settlers. Thus, the whites had conquered a country which already existed as an organized entity but lacked the means of defending itself.

129. Both the ruling party and the Opposition in Southern Rhodesia were in agreement in supporting a policy of racial segregation and European supremacy. A third of the country's land was in the hands of the Europeans, who also controlled industry, the administration of justice and the civil service.

130. Since the dissolution of the Central African Federation, the United Kingdom Government had been preparing to grant independence to Southern Rhodesia without first attempting to modify the present system, which was unfair and unacceptable to a majority of the population. The United Kingdom continued to take the position that the Southern Rhodesian Constitution of 1961 prevented it from intervening in the Territory's affairs. However, the United Kingdom was responsible

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<sup>8/</sup> Ibid., Eighteenth Session, Annexes, agenda item 75, document A/C.4/606.

under that Constitution for Southern Rhodesia's foreign relations - a responsibility that had to be borne in mind when the machinations of the Southern Rhodesian Government conflicted with the United Kingdom's obligations as a Member of the United Nations. It should also be recalled that the 1961 Constitution had confirmed an arrangement made in 1923 under which the Southern Rhodesian Government was permitted to legislate only in matters not affecting the interests of the indigenous population. Thus, the United Kingdom was responsible for ensuring the harmonious development of the majority of the population and, as a permanent member of the Security Council, bore a special responsibility for defending the interests of international peace and security against the effects of the Southern Rhodesian Government's policies.

131. The United Kingdom's passive attitude had encouraged Mr. Field, the Southern Rhodesian Prime Minister, to take a position of intransigence towards even his protectors, and one of bullying arrogance towards the African nationalists. Instead of carrying out its "sacred civilizing mission", the United Kingdom had turned over the country's wealth to the Europeans and was now preparing to sanction a declaration of independence which would bring prosperity to the whites and poverty to the Africans. The present process of development paralleled that which had taken place in Algeria, and would end in the same way.

132. The United Kingdom's continued refusal to intervene on behalf of the African inhabitants of Southern Rhodesia confronted the Committee with an alarming situation. In resolution 1889 (XVIII), the General Assembly had appealed to the United Kingdom for the third time not to grant independence to Southern Rhodesia until majority rule based on universal adult suffrage was established in the Territory. Action must at last be taken to carry out that resolution. He noted that whereas the United Kingdom Government today refused to compel the rulers of Southern Rhodesia to give just treatment to the African majority, it had allowed Egypt its independence in 1923 only on condition that the United Kingdom retained the right to intervene in Egypt's internal affairs to protect foreign nationals and religious minorities. In both instances, however, the aim was to protect a European minority.

133. If the European rulers of Southern Rhodesia were permitted to make the Territory independent, they would unquestionably pursue a policy of racial discrimination modelled on that of South Africa - an obviously dangerous course of action. They should be reminded that the era of white supremacy was at an end. He called upon the United Kingdom Government, which had assumed the role of guardian of the African inhabitants of Southern Rhodesia, to restore to them the right to determine their own future.

134. The representative of the Ivory Coast said that at a time when about thirty former colonial territories in Africa, which had become independent thanks to the readiness of their former masters to grant their inhabitants their lawful rights, were co-operating in a harmonious manner with the former colonial Powers, whose legitimate interests they recognized and from whom they were receiving aid which was accelerating their development, his delegation was surprised and indignant at the fact that certain Powers should be pursuing policies which might well drive peaceful peoples to extremities.

135. The concern of the United Nations over the possibility of Southern Rhodesia's attaining independence without prior amendment of its Constitution was fully justified; yet the United Kingdom was not only denying the United Nations the right to discuss the problem but was evading its own responsibility by asserting that Southern Rhodesia was already self-governing and had its own Constitution. The United Kingdom could not and should not continue to uphold a legal fiction as a result of which Southern Rhodesian independence would mean delivering the Africans to the mercies of a gang of whites armed to the teeth who were engaged in secret talks with South Africa's nazis.

136. Granting independence to Southern Rhodesia under existing conditions would be tantamount to planting a time bomb in the African continent. The African majority in Southern Rhodesia was conscious of its rights and would defend them to the last. Considering how well armed the whites in Southern Rhodesia were, and how determined they were to deal brutally with the Africans, whose determination was equal to their own, it was clear that any outbreak of violence would mean a bloodbath.



137. In those circumstances, peaceful methods of settling the problem having failed, the peoples of other African countries might well feel obliged to intervene by force of arms in order to restore the balance of forces and see justice done. The result, as was clear from the resolution adopted at the recent conference of the Ministers for Foreign Affairs of the Organization of African Unity at Lagos, would be a war in the heart of Africa; and that would inevitably mean the revision of the treaties of alliance with the United Kingdom. After all, if the western Powers recognized the right of certain Mediterranean States to intervene in Cyprus in defence of a minority of 100,000 persons, why should the same right not be conceded to the thirty-four African States seeking to defend 3 million of their brothers oppressed by a minority of 200,000 men?

138. The situation was serious, and the United Kingdom, which admitted that it was responsible for Southern Rhodesia's international relations, could and must act. The delegation of the Ivory Coast called upon the United Kingdom not to transfer international sovereignty to Southern Rhodesia so long as the present Constitution remained unchanged. It agreed with the Iraqi representative that the United Kingdom was entitled to use every means, including force, in opposing a unilateral proclamation of independence by Southern Rhodesia's whites. Because they were confident that the United Kingdom would not acquiesce in such an action, the African delegations urged the United Kingdom Government either to make a public statement that it would oppose any unilateral proclamation of independence by Southern Rhodesia which was not preceded by an amendment of the present Constitution, under which the African majority was deprived of all its rights, or to give the Governments of the States Members of the United Nations assurances to that effect through the diplomatic channel.

139. The representative of Chile observed that, in spite of the General Assembly's adoption of resolutions 1883 (XVIII) and 1889 (XVIII) endorsing the views of the Special Committee on the question of Southern Rhodesia, there had been no significant change in the situation and the Southern Rhodesian authorities clearly had no intention of recognizing the rights of the African majority of the population. Unfortunately, the United Kingdom representative's statement had not served to dispel that impression; while the United Kingdom's position in the matter was admittedly difficult and much patience would be required in order to work out an agreement with the Southern Rhodesian Government, the present approach seemed unlikely to prove successful so long as the latter Government refused to make any changes.

140. A unilateral declaration of independence by the Southern Rhodesian Government would create a particularly dangerous situation. While it might seem paradoxical that the United Nations should oppose independence for Southern Rhodesia, it was obvious that independence must be granted to former colonies in a form which, in accordance with General Assembly resolution 1514 (XV), permitted the free expression of the will and desire of the peoples concerned, without distinction as to race, creed or colour. It was for that reason that the General Assembly, in resolution 1889 (XVIII), had called upon the United Kingdom Government not to grant independence to Southern Rhodesia until majority rule based on universal adult suffrage was established in the Territory. A unilateral declaration of independence by the Southern Rhodesian Government would, by creating a State based on minority rule and racial discrimination, threaten the peace and security of Africa and confront the United Nations with a new case comparable to that of South Africa.

141. In view of those considerations, his delegation agreed with the representative of the Ivory Coast that the Committee should request the United Kingdom Government to inform the Southern Rhodesian Government in unequivocal terms that it would not accept a unilateral declaration of independence. The United Kingdom should, at the

same time, make a further effort to induce the Southern Rhodesian Government to adopt measures which would enable the majority of the population to play its rightful part in the governing of the country. Apart from existing constitutional limitations, there were substantial economic and other means available to the United Kingdom for achieving that end, and other members of the Commonwealth could also play a part in the matter. His delegation was confident that the problem of Southern Rhodesia could be solved through intensified efforts along the lines recommended by the General Assembly and the Special Committee.

142. The representative of Tunisia said that on several occasions during the past few years, either in the General Assembly, the Security Council or the Special Committee, the United Nations had considered the situation prevailing in Southern Rhodesia. His delegation had stated its position on that question both in the Committee and in the General Assembly and it had ceaselessly alerted the universal conscience to the tragic fate of the three million Africans subjected to the persecution and tyranny of 230,000 white colonists. The Administering Power had done nothing whatever to implement the various resolutions concerning Southern Rhodesia adopted by the General Assembly and its principal organs. Appropriate action under the Charter to deal with that attitude could not be suspended indefinitely. In resolution 1747 (XVI), the General Assembly had affirmed that Southern Rhodesia was a Non-Self-Governing Territory within the meaning of Chapter XI of the Charter and had requested the United Kingdom to convene a constitutional conference, with the participation of representatives of all political parties, to draft a new constitution for Southern Rhodesia which would ensure the rights of the majority, on the basis of "one man, one vote", in conformity with the Charter and the Declaration on the granting of independence to colonial countries and peoples. The General Assembly had reaffirmed that resolution in resolutions 1755 (XVII) and 1760 (XVII). In May 1963, the meeting of African Heads of State and Government at Addis Ababa had urged the United Kingdom not to transfer sovereignty to a Government which represented a foreign minority and which had been imposed on Southern Rhodesia's African inhabitants by force. They had reaffirmed that if power in that Territory were to be usurped by the white minority they would lend their effective moral and practical support to any legitimate measures which the African nationalist leaders might take for the purpose of

recovering that power and restoring it to the African majority. On 20 June 1963, the Special Committee had adopted a resolution (A/5446/Rev.1, chapter III, para. 282) drawing the Security Council's attention to the deterioration of the situation in Southern Rhodesia and calling upon the United Kingdom to implement the General Assembly's resolutions without delay. On 13 September 1963, the United Kingdom had vetoed in the Security Council a draft resolution asking the United Kingdom not to transfer any powers and attributes of sovereignty to Southern Rhodesia until a fully representative government was established and not to carry out the transfer of armed forces and aircraft to Southern Rhodesia envisaged by the Central African Conference of June 1963. At its eighteenth session, the General Assembly noted no slackening of tension. Two resolutions were adopted. General Assembly resolution 1883 (XVIII) had reproduced the provisions of that draft resolution, while General Assembly resolution 1889 (XVIII) had again called upon the United Kingdom to hold a constitutional conference in which representatives of all political parties of the Territory would take part and to abstain from granting independence to any government based on the Constitution of 1961 and had requested the Secretary-General to report on the results of his efforts to promote conciliation in the Territory.

143. The Tunisian delegation had cherished the hope that the resolutions adopted at the eighteenth session would meet with a better reception and a more encouraging attitude on the part of the Administering Power. But the Secretary-General's report to the Committee (A/AC.109/57) did not justify the slightest hope, and showed beyond a doubt that there had been no change in the attitude of the Administering Power. Indeed, in view of the disquieting course of events within the Territory and statements by members of Mr. Field's racist Government, there were grounds for greater apprehension in that region and for fearing the worst. The arrests and repressive measures against the Rhodesian people and Nationalists were at their height. Mr. Joshua Nkomo, whose moderate position was well known, had repeatedly been arrested and imprisoned. Very recently, those convictions had given rise to protest demonstrations during which, according to the Observer of 2 February 1964, the police had opened fire on the demonstrators, killing two persons and injuring four. Steps to strengthen the provisions of the racial laws were not being neglected either. In a speech from the Throne, the Governor had announced, on 25 February 1964, that the Government would seek an extension of the Preventive Detention Act and the Unlawful Organization Act, which were to expire on 14 May.

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144. These psychological measures of intimidation and repression were not isolated facts. The ultimate aim of the Southern Rhodesian Government headed by Mr. Winston Field was to gain independence for the benefit of the white minority. In February, after his visit to London, Mr. Field had declared that Southern Rhodesia was no longer a colony. He had subsequently stated that "remaining a member of the Commonwealth must go by the board if this impedes our progress to independence". It was clear from those quotations that Mr. Field was looking for means of compelling the Administering Power to fall in with his plans and of confronting it with what might be presented as a fait accompli. At the same time, he was seeking alliances and with this in mind was paying increasingly frequent visits to the Republic of South Africa, with the object of concluding an "unholy alliance" which would shield him against anyone who might threaten him, even against the Administering Power, if necessary.

145. Nevertheless, the United Kingdom continued to refuse to state categorically that it would not grant independence to Southern Rhodesia until a new constitution was adopted revising the electoral law on the basis of "one man, one vote". Africa continued to be gravely disturbed by the course of events in Southern Rhodesia. The recent Conference of Foreign Ministers at Lagos had reiterated these apprehensions and recommended measures for restoring the lawful rights of the Territory's inhabitants and had warned the United Kingdom against the serious consequences of its present policy. The United Kingdom Government had definite responsibilities in Southern Rhodesia which it could not shrirk; the constitutional limitations which it invoked in defence of its position were challenged by the British Parliament and, in any case, could not take precedence over its international obligations which it had entered into voluntarily. The Tunisian representative associated himself with the previous speakers who had called on the Administering Power to state categorically and unequivocally that it would not grant independence to Southern Rhodesia until the constitution was amended on the basis of resolutions 1747 (XVI) and 1899 (XVIII); that would be in keeping with the United Kingdom's traditions and with the Devonshire Declaration, in which the

United Kingdom Government had proclaimed, forty years previously, that the interests of the indigenous Africans must be considered as paramount and that in the event of a conflict between the interests of the Africans and those of the immigrant races, the African interests must prevail. The situation was so serious that any further temporizing would be detrimental not only to the future of the Rhodesian people but also to relations between Africa and the United Kingdom. The fate of the three and one half million Africans consigned to the horrors of fear and anxiety and subjected to tyranny was of increasing concern to the whole of Africa which had reached the end of its patience and could not continue to stand passively by while that focus of tension threatened the existence of the Rhodesian people and the stability of the entire area. The United Kingdom would have no one to blame but itself if it continued to drive the members of the Committee toward a desperate decision from which violence would ensue.

146. The Special Committee should set up a small group, which might be called a "watchdog committee", to follow events in Southern Rhodesia during the period between the Special Committee's sessions and to draw attention to all movements of forces within that Territory. The United Nations could not allow itself to stand idly by in a dangerous game in which human lives were at stake as well as the peace and security of the entire African continent. The Tunisian delegation would associate itself with the presentation of any concrete measures for dealing with the situation and might have some proposals to make on those lines at the proper time.

147. The representative of Madagascar said that although the United Kingdom representative continued to assert that Southern Rhodesia was not a "Non-Self-Governing Territory" and that his country was not an "Administering Power", that question had been settled once and for all by General Assembly resolution 1747(XVI). The United Kingdom could not hide indefinitely behind a legal fiction or attempt to evade its responsibilities.

148. In the present situation in which the fury and blindness of a minority might precipitate a tragedy at any moment, the Committee should seek ways of preventing the worst from happening. His delegation was of the opinion that previous General Assembly resolutions on the question were still valid and that the first steps to be taken were those embodied in resolutions 1760 (XVII) and 1883 (XVIII). In that connexion his delegation was glad to note that the United Kingdom had not complied with Mr. Field's request for independence.

149. Since the ultimate objective was an independent and sovereign Southern Rhodesia, it was necessary to seek ways and means of giving the African population its fair share in the political life of the country. While his delegation was aware of the difficulties involved, it felt that the desired result could be achieved through the holding of a fully representative constitutional convention in order to draw up a constitution providing for absolute political and legal equality on the principle of "one man, one vote".

150. The question of Southern Rhodesia called for the sincere co-operation of all interested parties and in particular of the United Kingdom whose influence and responsibilities could not be denied. His delegation had always had full confidence in the United Kingdom's desire to free the African peoples; by taking early steps to free Southern Rhodesia in accordance with the wishes of the United Nations and of the people of the Territory, the United Kingdom would only add to its greatness.

151. The representative of Denmark said that if one looked at the situation in Southern Rhodesia in a realistic light, there seemed to be very few avenues of action open to the Committee. While the Southern Rhodesian Government's wish to obtain independence at approximately the same time as Northern Rhodesia and Nyasaland was understandable, the crux of the problem was on the conditions on which independence should be granted.

152. It was a well-known fact that the United Kingdom Government was seeking a widening of the franchise that would give greater representation to the Africans. His Government shared the view that independence should not be granted to Southern Rhodesia, as long as the Territory was not under a Government representing the great majority of the people. Recent developments in a former United Kingdom territory had shown the danger of granting independence to a minority Government. The right to self-determination and independence should never be limited to one section or certain sections of the population. The guiding principle should be equal rights for all without distinction as to race, religion or political conviction. That principle should be applied to the whole population of every territory, including Southern Rhodesia.

153. He saw no reason to doubt that the United Kingdom Government was fully aware of its special responsibilities towards the majority of the people of Southern Rhodesia. He hoped that the Southern Rhodesian Government would adjust its policies to the inevitable political and social changes occurring in the world, especially in the immediate vicinity of the Territory.

154. He was still hopeful that the Governments of the United Kingdom and of other countries with close links to Southern Rhodesia would eventually be able to bring moral and political influence to bear as to ensure swift and peaceful development towards a truly democratic society in Southern Rhodesia. He was aware that there were circles in Southern Rhodesia which hoped that steps would be taken that might be used as a pretext for unilateral action by the Government of Southern Rhodesia. Such a development would be dangerous and inexcusable. At the same time, the Committee should be aware of its special responsibility not to add to the difficulties in the way of a peaceful solution at a time when the parties concerned had not yet exhausted all possibilities of further negotiation. That stage, however, would be reached very soon if everyone, whether in New York, London or Salisbury, did not bear in mind the dangerous consequences which precipitate action could have on the prestige of the United Nations and, what was much more important, on the people of Southern Rhodesia.

155. The Danish Government and people were following developments in Southern Rhodesia with growing concern. He hoped that future developments would not force his delegation to reconsider its conciliatory attitude.

156. The representative of Yugoslavia expressed regret that the United Kingdom, in its capacity as Administering Power, had not shown readiness to comply with the General Assembly resolutions on Southern Rhodesia and to apply to the Territory the provisions of the Charter and of the Declaration on the granting of independence to colonial countries and peoples. It had failed to meet the justified demands of the four million African inhabitants of Southern Rhodesia for freedom and independence; as a result, the situation in Southern Rhodesia had deteriorated dangerously and was threatening to lead to the most serious consequences.



157. The General Assembly having found clearly and unequivocally that Southern Rhodesia was a Non-Self-Governing Territory within the meaning of Chapter XI of the Charter, it was not only the right but also the duty of the United Nations to consider the question of Southern Rhodesia. The argument in favour of the self-governing status of the Territory had no legal, moral or political justification. The overwhelming majority of the population was virtually disenfranchised, denied the most elementary human rights and subjected to degrading conditions of colonial rule imposed by a racist white minority government, which was following in the footsteps of the minority government in South Africa. It was unfortunate that negotiations concerning the future of the Territory had thus far been conducted only with Mr. Field's regime, which did not and could not represent the people of Southern Rhodesia, having been imposed by means of an undemocratic and discriminatory constitution whose repeal had been demanded by the General Assembly. The political future of the people of Southern Rhodesia could not be discussed in terms of such a constitution.

158. Developments in Southern Rhodesia, for which the Administering Power had to be held responsible because of its failure to comply with General Assembly resolutions, were moving away from a peaceful solution. That was a most unfortunate trend which had been confirmed by the Secretary-General in his report (A/AC.109/57) on the measures he had taken in pursuance of General Assembly resolution 1889 (XVIII), and even the United Kingdom representative did not deny the absence of progress in Southern Rhodesia. That lack of progress caused his delegation grave concern.

159. The statement by the United Kingdom representative at the 223rd meeting that his Government had neither the legal right nor, in fact, the means to intervene in the internal affairs of Southern Rhodesia in no way reduced the United Kingdom's responsibility in the matter. Indeed, the leaders of ZAPU were convinced that the United Kingdom Government had enough means at its disposal to remove any threat of a unilateral proclamation of independence and to induce Mr. Field's Government to change its policies.

160. In disregard of the General Assembly's recommendations, the United Kingdom Government had proceeded to transfer to Southern Rhodesia military forces formerly

under the control of the Central African Federation. Only one further step, the transfer of power and the granting of "independence" to Mr. Field's Government, remained to be taken for another stronghold of racialism and colonialism to have been created in Africa. The indigenous inhabitants would then have no alternative but recourse to force in order to secure their rights and their independence. The four million Africans of Southern Rhodesia had shown great patience in their search for a just solution. It was entirely understandable, however, that that patience was running out in the face of the United Kingdom Government's unwillingness to comply with General Assembly resolutions and of the policy of terror pursued by the racist minority Government. The leaders of the indigenous inhabitants of Southern Rhodesia had no doubt that, like African people elsewhere, the Africans of Zimbabwe would also obtain their freedom, even at the cost of much bloodshed.

161. Yugoslavia fully supported the legitimate demands of the people of Southern Rhodesia for true independence. Those demands had also been supported by the Conference of the Ministers for Foreign Affairs of the Organization for African Unity recently held at Lagos, and by all those who understood that the long-term interests of European settlers in Africa and the cause of world peace called for independence and the recognition of the equality and brotherhood of all men. A solution which would protect the rights of the minority could be found not by insisting on minority privileges but only by recognizing the inalienable equality of all men. Those who sought to guarantee the minority's privileges were creating conditions in which hatred against the Whites might become so intense that they would not be able to remain in the country.

162. It was not too late to prevent the worst from happening. The General Assembly resolutions pointed the way to the solution of the problem. He felt that the United Kingdom Government would co-operate in assuring their implementation. If, however, the need arose for additional measures to forestall any further deterioration of the situation, his delegation would support the Soviet delegation's recommendation that the matter should once again be referred to the Security Council. The United Nations should give its fullest support to the people of Southern Rhodesia in the attainment of their rights and aspirations.

163. The representative of Uruguay took exception to the statement made in April of the previous year by Mr. Duncan Sandys, Secretary of State for Commonwealth Relations and Secretary of State for the Colonies to the effect that he hoped the United Nations would examine the problem of Southern Rhodesia from an intellectual rather than an emotional and political point of view. That was an unfair statement, for the problem had always been studied with the utmost care and objectivity, whether in the plenary General Assembly, the Fourth Committee or the Special Committee. Indeed, if anything was based on emotional and political considerations, it was the position of the United Kingdom itself. He noted that the situation remained as it had been in July 1963 and the crucial problem was therefore still the need to persuade the United Kingdom Government to discharge the responsibilities incumbent upon it under Article 73 of the Charter and General Assembly resolution 1514 (XV). After reviewing the arguments he had developed at the last session of the Fourth Committee concerning the competence of the General Assembly, the obligations of an Administering Power and the status of Southern Rhodesia (A/C.4/SR.1440 and A/C.4/607), he observed that there were two circumstances which might constitute grounds for guarded optimism. From Mr. Field's use of the words "extravagant" and "unacceptable" in his statement to the Southern Rhodesia Legislative Assembly on 26 February 1964 concerning the conditions which the United Kingdom had put forward in negotiations for granting independence to the Territory, it would appear that under the vague expression "broadening the franchise" the United Kingdom might have had in mind the establishment of a majority government forthwith. The other possible cause for optimism was the statement of the United Kingdom Prime Minister to the House of Commons that his Government accepted the principle of majority rule (see para. 28 above). If that was a correct description of the United Kingdom's position, it would mean that considerable progress had been made.

164. In the circumstances, he did not think that the Committee could do any more than reiterate the most important points of General Assembly resolution 1889 (XVIII), particularly paragraphs 5 and 6 of the resolution. There could be a significant difference between the vote in the Fourth Committee and the decision of the Special Committee on those points, for the action by the Special Committee might

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well be unanimous. In the opinion of his delegation such a unanimous vote, or consensus, which had been impossible in the past, would be the best contribution that the Special Committee could make at the present time to the cause of the oppressed people of Southern Rhodesia; at the same time it would be in the interests of the Administering Power itself, which had always asked for the co-operation of the United Nations. As things stood, there was no assurance that something drastic might not occur which would make further discussion in the United Nations meaningless.

165. The representative of Sierra Leone said that so far as his delegation was concerned the United Kingdom Government was still responsible for the affairs of Southern Rhodesia. It was therefore the duty of the Special Committee not to determine the extent of the United Kingdom Government's accountability for the misdeeds of the Southern Rhodesian oligarchy but to draw attention to the explosive situation in the Territory and impress upon the United Kingdom Government the urgent need for remedial action. The General Assembly had adopted a series of resolutions urging the United Kingdom not to transfer to Southern Rhodesia as at present governed any of the powers or attributes of sovereignty or the armed forces and aircraft inherited from the Federation, and requesting it to hold a conference with a view to making constitutional arrangements for independence on the basis of universal adult suffrage. In spite of those resolutions, the situation continued to deteriorate at an alarming rate. Under the 1961 Constitution mock elections had been held by which a racist, minority, settler regime had come to power. Among the most objectionable laws adopted by that regime were the following: the Law and Order (Maintenance) Act, which made it almost impossible to hold public meetings; the Unlawful Organizations (Amendment) Act, which vested excessive powers of search and seizure in the police and prohibited both current and former leaders of banned organizations from joining other organizations; the Land Apportionment Act, by which 44 million acres of land were reserved for 3.5 million Africans while 36 million acres were reserved for 230,000 whites; and the Municipal Act, under which an African, no matter how important his position, could not acquire property in a European area and accordingly could not vote in a municipal election or be

ected to the office of municipal councillor. The Constitutional Council in its report had indicated the reasons for that Act by drawing attention to a passage in the statement of the Morris Carter Commission Report that however desirable it might be for the members of the two races to live side by side, with equal rights in respect of the holding of land, it was felt that in practice such a policy was not likely to be practicable or in the best interests of the two races for generations to come and that points of contact between the two races should preferably be reduced.

166. The United Kingdom Government, to its credit, had refused to grant independence under the existing Constitution until the franchise was broadened; the problem was that it had not been made clear what the United Kingdom Government meant by a broadening of the franchise. In the eyes of the minority rulers of Southern Rhodesia such a broadening of the franchise might be "extravagant", whereas in the eyes of the rest of the world it might be inadequate. What was needed in Southern Rhodesia was not simply a broadening of the franchise to ensure more direct participation by the people in the political life of the country but a fundamental revision of the Constitution which would guarantee equal political rights to the entire population, without discrimination, and create the conditions in which those rights, particularly the right of suffrage, would be fully and freely exercised.

167. The Special Committee should therefore urge the United Kingdom Government to convene as a matter of extreme urgency a constitutional conference of all political organs in the Territory to work out such a constitutional revision, to be followed by elections held on the basis of universal adult suffrage and, finally, the granting of independence. It was to be hoped that Mr. Field and his colleagues would co-operate in that effort, for they seemed to be aware of the dangers of rash unilateral action. Sir Edgar Whitehead had warned that if the Government took illegal action to achieve independence Southern Rhodesia would collapse within six months. That was at best a generous estimate, for a precipitate declaration of independence could not but further provoke the masses, who would unquestionably have the support of their brothers in the rest of Africa and of all those who cherished the freedom and dignity of the individual. If the

United Kingdom wished to avert that threat to international peace, it should unequivocally declare its opposition to any unilateral declaration of independence and warn the Southern Rhodesia Government that it would impose economic sanctions should the need arise. The Special Committee for its part should appoint a special sub-committee to keep the matter under constant review.

168. The representative of Mali said that the question of Southern Rhodesia was an extremely serious colonial question which might lead to a breach of the peace at any time. All the principles of the United Nations Charter and of the Universal Declaration of Human Rights were at stake. A particularly disquieting aspect of the question was that the Administering Power, instead of complying with General Assembly resolutions, was trying to withdraw from its responsibilities in favour of an alien minority pursuing policies based on racial discrimination. At the 223rd meeting, the United Kingdom representative had once again stated that his Government regarded Southern Rhodesia as self-governing and that it could not intervene in the manner requested by the Committee. That argument, however, had been rejected three times by the General Assembly. The United Kingdom remained responsible for Southern Rhodesia and the only way in which it could divest itself of that responsibility in keeping with the Charter was by the transfer of powers to the genuine representatives of all the people of Southern Rhodesia - above all the 3.5 million Africans - and not to the alien minority which had come to power by illegal and anti-democratic means.

169. He did not think that the United Kingdom delegation itself believed in its argument that Southern Rhodesia was a self-governing territory. The provisions of article 21 of the Universal Declaration of Human Rights were clearly not being applied in Southern Rhodesia. Until such time as the United Kingdom agreed to discharge its responsibility and abide by the sacred principles of the Charter and of the Universal Declaration, with particular reference to those concerning the right of peoples to self-determination, his delegation would continue to reject the United Kingdom argument.

170. The policies of the United Kingdom with regard to Southern Rhodesia were needlessly delaying the solution of the problem and fanning hatred between the two communities destined to live together in a non-racial society. The United Kingdom had not said a word regarding Mr. Field's openly announced intention of unilaterally proclaiming the independence of Southern Rhodesia. It consciously disregarded the interests of 3.5 million Africans who were being left to the mercies of a handful of white settlers. Such conduct was inconsistent with the efforts which the United Kingdom Government alleged it was making to speed up the process of decolonization.

171. Any fair-minded person would agree that Southern Rhodesia was a Non-Self-Governing Territory within the meaning of Chapter XI of the Charter, that General Assembly resolution 1514 (XV) was applicable to it and that the wave of African independence could not be stopped at its borders for the sake of the sordid interests of foreign companies which, with the help of the London and Salisbury Governments, systematically pillaged the resources of that rich country.

172. He would like to remind the United Kingdom representative of the resolutions adopted by various United Nations organs on the question of Southern Rhodesia and also of the warnings voiced at the Summit Conference of African States at Addis Ababa in May 1963 and at the recent meeting of the Ministers for Foreign Affairs of the Organization for African Unity at Lagos. The United Kingdom should realize that the Governments of the independent African States could not disregard the fate of other Africans. On that score, they intended to take all appropriate action including the re-examination of their relations with the United Kingdom Government. Far from being blackmail, those warnings were aimed at opening the eyes of the United Kingdom Government to the inconsistency of colonial policies towards Southern Rhodesia. The United Kingdom was a permanent member of the Security Council and a great economic and military Power. It had the necessary legal powers and means of pressure to bring about compliance with the General Assembly decisions and with the recommendations of the Heads of African States regarding Southern Rhodesia. In doing so, it would have the approval and support of the United Nations.

173. At that stage of the proceedings his delegation suggested that the United Kingdom should again be asked to comply with earlier General Assembly resolutions on the question and to state categorically that it would not grant independence to the alien minority regime in Southern Rhodesia. If the United Kingdom did nothing to implement General Assembly resolutions, the question of Southern Rhodesia should again be taken to the Security Council, since there was a real threat to peace and security in that part of the world. His delegation was prepared to endorse any other action which would contribute to a solution of the problem on the basis of the transfer of powers to the genuine representatives of the Rhodesian people elected by universal adult suffrage on the principle of "one man, one vote".

174. The representative of Australia said that his country's position with regard to the independence of Southern Rhodesia had been made clear in a statement on the previous day by Sir Garfield Barwick, the Australian Foreign Minister.

Sir Garfield had said that Australia was concerned that the circumstances of Southern Rhodesia's independence should not lead to the non-recognition of the Government of Salisbury by most other Governments, to its non-admission to the Commonwealth or to the establishment of a rival authority in exile. He had added that if that were to happen, an Algerian-type situation might develop accompanied by a deep and lasting cleavage between the black and white communities, which would be a disaster not merely for Rhodesia but for racial harmony in Africa and even beyond. What was needed, Sir Garfield had said, were patience and flexibility in exploring mutual concessions, and any hasty decision now by either community could only make conflict more certain.

175. The problem in Southern Rhodesia was how to reconcile the opposing views of the non-European nationalists, who were insisting on a new constitution that would enable the early election of an African majority, and of the European community, which maintained that the Africans were not yet ready to govern. That issue had to be solved by the people of Southern Rhodesia themselves, and the decision on the terms and timing of Southern Rhodesia's independence was primarily a matter for settlement between the Governments of Southern Rhodesia and the United Kingdom.

176. As Sir Garfield Barwick had said, the Commonwealth was of unique value as an association transcending racial differences and for that reason alone deserved the respect and support of all men of goodwill.



177. The great fear besetting all countries in considering questions such as that of Southern Rhodesia was their bearing on the issue of race relations. The Australian Government had welcomed the Secretary-General's wise statement at Algiers in the course of which he had warned of the dire consequences of a racial conflict. Sir Garfield had also referred to a recent statement by the United Kingdom Prime Minister noting the possibilities of trouble inherent in the fact that the dividing line between rich and poor broadly coincided with differences in skin pigmentation, and he had noted that the Chinese communists were trying to exploit racial ill-feelings and were apparently doing their best to fan the fires of racial hatred in Africa.
178. In considering the question of Southern Rhodesia one had to take into account the political realities of the situation including the recent significant changes in the area such as the final dissolution of the Central African Federation, which would lead to the early emergence of two new independent nations. That was a remarkable achievement in itself. Similar changes were taking place in the minds of men concerned with Southern Rhodesia, making some liberals more liberal and some extremists more extreme. One of the problems confronting the Committee was how to take advantage of any improvements and avoid any dangers. The best example of the latter was the capacity - as distinct from the legality or lack of it - of extremist elements in Southern Rhodesia to try to force a unilateral declaration of independence, with unfortunate consequences.
179. In view of the extreme delicacy of the political situation relating to Southern Rhodesia, of the fact that forces of change were strongly at work there, and of the reality of the dilemma facing the United Kingdom Government, his delegation continued to adhere to the view it had expressed at the 48th meeting that the Committee should work with the Administering Power.
180. It was in the light of those considerations that his delegation had considered the proposals made in the Committee that the United Kingdom should be asked to assert unequivocally that it would not grant independence to Southern Rhodesia in the existing circumstances or that a small group from the Committee should proceed to London for discussions with the United Kingdom Government.
181. In view of the changes which had occurred since the previous similar discussions in 1963, the dispatch of a group to London might be useful, for it would

make it possible to examine the situation closely in association with representatives of the United Kingdom Government, which bore a direct and very heavy responsibility in the matter. The appointment of such a group might be linked to the Tunisian representative's proposal for the establishment of a small sub-committee for the purpose of watching developments closely and keeping the Special Committee informed.

182. Consideration might also be given to another circumstance which had so far received little mention in the Committee, namely the possibility of the two main African nationalist parties in Southern Rhodesia combining to settle the differences between them. As a united entity they could perhaps bring a weight of opinion to bear on the Government in a much more effective and representative manner than could be done by either or both of the existing parties separately.

183. Closer association would result in new knowledge which would set at rest some of the fears now held by the two communities. As a previous Australian representative had told the Committee, it was not just a question of educating the Africans in Southern Rhodesia in self-government and in new constitutional forms; it was equally and perhaps even more a question of getting the European community accustomed to such new forms.

184. The representative of the United States of America recalled that during the Committee's 1963 session he had expressed the hope that the people of Southern Rhodesia would be granted the opportunity for self-determination, that the Territory's Constitution would be amended to provide for realistic liberalization of the franchise looking to universal adult suffrage and the ultimate establishment of a Government based on the consent of the governed, that steps would be taken to break down the existing patterns of racial discrimination, and that the grant of self-determination would lead to the establishment of peaceful and advantageous relations between Southern Rhodesia and its neighbours in Africa (A/AC.109/SR.135). Although his delegation still believed that those goals were attainable, no progress towards their fulfilment had been made during the past year.

185. A significant development since the Committee's last session had been the dissolution of the Central African Federation, which had been carried out in a statesmanlike spirit of co-operation and compromise and was soon to result in the attainment of full independence by Nyasaland and Northern Rhodesia. In his

delegation's view the revision of Southern Rhodesia's constitution could be discussed in a similar spirit. With regard to the doubts expressed in the Committee concerning the United Kingdom's intention to work towards a solution acceptable to all the people of Southern Rhodesia, it should be recalled that the present Prime Minister of the United Kingdom had stated at the last session of the General Assembly that his Government was dedicated to the principle of majority rule; while not ends in themselves, that statement and the similar statement recently made by the Prime Minister in Parliament could be regarded as important steps along the road to a peaceful settlement in Southern Rhodesia.

186. At the same time, the situation within Southern Rhodesia had continued to deteriorate. Although some Southern Rhodesians, both black and white, were striving to create better understanding between different racial and political groups, no real improvement in the situation was possible so long as political, economic and social inequities persisted in Southern Rhodesian society. His Government deplored the Southern Rhodesia Government's action in detaining numerous Africans without trial under security measures about which the African population had never been consulted.

187. It was difficult to understand why the Southern Rhodesia Government insisted on playing the futile game of seeking independence under minority rule instead of striving to lead all its people to the enjoyment of fundamental human rights and of the economic and social advantages which that richly endowed country could provide. He noted the provocative statements of certain Southern Rhodesian political leaders calling for a unilateral declaration of independence. Such action would make violence inevitable in Southern Rhodesia and would command little international endorsement. Southern Rhodesia's great potential could be fully realized only through co-operation between the African and European communities in that country.

188. His delegation felt that the situation called for two immediate steps. First, the Government of Southern Rhodesia should be informed that a unilateral declaration of independence, apart from being illegal under its own Constitution, would have serious consequences for the people of Southern Rhodesia and would

gravely threaten the peace of southern Africa. Secondly, the United Kingdom Government should arrange conversations among representatives of all the parties concerned in Southern Rhodesia - the United Kingdom Government, the Southern Rhodesia Government, the Opposition and the nationalist groups - at which they could discuss their grievances and present suggestions for amending the Constitution. That proposal did not represent a retreat from the Committee's earlier appeals for the convening of a constitutional conference. Since the present Southern Rhodesia Government had clearly indicated that it would not agree to such a conference, an exploratory conference of the kind he had just described might be the best means of making progress at the present time.

139. His delegation once again urged the United Kingdom to impress upon the Southern Rhodesia Government the important points he had just made. The United Kingdom Government had already clearly indicated that it would not consent to a unilateral declaration of independence under existing conditions, and it could use its close relationship with the Government and people of Southern Rhodesia to make unmistakably clear to them the grave consequences that would result from hasty and unwise action. While appreciating the complexity of the problems confronting the United Kingdom, he was confident that the latter's experience in colonial matters would enable it to work out a solution acceptable to all concerned.

190. The representative of Italy observed that, while it was unusual for the Special Committee to oppose the granting of independence to a Territory which the General Assembly regarded as non-self-governing, that position was amply justified in respect of Southern Rhodesia; independence in fact must rest on a foundation of freedom, economic viability, and justice. His delegation felt that a clear issue was now before the Special Committee, namely, the necessity of requesting the United Kingdom Government not to grant independence to Southern Rhodesia until certain conditions were fulfilled. That represented remarkable progress, the credit for which belonged to the United Nations, which had done so much to bring the issue before the world, and to the moderation and restraint displayed by all the parties concerned, especially the Southern Rhodesian nationalists, who had demonstrated their political maturity by successfully controlling their legitimate aspirations.

191. The report that in January the United Kingdom Government had submitted to the Prime Minister of Southern Rhodesia a programme calling for a broadening of both the lower-roll and the upper-roll franchise, an increase in African representation in Parliament, and the repeal of the Land Apportionment Act and other racially discriminatory legislation suggested that the first significant steps might have been taken towards political development in Southern Rhodesia; if such a programme in fact existed, he hoped that the Africans would give it serious consideration as a possible basis for negotiations. He did not agree with representatives who felt that the statement of United Kingdom spokesmen on Southern Rhodesia had been ambiguous and contradictory. That was certainly not true of the statement made in the House of Commons on 15 November by Mr. Sandys, that the United Kingdom Government was "prepared to grant independence to Southern Rhodesia in the same circumstances as we have granted it to other British territories" and favoured a "widening of the franchise"; there was no reason to apply a restrictive interpretation to those words.

192. His delegation felt that the situation in Southern Rhodesia had reached a critical point, where all the prerequisites for a peaceful solution existed but ill-timed action might prove harmful. While his delegation would welcome an unequivocal pledge by the United Kingdom Government not to grant independence to Southern Rhodesia until majority rule was firmly established in that country, as some representatives had suggested, it felt that such a declaration might produce the very result which all wished to avoid - independence without reform.

Independence under majority rule, which was the ultimate goal of the Committee's efforts, had to come through agreement among the United Kingdom Government, the African nationalists and the Southern Rhodesia Government; hence, the Committee should do everything possible to facilitate such consultations. Recalling the proposal his delegation had made in the Fourth Committee at the last session of the General Assembly, he said that he still considered a massive educational programme under United Nations sponsorship helpful in promoting those contacts.

195. His delegation believed that the Secretary-General should continue his efforts under General Assembly resolution 1889 (XVIII) to promote conciliation in the Territory, even though his latest report (A/AC.109/57) had not been very

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encouraging. It also supported the Iraqi representative's suggestion that a sub-committee should be sent to London for consultations with the United Kingdom Government; it would be unwise for the Committee to decide on any further course of action until it received a report from the proposed sub-committee. Lastly, he supported the United States representative's suggestion that the Southern Rhodesia Government should be informed of the serious consequences which might result from a unilateral declaration of independence before basic changes were made in the country's political structure.

194. The representative of Ethiopia said that one important recent development concerning the question of Southern Rhodesia was the evolution of opinion in the continent of Africa. The Conference of African Heads of State and Government, held at Addis Ababa in May 1963, had adopted a resolution declaring that the forcible intervention by the colonial Powers and the settlers to control the Governments and administrations of the dependent territories was a flagrant violation of the inalienable rights of the legitimate inhabitants of the territories concerned; the Conference had invited the colonial Powers to take the necessary measures for the immediate application of the Declaration on the granting of independence to colonial countries and peoples and had stated that the determination of those Powers to maintain colonies or semi-colonies in Africa constituted a menace to the peace of the continent. That view was shared by the overwhelming majority of States Members of the United Nations.

195. The General Assembly had rejected the United Kingdom's contention that Southern Rhodesia was a self-governing territory. If the United Kingdom Government had unilateral power to dictate with regard to the affairs of Southern Rhodesia and, according to United Kingdom spokesmen, was the custodian of Southern Rhodesian independence, he could not sympathize with the United Kingdom assertion that it was unable to interfere in Southern Rhodesia in order to correct the situation in favour of the well-being of the entire population of the Territory. The situation in Southern Rhodesia constituted an indisputable threat to international peace and security, since in the present nuclear age a serious disturbance in Southern Rhodesia would inevitably affect every corner of the globe; the United Kingdom had the power and the means to remove that threat once and for all.

196. The Addis Ababa Conference of African Heads of State and Government had reaffirmed its support of the African nationalists of Southern Rhodesia; it had further pledged that, in the event of the usurpation of power in Southern Rhodesia by a white minority Government, African States would support legitimate measures taken by the African national leaders to restore power to the African majority and would take necessary measures against any State according to the minority Government.

197. The General Assembly had affirmed at its seventeenth session,<sup>2/</sup> that Southern Rhodesia was a Non-Self-Governing Territory; under Chapter XI of the United Nations Charter, the Administering Power responsible for such a Territory should be guided by the principle that the interests of the inhabitants were paramount. To ensure the strict observance of that principle, it would be necessary to abolish all existing laws and practices in Southern Rhodesia that did not conform to the standards of the Charter and to the conscience of mankind, and to introduce fair and accepted procedures which would satisfy the provisions of the United Nations resolutions concerning Southern Rhodesia.

198. The statements made by Mr. Winston Field, leader of the white minority Government in Southern Rhodesia, made it clear that that Government was working towards the unilateral establishment of independence, in order to demonstrate the United Kingdom's inability to act in Southern Rhodesian affairs and in order to satisfy its irresponsible followers among the minority. Sir Edgar Whitehead, leader of the white opposition, in his statement made a year earlier to the General Assembly, had said that he had favoured a new constitution under which Africans could obtain seats in Parliament sooner but that its adoption had been frustrated by Mr. Joshua Nkomo's repudiation of an agreement reached by the conference held in December 1960 at London and later at Salisbury. On the other hand, Mr. Nkomo, in a letter addressed to the Prime Minister of the United Kingdom in 1963, had made it clear that the African nationalists would not accept any arrangement for the independence of Southern Rhodesia that did not provide for majority rule. The members of the African majority had good reason not to risk their future by acceding to propositions that would keep them in perpetual bondage. Sir Edgar Whitehead's suggestion that government by a white minority was government that was responsible and in trained hands had been disproved by the history of white-settler administration in Africa.

199. By its resolution 1889 (XVIII), the General Assembly had invited the Administering Power to hold without delay a constitutional conference in which representatives of all political parties of the Territory would take part with a view to making constitutional arrangements for independence, on the basis of universal adult suffrage, including the fixing of the earliest possible date for independence. According to the United Kingdom representative's statement in the Special Committee on 6 March 1964, Mr. Field, the appointed leader of the small white minority in Southern Rhodesia, was in constant discussion with high-level authorities in London regarding independence. It was the view of the United Nations that any discussion which did not take into account the entire population of Southern Rhodesia through their own leaders would lead to no satisfactory solution but would, on the contrary, worsen the situation by further sharpening the appetite of power-seeking minority leaders.

200. The white-settler minority in Southern Rhodesia was pursuing a policy of apartheid against the African inhabitants under the so-called Land Apportionment Acts. All urban areas except those inhabited by Africans were barred to the African population; hotels, jobs and public facilities were all segregated. By such repressive methods the colonial authorities weakened all efforts towards achieving political and civil rights. Mining, agricultural and industrial concerns established solely for the benefit of the white settlers had a convenient supply of African workers who received as little as one-twentieth of the wages paid white settlers for the same work. In education, the separate facilities for Africans, Asians and whites had been devised in order to enable the white minority to retard the educational advancement of the first two groups, so that they might the more readily be exploited by their white overseers.

201. Moreover, the United Kingdom Government had transferred military aircraft, armoured cars and many other weapons to the minority Government of Southern Rhodesia, in violation of General Assembly resolution 1883 (XVIII). The possession of additional arms by that Government, coupled with the arms build-up in the Republic of South Africa and the Portuguese colonies of Angola and Mozambique, was systematically directed not only against the African population of those Territories but also against the African countries which had expressed their determination to implement relevant United Nations resolutions. Under the



circumstances, responsibility for whatever happened lay squarely on the shoulders of those who had ignored the mandate of the United Nations. He therefore urged the United Kingdom to reconsider its position without further delay and comply with the United Nations request for an early implementation of General Assembly resolutions.

202. A common ground for agreement among the members of the Special Committee, including the United Kingdom Government, would be found in the basic democratic principle that the majority should rule; no exception could be made in the case of Southern Rhodesia, since any exception at all was destructive of the principle.

203. He suggested consideration of the following points in the recommendations to be formulated by the Committee. First, the Committee should request the United Kingdom Government to declare clearly that it would not, under any circumstances, transfer power and the attributes of sovereignty to the white-settler Government of Southern Rhodesia; moreover, strong recommendations must be made to the United Kingdom Government to arrange a constitutional conference which would include all political parties in Southern Rhodesia and be empowered to make arrangements for early independence on the basis of universal adult suffrage. Secondly, the Committee should request the United Kingdom Government to give an explicit assurance that the weapons transferred to the white Government of Southern Rhodesia would not be used against the African population of that Territory or elsewhere on the African continent. Thirdly, certain Governments maintaining economic and trade relations with the Southern Rhodesia minority Government should be urged to sever those relations until the untenable situation was cleared up. Fourthly, strong recommendations should be made to the Republics of South Africa and Portugal, inviting them to refrain from activities that would encourage the white-settler Government to continue its repressive and illegal measures against the African population. Fifthly, the attention of the Security Council should again be drawn to the growing danger of the explosive situation in Southern Rhodesia, and a special session of the General Assembly should be convened if demanded by further developments.

204. The representative of Venezuela noted that the Secretary-General had been unable to report any progress towards reconciliation in Southern Rhodesia as urged by the General Assembly in resolution 1839 (XVIII). While the United Nations fulfilled its obligation by examining the question and proposing the action to be taken, the United Kingdom maintained its unco-operative

attitude. It denied that it was the Administering Power, refused to recognize the United Nations right to intervene in the affairs of Southern Rhodesia and ignored the Organization's resolutions. Although that attitude seemed to make any solution impossible, there were some elements in the United Kingdom representative's statement which deserved the Committee's attention.

205. First, while maintaining the position that the United Kingdom could not interfere in the internal affairs of Southern Rhodesia, he had stated that the United Kingdom Government wished certain changes to be made in the political structure of Southern Rhodesia which would result in broadening the franchise and allowing the people to participate more directly in the political life of the country. Consequently, it appeared, the United Kingdom Government had made known to the Southern Rhodesia Government that, before granting independence to that country, it looked to that Government to propose appropriate changes in the political structure. It followed from that that the United Kingdom Government was responsible for deciding whether or not to grant independence to Southern Rhodesia, and if so, on what conditions. Furthermore, the United Kingdom Government had considered itself entitled to convene the Victoria Falls Conference, which had led to the agreement on dissolution of the Federation of Rhodesia and Nyasaland, and to veto action considered indispensable by the United Nations in Southern Rhodesia. The Governor of the country, moreover, was appointed by the British Queen. Thus, it was difficult to accept the fiction of the United Kingdom's impotence in Southern Rhodesian affairs.

206. Those who sought to maintain that fiction frequently referred to an agreement signed more than forty years previously between the United Kingdom and Southern Rhodesia. Article 103 of the Charter, however, stated that in the event of a conflict between the obligations of Members under the Charter and their obligations under any other international agreement, their obligations under the Charter were to prevail. For that article to be applicable, the first condition was that there should be a conflict of obligations. The nature of the conflict was not specified, but Committee IV/2 at San Francisco had stated in its report on what had subsequently become Article 103 that it was sufficient for a conflict to arise at the time when an obligation under the Charter was to be carried out, little importance being attached to whether the conflict was due to an intrinsic incompatibility between the two categories or to the application of Charter

provisions in specific circumstances. At the seventh session of the General Assembly the United Kingdom representative had recognized, with respect to the Treaty of Algiers of 1906 and the Treaty of Fez of 1912, that Article 103 was applicable where there was a specific conflict in law between the Charter and another agreement. Furthermore, Mr. Evatt, the President of the General Assembly at the third session, had stated that any matter that could be classified as coming within the scope of an article of the Charter would cease to be a matter essentially within the domestic jurisdiction of a State and that if, for example, any countries declared in a treaty that the United Nations had no jurisdiction concerning provisions relating to human rights in that treaty or if those provisions were in conflict with the Charter, under Article 103 the Charter would prevail.

207. That was precisely the case with regard to the commitments contracted by the United Kingdom under its agreement with the Government of Southern Rhodesia. It was not necessary to go into the legal arguments demonstrating the international nature of that agreement, which was clear in any case from the statements made by the United Kingdom representative. The fact that the agreement and the Charter had existed together for a number of years meant nothing, since at San Francisco it had deliberately been decided not to provide for automatic abrogation by the Charter of obligations incompatible with it, but merely to prohibit such obligations when the occasion arose. His delegation continued to believe, therefore, that the United Kingdom, as Administering Power, had the authority to act.

208. In whatever capacity the United Kingdom chose to act, it bore a dual responsibility for the future of Southern Rhodesia. First of all, it had a responsibility as a member of the Committee, and the United Kingdom representative had said that his Government was concerned that the Committee should be able to discharge the task entrusted to it by General Assembly resolution 1564 (XVI). Secondly, it had a moral responsibility to lead a State now based on racial discrimination and minority privilege to independence in a manner consistent with its own democratic tradition. The danger existed, however, that the Southern Rhodesia Government might make a unilateral declaration of independence. Such an action would lead to violence, endangering the peace in Africa and also the existence of the white minority in Southern Rhodesia. History showed what was to be expected from any policy designed to strengthen the privileges of a

minority, particularly when it failed to integrate that minority with other elements of the population to form a single national entity. Although in any democratic system the rights of minorities had to be respected, the basis for such respect must be political and legal equality. Constitutions based on differences of race, colour, religion or politics were not only contrary to the Charter but carried the seeds of chaos within them. The United Nations could not tolerate the creation of new States vitiated by the principle of segregation, in which the majority were unable to claim their political and human rights. Sir Edgar Whitehead himself had warned that if the Southern Rhodesia Government took unconstitutional action to achieve independence, Southern Rhodesia would crash within six months. The African Ministers for Foreign Affairs who had met recently at Lagos had adopted a moderate resolution in which, while appealing to the United Kingdom Government to find a solution, they had provided for certain possible measures to be taken by African States. The Prime Minister of Northern Rhodesia and Mr. Nkomo had both referred to the possibility of civil war and African intervention.

209. In that threatening situation, the Committee's primary objective must be to prevent violence. It must do everything possible to avoid being confronted with a fait accompli. In order to achieve that end, it must, encouraged by the constructive elements in the United Kingdom representative's statement, seek to obtain the collaboration of the United Kingdom in arriving at a solution, possibly calling on the good offices of other members of the Commonwealth.

210. The representative of Poland said that the fact that the Special Committee was once again studying the question of Southern Rhodesia on a priority basis testified to the grave concern felt in the United Nations regarding the explosive situation there, which it had had under continual review for the last two years. From the Secretary-General's report (A/AC.109/57) and the United Kingdom representative's statement on 6 March, it was clear that despite representations from the great majority of Member States and the Summit Conference of African States at Addis Ababa, no progress had been made in implementing the General Assembly's resolutions. On the contrary, the political situation in Southern Rhodesia had further deteriorated, as a result of the measures designed to transfer further powers and attributes of sovereignty to the racist authorities of Southern Rhodesia and to consolidate their rule following the introduction of the 1961 Constitution. Thus, ignoring the terms of General Assembly resolution 1883 (XVIII) and the protests

of the African population, the United Kingdom had handed over additional powers to the settler Government, including military forces previously under the Central African Federation. With his position thus strengthened, Mr. Winston Field, the Southern Rhodesia Premier, had on 26 February given notice of his intention to "maintain order" by every means at his disposal. Repressive measures and discriminatory legislation against the African population had been reinforced; the African leader Joshua Nkomo had been arrested and his movements restricted, and other measures had been taken, obviously designed to suppress African aspirations for equality and freedom and to facilitate the seizure of independence by the minority settler government even without the United Kingdom's formal sanction. Mr. Field himself had boasted that he had persuaded the United Kingdom Government to stop referring to Southern Rhodesia as a colony, and had stated that his Government owed no allegiance to any United Kingdom Government or the Commonwealth. By passing over in silence such actions and statements, the United Kingdom had failed to signify its opposition to the creation of another racist State in Africa.

211. In his delegation's view, the United Kingdom's policy of asserting that it was powerless to intervene in Southern Rhodesia's affairs owing to the constitutional limitations imposed by the so-called 1923 convention was legally and morally untenable. Indeed, General Assembly resolution 1747 (XVI) had refuted such arguments by stating that Southern Rhodesia was a Non-Self Governing Territory within the meaning of the Charter and establishing the responsibility of the United Kingdom as Administering Power. In point of fact, the colonial policy pursued by the United Kingdom with respect to Southern Rhodesia was dictated not by legal considerations but by the economic and strategic importance of the Territory, which harboured a network of big international business companies that extended also into South Africa, Angola, South West Africa and Mozambique. It was those big business circles which influenced the policy of the respective Administering Powers in opposing decolonization in those Territories.

212. Moreover, it was clear that the South Rhodesian regime was not likely to be influenced by persuasion from the United Kingdom Government and that there was nothing to be gained from negotiations conducted solely with that minority

Government which does not represent the vast majority of the African population. Mr. Field had pledged himself not to amend the Constitution, and had expressed his strong opposition to any broadening of the franchise, such as the United Kingdom Government had declared to be desirable. From the information in the working paper prepared by the Secretariat (see paras. 1-70 above), it appeared that if, as the Southern Rhodesia Deputy Premier appeared to believe, the United Kingdom Government was thinking in terms of African majority rule in Southern Rhodesia in five years' time, then the Field Government might hold another election and attempt to bring off a deal in which the African population would be given one third of the seats in Parliament in return for consenting to Southern Rhodesia's independence under that racist Government. Yet, such a representation of one third would still be insufficient to prevent the passage of discriminatory legislation. The United Nations should denounce such manoeuvres which were clearly aimed at keeping Southern Rhodesia in the hands of the white minority.

213. His delegation fully sympathized with the African nationalists of Southern Rhodesia and supported their view, as stressed by Mr. Nkomo in a recent press interview, that majority rule must come before independence and that any other solution would be unacceptable. It was understandable that the Africans in Southern Rhodesia would no longer tolerate the colonial yoke at a time when Africa numbered over thirty independent States and their neighbours, Nyasaland and Northern Rhodesia, were rapidly moving towards independence under African government.

214. His delegation also supported the terms of the resolution adopted by the meeting of Foreign Ministers of the Organization of African Unity held at Lagos which had branded the situation in Southern Rhodesia as a threat to African solidarity and world peace, and had called upon the United Kingdom to prevent effectively the threat of unilateral independence or the subtle assumption of power by the settler régime and to convene a constitutional conference of all Southern Rhodesian political parties with a view to granting immediate independence to Southern Rhodesia on the basis of "one man, one vote". It considered that the Special Committee should seek categorical assurances from the United Kingdom Government that it would grant independence only to a democratically elected Government of the majority in Southern Rhodesia and would block unilateral pretensions to independence by the white minority Government. It was also the Special Committee's duty to call for an end to repressive measures against Africans and the release of political prisoners. /...

215. To face its responsibilities, the United Kingdom undoubtedly had strong constitutional and political powers and economic means which it could use in order to remedy the situation and bring about a peaceful solution of the Southern Rhodesian problem. Unfortunately, the United Kingdom representative's statement on 6 March had been disappointing and had contained no indication that his Government intended to implement the General Assembly resolutions on Southern Rhodesia. His delegation, which wished to reiterate its solidarity with the Africans in Southern Rhodesia, consequently supported the proposal that the question of Southern Rhodesia should again be referred to the Security Council for appropriate action.

216. The representative of Iran said that his delegation had supported the motion to give priority to the question of Southern Rhodesia because it shared the majority view that events since the adoption of General Assembly resolution 1899 (XVIII) had further aggravated the already explosive situation there. Among the more dangerous of those events had been the transfer of a large part of the armed forces of the former Federation of Rhodesia and Nyasaland to the control of the settler Government, in defiance of the wishes of all African States and of the General Assembly's appeal to the United Kingdom in resolution 1883 (XVIII), and the now imminent danger of Southern Rhodesia's accession to independence under such a Government.

217. The racist Government of Mr. Winston Field, which had come to power following the introduction of the 1961 Constitution in disregard of United Nations recommendations, pretended that Southern Rhodesia was self-governing and that the United Kingdom had no right to intervene in its affairs. His delegation was deeply disappointed at the United Kingdom Government's failure to dispute that view, a failure which was not in keeping with the United Kingdom's record of caution and wisdom in colonial matters. Indeed, the United Kingdom's argument regarding Southern Rhodesia's self-governing status was inconsistent for it was now a universal axiom that self-government presupposed government by the majority, a condition which, as the United Kingdom Government recognized, did not obtain in Southern Rhodesia. At an earlier meeting the Uruguayan representative had convincingly shown that, regardless of its domestic or international status, the 1923 Convention between the United Kingdom and the white minority Government in Southern Rhodesia did not relieve the United Kingdom of responsibility as the Administering Power.

218. One of the most disturbing aspects of the situation in Southern Rhodesia was the racial discrimination openly practised against the African inhabitants in defiance of world opinion and international declarations. The statement of the Constitutional Council of Southern Rhodesia recognizing and denouncing the discriminatory nature of the Land Apportionment Act (see paras. 69-70 above), was particularly revealing in view of the Council's membership.

219. With respect to Southern Rhodesia, the Special Committee faced two questions, namely, the measures to be taken to secure the implementation of General Assembly resolution 1514 (XV) in the Territory, and the steps required to prevent the Territory's accession to independence under existing circumstances. His delegation felt that as the General Assembly had already considered the first question, it was for the Special Committee only to reaffirm its decisions, especially resolution 1899 (XVIII).

220. Although the second question would be more difficult to deal with and called for the use of every means made available to the Committee by the General Assembly, there were fortunately a number of statements by high United Kingdom officials unequivocally confirming their Government's recognition of the principle of majority government and of the fact that that principle was not being applied in Southern Rhodesia. Speaking in the General Assembly on 1 October 1963, the then British Foreign Secretary, Lord Home, who was now Prime Minister Sir Alec Douglas-Home, had confirmed his Government's acceptance of the principle of self-determination, majority rule and the protection of minorities, stating that he hoped that the United Kingdom would henceforward be able to go along with the majority in the United Nations on colonial questions (A/PV.1222).

On 12 November 1963, he had reaffirmed that statement in Parliament, adding that the principle of majority rule would apply to the question of independence for Southern Rhodesia (see para. 28 above). In his delegation's view, the two statements constituted a clear commitment by the United Kingdom Government and a very positive response to the Special Committee's request to that Government, in its resolution of 20 June 1963, not to transfer sovereignty to any Southern Rhodesia Government formed under the 1961 Constitution (A/5446/Rev.1, chapter III, para. 232). He hoped that the United Kingdom representative would correct him if



he had misinterpreted the Prime Minister's statements, for in the present circumstances it was extremely important that the United Kingdom's attitude on those questions should be made crystal clear.

221. His delegation considered that a unilateral declaration of independence by the Southern Rhodesia settler Government would be tantamount to a disturbance of the peace, automatically leading to steps by the Security Council under Article 39 of the Charter; it fully agreed with the United States representative's views regarding the need to inform that Government of the consequences of such a declaration and for a meeting of all parties to discuss grievances and constitutional changes (A/AC.109/SR.227). Although the importance of conciliatory measures had been recognized in General Assembly resolutions 1760 (XVII) and 1899 (XVIII), it was clearly apparent from the Secretary-General's reports to the General Assembly and the Special Committee (A/AC.109/57) that so far no progress had been made in that direction, and that the intransigent attitude of the present Southern Rhodesia Government held out little hope for success along those lines. Nevertheless, the Secretary-General and the Under-Secretary for Trusteeship and Non-Self-Governing Territories were to be thanked for their endeavours to pursue what was the only effective approach conducive to a peaceful solution of the problem.

222. His delegation did not think that the sending of a group to confer with the United Kingdom Government for a third time would be justified unless that Government felt that such a step would be useful and issued a corresponding invitation on its own initiative, since nothing would be gained from a mere repetition of a position which had already been stated twice before. On the other hand, his delegation supported the Tunisian representative's suggestion to set up a "watchdog" sub-committee to follow developments in Southern Rhodesia and alert the Special Committee whenever it felt that further measures were called for. Finally, it considered that as the question of Southern Rhodesia was intrinsically an African problem, the Special Committee should duly bear in mind the relevant resolutions adopted by the African Heads of State at Addis Ababa in 1963 and the recent African Foreign Ministers' meeting at Lagos.

223. The representative of Bulgaria said that in spite of the efforts made in various United Nations organs during the past three years to bring about a satisfactory solution of the problem of Southern Rhodesia, the practical results had been meagre. Indeed, under the impact of increasingly severe measures of police terror and with the continued enforcement of racial segregation designed to maintain the majority of the population in a state of economic inferiority, the situation had continued to deteriorate. The perpetuation of colonial oppression in Southern Rhodesia was all the more intolerable in view of the specific injunctions of the General Assembly, in particular, those contained in resolutions 1514 (XV) and 1989 (XVIII). The United Kingdom Government, which persisted in flouting those resolutions, sought to justify its attitude by asserting that, given the present stage of development of Southern Rhodesia, neither the United Nations nor the United Kingdom was in a position to carry them out.

224. However, the artificial nature of the legal manoeuvres to which the United Kingdom resorted in order to frustrate the expressed will of the General Assembly had been revealed by the leader of the white minority in Southern Rhodesia. By his own admission, the independence sought by that minority was a matter which concerned no country other than the United Kingdom. Thus, it was clearly the United Kingdom which had the power to alter the existing state of affairs and to liquidate the colonial racist regime. If, as the United Kingdom delegation argued, the United Kingdom Government had settled its relations with the white minority in a way that precluded it from complying with the General Assembly's resolutions, by such an arrangement it would have deliberately assumed responsibility for placing the 4 million indigenous inhabitants of Southern Rhodesia at the mercy of a group of irresponsible white racists. In view of the considerable experience of the United Kingdom Government in colonial matters - rightly alluded to by the United States representative at the last meeting - the Bulgarian delegation refused to believe that the United Kingdom would be guilty of such a crime and it would like to hope that the United Kingdom would alter its position and fulfil its obligations under the Charter and United Nations resolutions.

225. However, that hope had been somewhat dimmed by the attitudes adopted by the United Kingdom Government with respect to two key matters, namely, the transfer

of military equipment to Southern Rhodesia and possible independence for a white minority Government in that country. With respect to the first matter, after the dissolution of the Central African Federation the United Kingdom had transferred to Southern Rhodesia seven air squadrons, four battalions of white troops and one armoured unit all led by officers trained by the United Kingdom. It had argued in the Security Council and in the Special Committee that it had had no alternative, but its arguments were scarcely tenable in view of the obvious fact that the transfer of military power would provide the white minority with additional resources for the oppression of the indigenous population. As to the second matter, the United Kingdom had adopted an ambiguous position with respect to the Assembly's request that it should not accede to the demands of the minority Government of Southern Rhodesia for independence so long as the majority of the population was unable to express its wishes freely on the basis of universal suffrage, and that it should convene a constitutional conference of representatives of all the political parties in the Territory with a view to taking the necessary constitutional steps for the achievement of independence on that basis. While the Bulgarian delegation found it hard to believe, in view of the overwhelming pressure of world public opinion, that the United Kingdom would hand over the country to the white minority Government, it deplored the manoeuvre whereby United Kingdom representatives in various United Nations organs continued to allow strong doubts to linger on that question, thus playing into the hands of the white racists, who, being agents of British colonialism, wished to prolong the existing regime. Moreover, there would be serious inherent dangers in any initiative by the white minority Government to declare the Territory independent. The African population as well as the new African States would certainly resist it, thus creating an explosive situation in the Territory, which might have grave repercussions in Africa and throughout the world. As the Australian Minister for Foreign Affairs had said, his Government's interest was that the conditions under which Southern Rhodesia obtained its independence should not lead to a non-recognition of the Salisbury Government by the majority of other Governments, to its non-admission into the Commonwealth or to the establishment of a rival authority in exile which might proclaim itself the Government and which might be

supported by African and other States. In the circumstances, it was essential that the United Kingdom Government should leave no doubt regarding its intentions with respect to the convening of a constitutional conference and the adoption of the other measures recommended by the General Assembly. The ambiguity of its position appeared to be designed to assist and strengthen the existing minority Government in Southern Rhodesia.

226. In an effort to facilitate a solution of the problem, it had been suggested in the Committee that a small sub-committee should go to London for the purpose of obtaining a clear-cut commitment from the United Kingdom Government that it would not grant the Territory independence until majority rule had been firmly and irrevocably established in Southern Rhodesia. The Bulgarian delegation had strong doubts that such an initiative would promote the liberation of the Territory from colonialism or that the United Kingdom leaders would be willing to give a clear undertaking along those lines. If the United Kingdom Government really wished to clarify the position, it could send some high-level spokesman to the United Nations with full authority to commit his Government.

227. However, if a small sub-committee was needed at all, it was needed to go to Southern Rhodesia for the purpose of reassuring the African population of continued United Nations interest in its fate and determination to press forward with all necessary efforts to assist it in achieving complete liberation from colonialism.

228. Certain representatives in the Committee had cited as evidence of the positive contribution of the United Kingdom to the progressive achievement of independence in Southern Rhodesia the proposals reportedly made by the United Kingdom Government to the Southern Rhodesian leaders for the expansion of the electoral rolls, increased African representation in Parliament, a blocking third of sixty-five members in the House and the rescission of the Land Apportionment Act and other discriminatory laws. The proposals had been hailed by certain Western delegations as an indication that the United Kingdom was constructively influencing the course of events in the Territory. In reality, however, the proposals were nothing more than a trial balloon.

229. Finally, other Western delegations, faced with the refusal of the Southern Rhodesia Government to agree to the convening of a constitutional conference, had

suggested that exploratory talks should be held among all the parties concerned. That suggestion constituted a step backward because the Government of Mr. Field, backed by the military power provided by the United Kingdom, would inevitably impose conditions for such talks which would render them useless from the point of view of the interests of the African majority in Southern Rhodesia. At the last meeting, the United States representative had expressed the view that such talks would be a means of getting round obstacles and would not be a retreat from the Committee's past position. However, he (the speaker) was not aware of any decision by the Committee which could justify that approach. That the suggestion would be a step backward had been confirmed by the insistence of the Australian Minister for External Affairs that any decision on the terms and timing of the Territory's independence was primarily a matter for settlement between the Governments of Southern Rhodesia and the United Kingdom. Thus, the only independence being contemplated by the United Kingdom was the independence of the white racist minority, the terms and timing of that independence being decided in consultation with the United Kingdom. For all those reasons, the Bulgarian delegation could not support that suggestion.

230. On the other hand, the Committee should keep the situation in Southern Rhodesia under constant review and ask the Security Council to take appropriate steps with respect to developments which threaten peace and security in the area. The Committee should continue to work towards securing genuine independence for the indigenous population of Southern Rhodesia and its liberation from racist laws and restrictions.

231. The representative of Tunisia said that everyone was aware of the inherently explosive nature of the situation existing in Southern Rhodesia today and the members of the Committee had denounced the seriousness of present circumstances. He had particularly stressed the concern of the African States, at the threat which that situation represented to the peace and security of all Africa.

232. Fully aware of the dangers of the situation in Southern Rhodesia, the African Heads of State, meeting at Addis Ababa in 1963, had adopted a resolution which had had no effect on the Administering Power. The African Ministers, meeting in July 1963 at Dakar, and recently at Lagos, had reaffirmed the Addis Ababa

resolution and had renewed their appeals to the United Kingdom fully to assume its responsibilities in Southern Rhodesia and to lead the Zimbabwe people to independence in the shortest possible time. They had advocated concrete measures to help the Rhodesian people and nationalists to intensify their struggle and to secure recognition of their rights by violence if necessary. Tunisia had subscribed to all those measures and would participate actively in all operations which the Organization for African Unity was resolved to carry out.

233. The unleashing of passions and a reign of terror would only make any move toward conciliation more difficult and more uncertain. Such conciliation moreover, could only take place under the auspices of the Administering Power, which continued to bear responsibility for the administration of the country and which in addition still retained much influence and credit in the two communities. The Special Committee could facilitate that conciliatory work, but it could not negotiate in place of the Administering Power with a minority which had no international status and an African population which considered itself subject only to the United Kingdom Government.

234. In the past, the Administering Power had turned its back on any move of that kind and had aggravated matters, if anything, by its negative attitude. Nevertheless, it remained its primary duty to carry out the General Assembly resolutions, in particular resolution 1514 (XV), paragraph 5, and to convene a constitutional conference for that purpose in which representatives of all political parties of the Territory would take part with a view to making appropriate arrangements for securing rapid and early independence on the basis of universal suffrage. The Special Committee could offer its co-operation in that task and send a small good offices group to London with broad terms of reference which might begin those efforts to promote contacts and a rapprochement between the United Kingdom Government and the political parties of Southern Rhodesia and create conditions for a round-table meeting.

235. The representative of the United Kingdom said he was grateful to those representatives, including some generally critical of his Government's position, who had drawn attention during the debate to the appeal he had

made in his statement on 6 March, that the problem should be approached with prudence, wisdom and restraint. It had been very gratifying for his delegation to see that, all in all, the question had been discussed in that spirit. There had been, naturally, a number of statements about his Government's position with which his delegation could not agree and some comments on the situation in Southern Rhodesia which were inaccurate and which, if he were speaking for the Government of Southern Rhodesia, he would have to deny.

236. The crux of the matter was the question of granting, or rather of not granting independence to Southern Rhodesia. Certain representatives had suggested that the United Kingdom Government was preparing to grant independence to Southern Rhodesia without first trying to secure any constitutional changes. As he had made clear, that was not so. In fact, the situation was quite the reverse as must surely be clear from the authoritative statements of responsible Ministers of his Government which he had quoted to the Committee on 6 March (A/AC.109/SR.223). As the representative of Madagascar had pointed out, his Government had not granted independence to Southern Rhodesia and had consequently not run counter to the recommendations of the Organization.

237. Naturally he agreed with the representative of Italy when he said he thought there had been progress and had agreed that the statements already made by the United Kingdom Government were not necessarily ambiguous. They were not ambiguous at all. The meaning of the extracts from statements by Ministers which had been read out was clear. He could only recommend that they be read with care and understanding of his Government's position and of what the United Kingdom was trying to do. It was surely better that discussions or negotiations should proceed on the basis of those statements, as the United Kingdom Prime Minister had said he hoped they would proceed, than that more should be said in the Committee which might interfere with such consultations. The representative of Denmark, having warned the Committee of its special responsibility not to make a peaceful solution more difficult for the parties concerned, had also mentioned the dangerous effects of precipitate action. The representative of Australia had quoted a statement by the Minister for External Affairs of Australia who had said that peaceful

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transition in Southern Rhodesia was the only alternative to conflict, and that any hasty decisions on the part of any of those responsible in either community could only make that conflict more certain.

238. The representative of the United States had said that various statements made by Ministers of the United Kingdom Government were not ends in themselves but were "important steps along the road to a peaceful settlement in Southern Rhodesia, which all of us hope for". That seemed to him to put the position very well.

239. He said that with regard to the various suggestions made in the Committee, for example, the proposal of the United States for an exploratory conference, his Government was always willing to consider any constructive proposal which would assist in the solution of the question. For a meeting on the lines suggested by the United States, the agreement of all parties principally concerned would, of course, be an essential precondition.

240. He said his Government sympathized with and shared the anxiety of delegations to see an early and equitable outcome to the problem. While there was concern about the future of Southern Rhodesia, there was also, he believed, understanding both of the fact that the ultimate objectives of his Government were the same as those of the majority of the members of the Committee, and of the danger that unconsidered action might make those objectives more difficult to achieve or might retard the date of their achievement.

241. He had understood from the discussion that there were members of the Committee who felt that his Government's statements on the question did not provide all the assurances they were seeking. He thought it fair to remind the Committee that it was one thing to state a problem and another to find a viable solution to it. He could assure the Committee that the House of Commons was no less anxious to be informed on matters concerning Southern Rhodesia than his colleagues in the Committee. It was the duty of responsible Ministers, under a system of representative Government such as that in the United Kingdom, to keep Parliament fully informed on matters of public concern. He could assure the Committee that the future of Southern Rhodesia was a matter of great concern. But as he had made clear it was also a matter of negotiation - and the basis for fruitful



negotiation could not be laid in public. When pressed in the House of Commons, the Commonwealth Secretary himself had made clear that he felt precluded, in the interest of further progress, from saying more than he had done. He hoped the Committee would bear that in mind when he said to them that it was not possible for him to go beyond those statements. That led him to the suggestion made by the representative of Iraq on 9 March that a small sub-committee should go to London to have further talks with the British Government. A number of representatives had supported or reiterated that suggestion. His Government had taken note of the idea. They would certainly be willing to receive such a sub-committee in London. Although Ministers would not be in a position to say any more as to the future than might have been said to Parliament, the visit would give the Committee, through its sub-committee, an opportunity to state its views to responsible Ministers and be informed directly by those Ministers about Her Majesty's Government's policy on the question.

242. The representative of Bulgaria observed that any discussions or decisions regarding Southern Rhodesia should be concerned primarily with the decolonization of the Territory, rather than, as the United Kingdom representative had stated with the question of not granting independence to the minority Government of Southern Rhodesia. In particular, if a sub-committee was sent to London, its discussions with the United Kingdom Government should concern the entire question of decolonization. Moreover, the preliminary questions relating to constitutional reform should be settled by the Administering Power and not left to the Committee or others.

243. The representative of the United Kingdom said that his earlier statement had not been intended in any way to limit the scope of any discussions that might be entered into by a sub-committee in London. The subject of such discussions would be the situation in Southern Rhodesia.

244. The representative of Iraq felt that while the question of preventing the granting of independence to the minority Government of Southern Rhodesia was not the ultimate objective to be sought by the Committee, it was a matter of immediate concern. It was essential to remove that obstacle to the attainment of independence by Southern Rhodesia under conditions in which the majority would exercise full sovereignty.

245. He would also like to have the United Kingdom representative's assurance that his earlier remarks could be regarded as an invitation to the Special Committee to send a sub-committee to London.

246. The representative of the United Kingdom said that if it was the wish of the Committee to send a sub-committee to London, his Government would be prepared to receive it.

247. The representative of Tanganyika asked the United Kingdom representative whether the proposed sub-committee could go to London at any time or would have to do so at the convenience of the Ministers concerned.

248. His delegation was increasingly concerned about new reports of repressive measures being taken by the European racist minority in Southern Rhodesia. A report of 13 March from Salisbury, for example, stated that pocket-sized tear gas canisters for "self-defence" were now on sale to the public under licence; while The New York Times reported that after prisoners at Khami Prison refused their food, guards had opened fire on a mob of about 500, killing two Africans and wounding fifty others. Pending the visit of a sub-committee to London, he would like to know what measures, if any, would be taken to curb such inhuman and intolerable behaviour on the part of the colonial authorities in Southern Rhodesia.

249. The representative of the Union of Soviet Socialist Republics observed that the statement made by the United Kingdom representative on 16 March had proved as disappointing as earlier ones. The United Kingdom was persisting in its refusal to apply to Southern Rhodesia the Declaration on the granting of independence, and it did not intend to comply with the General Assembly's resolutions. In his statement of 6 March, the United Kingdom representative had already said that the United Nations was not competent to intervene in Southern Rhodesian affairs and that responsibility in the matter rested with the two Governments concerned. Yet neither Government was taking any action to implement the Assembly's resolution; indeed, both had done their best to prevent the transfer of power to a government elected by the people.

250. On 18 March, the United Kingdom representative had attempted to present the issue as though the substance of the problem were not the implementation of the Assembly's resolution, since he had stated that the crux of the matter was

the question of granting or not granting independence to Southern Rhodesia. In that respect, he had referred to statements by British personages to the effect that the United Kingdom was seeking to persuade the racist Government of Southern Rhodesia to make certain changes in the political structure of the country in order to secure a broadening of the franchise and enable the population to participate more directly in political life. What the Afro-Asian delegations had demanded, however, was not trivial reforms. In asking the United Kingdom for a statement undertaking not to grant independence in the present circumstances - i.e., while a racist minority was in power - they had at the same time stressed that independence should not be granted until the country had a majority government, democratically elected by the people under a new constitution.

251. All delegations had noted that the situation in Southern Rhodesia had deteriorated since the Victoria Falls Conference. With the forbearance of the United Kingdom, the Southern Rhodesia Government had done its utmost to strength the regime of terror and racial discrimination in the Territory. It was claimed that the United Kingdom Government was entirely powerless in that connexion, but the debate and the documents before the Committee had shown that that argument was nothing but a stratagem. The United Kingdom Government had done absolutely nothing to implement the General Assembly's decisions. It refused to abrogate the racist Constitution of 1961 and to introduce universal suffrage. On that point, there was little difference between the United Kingdom position and that of the Field Government. The dispute between the colonialists seemed rather to centre on the question whether the representation of the African population should be broadened somewhat, the United Kingdom Government maintaining that that should be done within the next five years, whereas the Southern Rhodesian Government was unwilling to resolve the problem, even in twelve or fifteen years' time. It would be remembered that Mr. Butler had already said, in July 1963, that he would look to the Southern Rhodesian Government to propose amendments to the Constitution. It appeared from the statement made by the United Kingdom representative on 6 March 1964 that the situation was still the same. It was well known, moreover, that Mr. Field had replied that he did not believe he should take the initiative with respect to negotiations. Thus, each

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side maintained that it was for the other to take the initiative. In fact, the intention was to deceive world opinion and to save the face of the United Kingdom Government, which was equally averse to a transfer of powers to the people of Southern Rhodesia. London and Salisbury were engaged in devising a method whereby power could be gradually transferred to the existing racist régime. As for the 1961 Constitution, promises to amend it at some unspecified future date would continue to be forthcoming.

252. The new situation thus created had been acknowledged by Mr. Field himself when he had stated on his return from London that Southern Rhodesia was no longer a "self-governing colony" and that the change was a significant one. The important point about the change was that the Field Government now had a free hand. Even when the masters in London spoke of "concessions" to the people of Southern Rhodesia, Mr. Field refused to make such concessions, on the pretext that powers would be transferred to the inexperienced, and he claimed that it was recognized in London that the Southern Rhodesians now in control of the country would be making a great mistake if they transferred the powers of government at an early date.

253. Some quarters maintained that the United Kingdom Government should be helped to find a way out of a difficult situation. In truth, neither that Government nor Mr. Field wanted such help. In his speech of 26 February 1964 in the Southern Rhodesian Legislative Assembly, the latter had stated that he had not departed one iota from the view that Southern Rhodesia's independence was not a matter for any other country but Southern Rhodesia and the United Kingdom, and that his Government was not prepared to attend any Commonwealth conference at which that issue would be debated. The Commonwealth Relations and Colonial Secretary had stated in the House of Commons on 15 November 1963 (see para. 29 above) that the United Kingdom was prepared to grant independence to Southern Rhodesia in the same circumstances as it had granted it to other British territories, and that the members of the Commonwealth would have to be consulted as to the terms on which independence would be granted. On 19 December 1963, however, the Prime Minister had told the House of Commons that what had been suggested was not that other

Commonwealth countries should share in a decision concerning Southern Rhodesia but that they might be able to help towards a solution. Thus a great change had taken place, for there was no longer any question of holding consultations as to the terms of independence, but merely, perhaps, of seeking advice on how to settle the matter. That was a further concession to Mr. Field.

254. In such circumstances, it was difficult to believe that the United Kingdom Government really wanted a broadening of the franchise and a more direct participation of the indigenous people in Southern Rhodesian political life. Its every action indicated the reverse. For example, the Zimbabwe African National Union had demanded that the United Kingdom should impose a new constitution in keeping with the wishes of the majority of the population of Southern Rhodesia before the dissolution of the Federation of Rhodesia and Nyasaland (see para. 54 above); the United Kingdom Government had ignored that demand.

255. If the United Kingdom had wished to broaden the franchise, it would have heeded the representatives of the indigenous population who were calling for the abrogation of the 1961 Constitution, it would not have transferred to the Field Government armed forces which were being used to put down the national liberation movement and it would have insisted on the repeal of the discriminatory laws in force in the country. Instead, it had strengthened the position of the Field Government.

256. In order to mislead public opinion, it was being suggested that the African parties in the Southern Rhodesian Legislative Assembly would be able to obtain a "blocking third" which would safeguard the interests of the majority of the population. There was even talk of a transitional period pending the transfer of powers to a Government elected by universal suffrage. All that was only an illusion, and the peoples who had had to struggle for their independence would not be deceived. If the Field Government was unwilling at the present time to amend the 1961 Constitution which perpetuated the domination of the white racist minority, there was no guarantee that, once it had obtained independence, it would agree to alter the franchise so as to pave the way for the transfer of powers to the majority.

257. While the debate on the question of Southern Rhodesia was proceeding, tragic events were taking place in that territory. Acts of brutality and terrorism were being committed there. It was the Committee's duty to protect the people of Southern Rhodesia, in keeping with the General Assembly's decisions, recently confirmed by the African Foreign Ministers assembled at Lagos, who had called on the anti-colonialist forces in the United Nations to take immediate steps to bring about the immediate implementation by the United Kingdom Government of the General Assembly's resolutions on Southern Rhodesia. A constitutional conference must be convened immediately, at which the views of the groups representing the majority of the population of Southern Rhodesia should prevail and a new constitution, based on the principle of "one man, one vote", should be drafted. New elections should then be held and all powers transferred to representatives with a proper mandate from the people. Any attempts to arrange for informal consultations instead of such a conference, as proposed by some delegations, would enable the colonialists to postpone the solution of the problem. By accepting such proposals, the Committee would appear subservient to the will of the racists of Southern Rhodesia. The Committee's duty was to take decisions which could result in the speedy transfer of powers to the people of Southern Rhodesia and could guarantee their freedom and independence. If the United Kingdom Government would not heed the voice of reason, the Soviet Union delegation considered that the question should be submitted to the Security Council.

258. The representative of the United Kingdom noted that the Soviet Union representative had appeared to accuse the United Kingdom Government of seeking to deceive the Committee and opinion in general. He would leave it to the Committee to judge, on the basis of his own statements and those of the United Kingdom Ministers which he had quoted, the sincerity of his Government's endeavours in the matter.

#### IV. ACTION TAKEN BY THE SPECIAL COMMITTEE

259. At the 231st meeting, Cambodia, Ethiopia, India, Iraq, Ivory Coast, Madagascar, Mali, Sierra Leone, Syria, Tanganyika, Tunisia and Yugoslavia submitted a draft resolution which was subsequently co-sponsored by Iran (A/AC.109/L.103 and Add.1).

260. The Chairman drew attention to document A/AC.109/PE.188, in which the petitioners requested the Committee to take action to prevent the execution of the death sentence upon an African of Southern Rhodesia, who had been sentenced to be hanged.

261. The representative of Iraq introduced the thirteen-Power draft resolution, of which his delegation was a sponsor. With regard to the sentence of death passed on an African of Southern Rhodesia, the sponsors might perhaps insert a new paragraph in their draft or submit a separate draft resolution.

262. The sponsors of the draft resolution thought that the least the Special Committee could do would be to adopt it, since no progress had been made in implementing past resolutions of the General Assembly and the Committee, and the adoption of that draft would not prevent the Committee from taking whatever other action might be called for in regard to the question of Southern Rhodesia.

263. The preamble of the draft resolution took account of the recommendations on Southern Rhodesia made by the Chiefs of African States and Governments at Addis Ababa in May 1963, as reaffirmed by the Conference of their Ministers of Foreign Affairs at Lagos in February 1964 (see appendix I). It deplored the transfer of armed forces and aircraft to the settler minority Government of Southern Rhodesia, which had taken place despite General Assembly resolution 1883 (XVIII). That action could have the most serious consequences on the maintenance of peace in Southern Rhodesia and had contributed to the stiffening of the Southern Rhodesian Government's attitude in its negotiations with the United Kingdom Government. The preamble also indicated that the Committee was aware of the threat of a unilateral declaration of independence by the minority settler Government.

264. Operative paragraph 1 deplored the continued refusal of the United Kingdom Government to implement the resolutions which the General Assembly and the Special Committee had adopted on Southern Rhodesia. Paragraph 2 urged the United Kingdom Government to take immediately the necessary steps to implement resolution 1514 (XV).

With regard to paragraph 3, which invited the United Kingdom Government to hold a constitutional conference without delay, he recalled that the Committee's main task was to expedite the attainment of independence by Southern Rhodesia in the most favourable conditions and to guarantee that majority rule based on universal adult suffrage would be established before independence was achieved. As far as operative paragraph 4 was concerned, the sponsors felt that the United Kingdom Government was in duty bound to warn the minority settler Government of the consequences of a unilateral declaration of independence and, if such a declaration was made, to prevent its implementation. Paragraph 5 called upon the United Kingdom Government to declare categorically that independence would not be granted to Southern Rhodesia until majority rule was established in the Territory. That request, which repeated a previous one, was especially important in the light of a report in The Times of London on 13 March 1964 that Mr. Duncan Sandys had given an evasive reply to a Labour Member who had asked him in the House of Commons whether the United Kingdom Government still stood by the Prime Minister's statement that independence would not be granted until there was majority rule in Southern Rhodesia. Paragraph 6 paraphrased a paragraph of resolution 1889 (XVIII) which urged all Member States to use their influence with the Government of the United Kingdom. The justification for paragraph 7 was that the supplying of arms and ammunition to the minority settler Government would enable it to become even more intransigent and that, according to some reports, the Portuguese and South African Governments had in fact been supplying military assistance to the settler Government. With regard to paragraph 8, which requested the Secretary-General to intensify his efforts with a view to the implementation of the mandate entrusted to him by resolution 1760 (XVII), the sponsors felt that the Secretary-General was in a position to play a most useful part in promoting conciliation. Lastly, the draft resolution drew the Security Council's attention to the situation in Southern Rhodesia, which had steadily deteriorated since the Committee had last considered the question in September 1963; in accordance with the final operative paragraph of the draft resolution, the Committee would decide to keep the question of Southern Rhodesia on its agenda in order to be in a position to consider any measures which might prove useful.

265. The representative of Ethiopia said that the position of his delegation had already been made quite clear. The draft resolution proposed immediate remedies



for the deplorable situation in Southern Rhodesia and requested urgent action by the United Kingdom Government.

266. The sponsors wanted the United Kingdom Government to recognize that the people of Southern Rhodesia should be able to elect the government of their choice by a majority vote based on universal adult suffrage. In conformity with that principle, it was logical to ask the United Kingdom Government to take whatever measures were called for to prevent any unilateral declaration by the minority settler Government and to put a stop to any transfer of armaments.

267. The representative of India, referring to petition A/AC.109/PET.188, drew the Committee's attention to the statement he had made on 9 March; it was not merely one person who had been sentenced to death, but three. His delegation had at the time appealed to the United Kingdom Government to exercise its prerogative of mercy and save the lives of those persons.

268. The representative of Mali said that the United Kingdom must assume its responsibilities by complying with the various resolutions adopted by the United Nations. The draft resolution requested the United Kingdom Government to take a clear stand so that a solution could be found for the question of Southern Rhodesia, and his delegation hoped that it would be adopted unanimously.

269. He asked that an appeal should be made to the United Kingdom Government so that the death sentence pronounced upon Mr. Mapolisa, a Southern Rhodesian nationalist, might be stayed. That sentence was one facet of the tragic situation prevailing in Southern Rhodesia.

270. The representative of Tunisia said that his delegation, sharing the concern of the other members of the Committee about the future of Southern Rhodesia, had only one desire - to rectify the situation to the benefit of both communities and to restore peace and stability in the Territory. For the past two years tension had not decreased and there had been no lessening of friction; the Administering Power had paid no attention to the resolutions of the General Assembly and there had been no change in its attitude since the establishment of the Special Committee. By a strange coincidence, it was working against the recommendations of the United Nations.

271. In the general debate, his delegation had supported the idea of a round-table conference so as to create the conditions necessary for bringing the parties and

the different trends in Southern Rhodesia closer together and for giving effect to resolution 1514 (XV) and in particular its paragraph 5. Unfortunately, however, in its statement a few days previously the Administering Power had paid no regard to the various suggestions that had been made in the Special Committee. It seemed that the United Kingdom Government intended to maintain its stand on Southern Rhodesia and chose to ignore the recommendations of the United Nations. It rejected any idea of co-operation and would do nothing in Southern Rhodesia without the consent of the white minority, which went to show what little regard it had for the opinion of the African majority, whose feelings it did not even try to spare.

272. In his delegation's view, negotiations without the participation of the legitimate representatives of the African population would not be likely to facilitate a solution of the problem and would be considered as null and void. The United Kingdom Government had said that it was prepared to receive a sub-committee on certain conditions, but it rejected any idea of co-operation and continued to pursue its policy without worrying too much about the repercussions.

273. Although the colonial policy of the United Kingdom Government had in the past won it universal esteem and respect, that Government should now be warned about the consequences of its policy in Southern Rhodesia and should even be condemned, and steps should be taken to induce it to carry out the resolutions of the United Nations and thus eliminate any focus of tension threatening international peace and security.

274. The representative of Yugoslavia emphasized the importance of the draft resolution in the light of the explosive situation in Southern Rhodesia. It was high time to realize the need for urgent measures to prevent bloodshed in that country. The Administering Power had full authority to make the necessary constitutional changes under the conditions outlined in operative paragraph 3 of the draft resolution. Those changes would give the population of Southern Rhodesia the hope which it was at present denied.

275. The situation in Southern Rhodesia was deteriorating day by day. The settler government thought that it could take advantage of the proximity of the elections in the United Kingdom. The United Kingdom Government, for its part, had not clearly and publicly explained its position. That left the leaders of the racialist minority in Southern Rhodesia quite free to launch an offensive for immediate independence. On the other hand, the Administering Power was tying its own hands by public statements to the effect that it was unable to intervene because of the existence of a convention.

276. His delegation urged the members of the Committee to adopt the draft resolution unanimously.

277. The representative of Syria associated himself with the remarks made during the meeting on the subject of the draft resolution.

278. The Chairman summarized the content of the petitions in question and noted that the petitioners were asking the Special Committee to intervene and prevent the execution of the measures decreed by the judicial authorities of Southern Rhodesia.

279. The representative of Iraq had said that an additional paragraph on the release of political prisoners could be inserted in the draft resolution. However, because of the gravity of the situation to which the Committee's attention was drawn in the petitions before it and because the Committee recognized that the United Kingdom was still the Administering Power in Southern Rhodesia, he thought that the Committee could appeal to the United Kingdom Government to take the necessary steps. That would in no way prejudice the provisions which might be included in the draft resolution.

280. The representative of India recalled that not only the life of one person but the lives of several persons were at stake. The death sentence had been passed not only on Mr. Richard Mapolisa but also on Mr. Benoni Sibanda. Both were mentioned in document A/AC.109/PET.188. In addition, as he himself had said in the Committee on 9 March, three other people were also being tried, and their cases, too, should be taken into account.

281. The representative of Syria said that the sentences given under Section 33 A of the amended Law and Order (Maintenance) Act were a far cry from the traditions of

British justice. The provisions in question violated an elementary principle of penal law which was common to all systems throughout the world. For a person to be sentenced for a criminal offence it was necessary, first, for the offence actually to have been committed and, second, for there to be proof that it had been committed. However, the death penalty provided under Section 33 A of the amended Law and Order (Maintenance) Act applied to "any person" acting "without lawful excuse, the proof whereof lies on him" (A/AC.107/PET.188, p. 6). That provision was unprecedented in that the burden of proof lay on the defendant. It should also be pointed out that in civilized countries the death sentence was not given for the offences mentioned in that Act. Under the French Penal Code, as well as in the United Kingdom, they were regarded as offences and not as crimes. Moreover, elementary principles were violated by those provisions of the Act which concerned minors (A/AC.109/PET.188, p. 7).

282. A minority population which adopted laws of that kind could not be deemed to have a sense of responsibility or to be capable of governing. The relations between that minority and the African majority would eventually lead to unrest which would create disturbances in Africa that might affect the general peace. He therefore urged the United Kingdom representative to impress upon his Government the extreme gravity of the prevailing situation. The least that could be expected of the United Kingdom Government was that it should ensure that the sentences passed were not executed. In addition, it should see that the Act in question was repealed. As for the Special Committee, its duty was to bring the situation to the attention of the United Kingdom Government and, for that purpose, to add a paragraph to the draft resolution, as the representative of Iraq had envisaged.

283. In addition, he formally proposed that a special resolution should be adopted on the question of the death sentences. If the condemned persons were not reprieved, it would then have to be recognized that the situation in Southern Rhodesia was abnormal and should be considered by the Council. Indeed, a law such as the amended Law and Order (Maintenance) Act indicated that the situation was not as normal as Mr. Field and his henchmen tried to pretend. The death penalty had been prescribed solely to protect the European minority and spread terror among the African majority. That proved that the European minority was afraid, and it was well known what fear could provoke. It was sufficient to recall the "rounding up" operations in Tunisia in 1952 and 1953 and the events in

Algeria. The death sentences in Southern Rhodesia would alone be sufficient justification for referring the question to the Security Council.

284. The Chairman summing up the consensus of the Committee, said that he understood that the Committee wished to request the United Kingdom, as Administering Power, to take the necessary steps to prevent the execution of the death sentences pronounced on African nationalists and that the Committee, having no doubt as to the responsibility borne by the United Kingdom in Southern Rhodesia, wished to urge the United Kingdom Government to use all its powers not only to prevent the execution of those sentences but also to secure the release of all political prisoners in Southern Rhodesia.

285. The representative of the United Kingdom said that, in view of what he had said earlier about the relationship between the United Kingdom and the Southern Rhodesian Government, he could not concur with the consensus as outlined by the Chairman.

286. The representative of India assumed, from what the Chairman had said, that the appeal would be to the United Kingdom Government to exercise its prerogative of mercy. It appeared that that prerogative still rested with the United Kingdom Government in the present case. He would be grateful if the United Kingdom representative would tell the Committee whether the appeal should be addressed to his Government or to Mr. Field's Government. If it was an appeal to grant mercy to the sentenced prisoners, it was hard to see how the United Kingdom representative could object to such an appeal.

287. The representative of the United States of America said that he would like a further opportunity to consider the matter. The importance of a death sentence could not be questioned, but he was not at that moment in a position to participate in a consensus of the Committee.

288. The representative of the Ivory Coast said that the Chairman rightly considered that all representatives who had spoken in the Committee and all who had supported them took the view that an appeal should be made to the United Kingdom to take what might be called "measures of conservation".

289. Since there was a question of inserting a new paragraph in the draft resolution and even of submitting a special draft resolution, the Chairman's summing up did not put an end to the matter. Nevertheless, it might to some extent meet the point of the United States and United Kingdom representatives, who would note that the appeal simply asked them to use their influence to give effect to a humanitarian decision. All that was involved, in effect, was an interim decision; when the Council took a final decision on the subject, those representatives would have an opportunity of stating their position in detail. The Chairman could give the Committee the assurance that his summing up did not close the question.

290. The Chairman stated that in view of the seriousness of the situation, and without prejudice to decisions which might be taken subsequently, the Committee could, as an interim measure, appeal to the United Kingdom Government to consider immediate action to prevent the execution of the court sentences. The United Kingdom Government would be called upon to use its power vis-à-vis the Southern Rhodesian Government to prevent the execution of the death sentences.

291. If there was no objection, he would take it that the Committee, having noted the reservations of the representative of the Administering Power, agreed with the statement he (the Chairman) had just made.

292. The representative of Australia said that he shared the horror which any human being must feel when faced with another human being's condemnation to death. Still, his delegation was not familiar with the legal situation in the present instance, as the matter had come up for discussion only that morning. He therefore associated his delegation with what the United States representative had said with regard to the Chairman's proposal.

293. The representative of the Union of Soviet Socialist Republics observed that the United Kingdom Government did not wish to take any action to protect the lives of African nationalist leaders from the criminal attempts of the Southern Rhodesian rulers, on the pretext that it could not interfere in the domestic affairs of that Territory. In his view, it was not a question of who had the prerogative of mercy. The decisions of the General Assembly had established that the United Kingdom Government was responsible for all the events that were taking place in Southern Rhodesia. It was therefore entirely legitimate for the Committee to appeal to the United Kingdom Government in the present case. Like the Chairman, he believed that, as an interim measure, the Committee could agree on a general consensus and call upon the United Kingdom Government, through its representative, to take the appropriate steps to halt the criminal actions against the African nationalists.

294. He also fully endorsed the proposal of the Syrian representative to address a special resolution on that subject to the United Kingdom Government, and the proposal to add to the draft resolution under consideration a paragraph stressing the need for the immediate cessation of political persecution in Southern Rhodesia and for the release of all political prisoners. The Committee might also call for the repeal of the discriminatory laws on which the Government based its suppression of the national liberation movement in the Territory.

295. Referring to operative paragraph 3 of the draft resolution, in which the United Kingdom was invited to hold a constitutional conference without delay, he suggested that it would be well to specify, either in the operative part or in the preamble, that the Committee considered the interests of the indigenous population of Southern Rhodesia to be paramount and that therefore any talks on the future of the Territory in which the indigenous population's representatives did not take part would be illegal. Such a clause would strengthen the position of the leaders of the liberation movement in Southern Rhodesia and would also serve as a warning to the United Kingdom Government that the Committee would not endorse talks which the United Kingdom Government might conduct solely with the Territory's racist rulers.

296. The representative of India said that the attitude of certain delegations was extremely puzzling. At the eighteenth session of the General Assembly, the United

Kingdom and United States delegations had supported resolution 1881 (XVIII), which requested the Government of South Africa "to abandon the arbitrary trial now in progress and forthwith to grant unconditional release to all political prisoners and to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid". He did not understand why the same delegations should now disapprove of the Committee's intention to intercede on behalf of African nationalists threatened with hanging under extraordinary laws which had moreover recently been condemned by the International Commission of Jurists. Contrary to the Australian representative's belief, he himself had raised the question at the Committee's 224th meeting, when he had pointed out that Mr. Mapolisa had been sentenced to death under the Law and Order (Maintenance) Act, that Mr. Sibanda had been similarly sentenced and that three other Africans were being tried under the same "hanging clause". He had read out a letter published in The Spectator of 28 February 1964, according to which the only right of appeal left open had been to the Privy Council. He asked the United Kingdom delegation whether it could tell the Committee if the appeal was before the Privy Council and whether the prerogative of mercy rested with the United Kingdom Government or not.

297. The representative of the United States of America said he was grateful to the representative of India for having mentioned General Assembly resolution 1881 (XVIII). The members of the Special Political Committee had made great efforts to discuss that resolution with his delegation and the delegation had had time to consider the matter. The result was that it had been able to support the resolution, which it had been glad to do. The present situation was somewhat different. He did not believe any member of the Committee was questioning the humanitarian instincts of any other member. He would be very unhappy to believe that such was the case.

298. The representative of Australia said that there still remained a doubt in his mind regarding the legal position. Although the humanitarian feelings involved were certainly not open to question, the members of the Committee could hardly be asked to make up their minds at a moment's notice on an issue which was also part of a resolution that had been laid before them for the first time.



299. The representative of Poland associated himself with the appeal that the Chairman proposed to make to the United Kingdom Government to do everything in its power to prevent the execution of Africans in Southern Rhodesia. The problem came clearly within the Committee's mandate, since the Declaration on the granting of independence to colonial countries and peoples provided that "all armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence ...". Recalling that at the meeting on 16 March his delegation had stressed the need for the immediate cessation of repressive measures and the release of political prisoners in Southern Rhodesia, he was glad the sponsors of the draft resolution intended to embody in it a paragraph to that effect. In his opinion, the special resolution proposed by the Syrian representative dealing with the "hanging clause" also derived from the Committee's mandate, which was to prevent the implementation of repressive measures in violation of the Declaration (resolution 1514 (XV)). Lastly, the problem involved a humanitarian aspect which no one in the Committee disputed. That being so, he fully supported the appeal that the Chairman proposed to make on behalf of the Committee to the United Kingdom Government.

300. He suggested to the co-sponsors that the request contained in operative paragraph 6 and in subsequent paragraphs of the draft resolution should not be limited to States Members of the United Nations, but it should be extended to embrace all States, since there are such States as the Federal Republic of Germany, which are not States Members of the United Nations but which are supporting the racist régimes in this part of Africa.

301. The representatives of Yugoslavia and Sierra Leone supported the proposal that the Chairman should appeal on behalf of the Committee to the United Kingdom to exercise the prerogative of mercy and prevent the implementation of the Law and Order (Maintenance) Act, especially in relation to the sentencing to death by hanging of Mr. Mapolisa.

302. The representative of Uruguay felt that there was no doubt that most members of the Committee were in favour of appealing to the United Kingdom Government on humanitarian grounds. The Chairman could therefore assume that he was authorized to act accordingly, without prejudice to any subsequent steps that the Committee might take.

303. The representative of Iraq, supported by the representative of Cambodia, said that, if the Committee could not achieve a consensus, it should be possible to reach a formal decision regarding the proposal of the representatives of Mali and Syria to authorize the Chairman to appeal to the United Kingdom Government on behalf of the Africans who had been sentenced.

304. The representative of Venezuela considered that the Committee could appeal to the United Kingdom Government on humanitarian grounds to use all its powers and prerogatives, under the Southern Rhodesian Constitution and the Convention regulating its special relations with the Southern Rhodesian Government, either directly or indirectly - in other words, through the Governor of Southern Rhodesia as the Queen's representative - in favour of the persons who had been sentenced to death in Southern Rhodesia and those who were being tried.

305. The representative of India expressed his gratitude to the representatives of the United States of America and Australia for stating that they shared the humanitarian concern of the other members of the Committee in this matter. That, according to him, was the real issue before the Committee. The humanitarian aspect is an element common to the South African and Southern Rhodesian situations - but he did not wish to dilate on that. The point was of the Committee addressing an appeal on humanitarian grounds to the United Kingdom Government to exercise their prerogative of mercy. To that there has been no objection. There has been an objection to a consensus but at this stage all delegations except the United Kingdom had agreed to an appeal being addressed by the Committee on humanitarian grounds.

306. The representative of the United States of America supported the Venezuelan representative's proposal. He had intended to propose that the Chairman state as his consensus that the Committee called upon the United Kingdom to exercise its influence to obtain a reprieve of the death sentences.

307. The representative of the Ivory Coast also considered that the Chairman should appeal to the United Kingdom Government, but without going into constitutional considerations, since the question of the constitutional relations between the United Kingdom and Southern Rhodesia had already been dealt with in the General Assembly resolutions.

308. The Chairman summed up the feeling of the Committee by declaring that, without prejudging the decisions that it might reach on the question of Southern Rhodesia, the Committee empowered its Chairman to appeal to the United Kingdom Government to use all its powers and prerogatives to prevent the execution of the sentences. He would ask the United Kingdom representative to inform his Government of the feeling of the Committee on that subject.

309. The representative of the United Kingdom said that he took note of the appeal and would so inform his Government. Later he stated that on 21 March his delegation had received a letter from the Chairman (appendix II) containing the appeal to the United Kingdom Government, which had been informed of its contents.

310. The Committee was already aware that the United Kingdom Government had no responsibility whatever for the legislation in Southern Rhodesia under which the death sentences had been passed and had no powers in relation to it. However, his delegation could inform the Committee that Mr. Mapolisa's appeal against sentence had been heard in the Federal Supreme Court in Salisbury in December 1963 and had been rejected. Mr. Mapolisa had then asked for leave to appeal to the Judicial Committee of the Privy Council, a request that had been granted in February 1964. According to available information, no date had been fixed for the hearing of that case by the Privy Council in London. Mr. Sibanda had been convicted in Bulawayo High Court on 12 December 1963 and his appeal had been heard in the Federal Supreme Court on 2 March 1964. New evidence had been produced and judgement had not yet been given. Mr. Gendhamu, Mr. Runyowa and Mr. Muringwa had been convicted in Salisbury High Court on 20 December 1963. Those convictions, as well as that of Mr. Sibanda, had all concerned the throwing of petrol bombs into African houses. The mandatory death sentence had been passed on Mr. Gendhamu and Mr. Runyowa but Mr. Muringwa, being under nineteen years of age, had been sentenced to imprisonment for seven years. They had all appealed unsuccessfully to the Federal Supreme Court on 28 February 1964. Mr. Gendhamu and Mr. Runyowa had sought leave to appeal to the Privy Council. Those cases, except that of the youth, were therefore sub judice. The question of the use of the prerogative of mercy by the Governor would only arise if the appeals to the Privy Council were unsuccessful.

311. The representative of India, speaking to the thirteen-Power draft resolution, said it was somewhat disappointing that the United Kingdom Government had been unable to change its attitude. It was the Committee's duty to help the nationalist forces in Southern Rhodesia and the United Kingdom Government to find a peaceful and immediate solution to the problem. The draft resolution was a step in that direction. His delegation was a sponsor of that text and fully endorsed the views expressed by the representative of Iraq when introducing it.

312. The problem was indeed complex; that was why in operative paragraph 3 the United Kingdom Government was requested to hold a constitutional conference in which the representatives of all political parties could thrash out the problem and arrive at an agreed solution. If that conference was to be successful, the minority settler government must be made to realize that Southern Rhodesia could not achieve independence until majority rule was established on the basis of universal adult suffrage. That government must also be warned against the consequences of a unilateral declaration of independence; this was the substance of operative paragraphs 4 and 5. None of those provisions was unreasonable or difficult for the United Kingdom Government to implement.

313. The situation in Southern Rhodesia continued to go from bad to worse. Certain amendments were being introduced in the Law and Order (Maintenance) Act which would make it even more drastic and cruel. Mr. Dupont, the Minister responsible for the amendments, had remained completely deaf to the criticism of them voiced by the International Commission of Jurists on 12 March 1964. It was to be noted that Mr. Dupont had maintained that there was no explosive situation in Southern Rhodesia. What then was the reason for enacting such lawless laws? The imposition of death penalties for comparatively minor offences was contrary to article 5 of the Universal Declaration of Human Rights. The consequences of such legislation might be disastrous and the Committee should appeal to the United Kingdom Government to use its influence to annul the laws in question.

314. The United Kingdom representative had just explained the legal position and the present state of the appeals. But it was the law that was bad. The judges had been left with no discretion in the matter since the capital sentences

had been mandatory. That was why the question of the exercise of the prerogative of mercy had arisen. However, it was gratifying to know that the cases were still sub judice. Perhaps some way would be found to give relief even during the appeal.

315. The adoption of the draft resolution was not an end in itself. It certainly did not preclude the possibility of any other action by the Committee which might be more helpful in finding a solution in the spirit of General Assembly resolution 1514 (XV). He hoped the draft resolution would receive overwhelming support.

316. The representative of Denmark said that the general debate had revealed a very large measure of agreement on the main problems involved. The Committee would have done better to record that agreement than draft a resolution containing provisions which came within the exclusive competence of the Security Council. In particular, his delegation would be unable to support operative paragraphs 6 and 7 which ran counter to the United Nations Charter. Nor could he accept the wording used in operative paragraph 9. Operative paragraph 1 was contradicted by the attempts of the United Kingdom Government to find a solution. Even the wording of operative paragraphs 4 and 5 did not sufficiently reflect the difficult position in which the United Kingdom Government found itself. For all those reasons, his delegation would have to abstain from the vote on the draft resolution as a whole. That position was dictated mainly by legal objections; it in no way implied that Denmark intended to supply Southern Rhodesia with military weapons.

317. The representative of Iraq said the sponsors of the thirteen-Power draft resolution had decided to insert the following new paragraph, after the sixth preambular paragraph, in accordance with the USSR proposal:

"Considering that the interests of the African majority in Southern Rhodesia are paramount and that their representatives should fully participate in any decisions or consultations affecting the future of the Territory".

That paragraph was a counterpart to operative paragraph 3.

318. The sponsors had also decided to make operative paragraphs 6 and 7 applicable to all States, as suggested by the representative of Poland, rather than to States

Members of the United Nations and to change the words "appropriate measures" in operative paragraph 6 to "whatever measures they deem appropriate".

319. The representative of Italy said that the draft resolution caused his delegation a number of misgivings. In the first place, it was not in keeping with the general feeling which had prevailed during the general debate. Many speakers had stressed that no effort should be spared to seek peaceful ways of solving the problem of Southern Rhodesia. Certain constructive approaches had been suggested but they had been disregarded in favour of a draft resolution which was ill-timed and couched in extreme terms. The adoption of that text would not make the holding of a constitutional conference any easier; it would not prevent the authorities of Southern Rhodesia from declaring themselves independent; and it would swell the number of United Nations resolutions which had not been implemented.

320. Apart from those basic objections, the text contained several provisions which his delegation could not support. In particular, he objected to the use of the language taken from Chapter VII of the Charter and to the proposal to refer the matter to the Security Council, which was no better qualified to solve the problem than the Committee itself.

321. For all those reasons, the Italian delegation would be unable to support the draft resolution and would abstain when it was put to the vote.

322. The representative of the Union of Soviet Socialist Republics said that his country had always supported the aim of implementing in all Territories, including Southern Rhodesia, the provisions of the Declaration on the granting of independence to colonial countries and peoples. The Soviet position was also based on the decisions already taken by the General Assembly on the question of Southern Rhodesia. The implementation of those decisions would liberate the people of Southern Rhodesia from racist pogroms and colonial domination by Mr. Field's Government, thus strengthening peace and security throughout Africa. It would also encourage friendly relations among States on the basis of the right to independence.

323. For those reasons, he supported the draft resolution as offering the best solution to the problem. All its provisions were in conformity with previous decisions of the General Assembly. Operative paragraphs 2 and 3 would pave the way for real independence; the warnings in operative paragraphs 4 and 5 were explicit and timely. Particularly important was operative paragraph 7 which cautioned all who planned to strengthen the military potential of the Southern Rhodesian racists. The Committee was already aware of the plans of colonialists who wished to obstruct the liberation movements of the African people struggling for their rights and independence.

324. The Soviet delegation would vote in favour of the draft resolution in the hope that its implementation would lead to a speedy solution of the problem of Southern Rhodesia.

325. The representative of Tunisia said that his delegation's suggestion for the establishment of a "watchdog committee" had to be regarded as inseparable from a group of related proposals. It had been understood that if a sub-committee was sent to London, the watchdog committee would report to the Special Committee on the development of the situation. However, the sending of a sub-committee could no longer be considered useful, in view of the absence of a co-operative spirit from the latest statements of the United Kingdom delegation. The Special Committee would keep the question of Southern Rhodesia on its agenda, and, in the Tunisian delegation's view, the entire Special Committee had now become a watchdog committee.

326. The representative of Iraq said he still thought that the sending of a sub-committee to London to discuss all aspects of the problem of Southern Rhodesia with the responsible Ministers of the United Kingdom Government could be very helpful, provided that that Government, as well as the sub-committee, was prepared to conduct serious discussions. However, unless the United Kingdom could clarify the stand it had taken regarding a sub-committee, the Iraqi delegation would have to maintain its present position.

327. Recalling his previous statement, he said that the introduction of the draft resolution did not and should not preclude the possibility of other action by the Committee in dealing with the question of Southern Rhodesia.

328. The representative of Bulgaria said that the draft resolution did not represent a departure from the search for a peaceful solution of the problem of Southern Rhodesia; it was not the sponsors of the draft resolution but rather the other side

that was creating situations which made a solution difficult. The changes made in the wording of the draft resolution, particularly in the operative paragraphs, would give it additional weight, since States not Members of the United Nations could also contribute to a solution of the problem. Although his delegation felt that in some provisions other wording might have been more suitable, it would vote in favour of draft resolution, and in favour of each of its paragraphs if they were put to the vote separately.

329. The representative of the United Kingdom wished, in explanation of his delegation's vote, to reiterate a few points: first, Southern Rhodesia was not a Non-Self-Governing Territory within the terms of Article 73 of the Charter; secondly, the United Kingdom was not the Administering Power because it had no control over Southern Rhodesia's internal administration and because, apart from the High Commissioner and his staff, there was no official in Southern Rhodesia responsible to the United Kingdom Government; thirdly, his Government was prepared to grant independence to Southern Rhodesia in the same circumstances that it had granted it to other Territories and, in particular, looked for a widening of the franchise so as to give greater representation to the Africans; fourthly, a negotiated solution of the problem was possible only if all concerned understood and accepted the basic facts and worked with a real desire for a peaceful solution.

330. The problem discussed by the Special Committee in 1963 had been that of the Federation of Rhodesia and Nyasaland. Contrary to the assertions of some delegations, the United Kingdom had not been inactive in the matter. The Federation had come to an end on 31 December 1963, and Northern Rhodesia and Nyasaland would soon be independent with African majority Governments. Talks had been held in London before the end of January 1964 with the Prime Minister of Southern Rhodesia, and the problem continued to be of close and active concern to the United Kingdom Government,

331. The objectives of his Government and those of the majority of the Committee were still the same, but the methods they proposed were different. A solution could be found only through negotiation between the two Governments responsible, and the draft resolution could make no contribution to such a solution. His delegation did not recognize the right of the Special Committee to adopt resolutions on Southern Rhodesia and regarded such resolutions as ultra vires. Therefore, it would not participate in the vote on the draft resolution or any part of it.



332. The representatives of the United States of America and Australia expressed a preference for postponing the vote on the draft resolution until the following day, so that they could inform their Governments of the revisions that had been made; however, they would not press the matter if the other members of the Committee wished to proceed to a vote immediately.

333. At the 232nd meeting on 23 March 1964, the Special Committee adopted the ninth preambular paragraph of the draft resolution, as revised orally, by 17 votes to 4, with 1 abstention, and of the ninth operative paragraph by 18 votes to 4, with 1 abstention.

334. The whole of the draft resolution (A/AC.109/L.103 and Add.1), as orally revised, was then adopted by a roll-call vote of 18 to none, with 5 abstentions, as follows:

In favour: Bulgaria, Cambodia, Chile, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Poland, Sierra Leone, Syria, Tanganyika, Tunisia, Union of Soviet Socialist Republics, Uruguay, Yugoslavia.

Against: None.

Abstaining: Australia, Denmark, Italy, United States of America, Venezuela.

335. The representative of Venezuela stated that his delegation had abstained from voting on the resolution only because it had not yet received from his Government the instructions it had requested.

336. The representative of the United States of America said that although his delegation shared the view that any action taken by the Committee should be aimed at helping to ensure the realization of the legitimate aims of the people of Southern Rhodesia, it had abstained from voting on the draft resolution because of certain reservations about some of its provisions and expressions of views.

337. The United States delegation believed that the situation in Southern Rhodesia, although deteriorating, did not constitute a serious threat to international peace and security as contemplated by the Charter; it had therefore opposed the penultimate preambular paragraph and operative paragraph 9. It also objected to the use of the word "deploras" in operative paragraph 1. Such language was inappropriate, and the paragraph as a whole did not take fully into account the realities of the United Kingdom's position. The wording of operative paragraph 6,

although somewhat improved by the amendment made by the sponsors, nevertheless could be subject to some unfortunate misinterpretation. However, he respected the Iraqi representative's suggestion that the paragraph was, in effect, a rewording of operative paragraph 7 of General Assembly resolution 1889 (XVIII), which urged Member States to use their influence to the utmost with a view to ensuring the realization of the legitimate aspirations of the people of Southern Rhodesia. The United States had been using its influence in that direction and would continue to do so to the best of its ability.

338. His delegation agreed with other members of the Committee that a constitutional conference was desirable; however, in view of certain factors which made that extremely difficult at the present time, an informal conference might be more expedient. Operative paragraph 7, in the form appearing in the draft resolution, was of doubtful propriety; his delegation would have preferred to see a recommendation, or even a request, to all Member States to refrain from any action which might aggravate the situation in Southern Rhodesia. A unilateral declaration of independence on the part of the Government of Southern Rhodesia, could, in the United States view, have disastrous consequences, and his delegation was confident that the United Kingdom would not consent to such a step.

339. He welcomed the United Kingdom's willingness to receive representatives of the Special Committee and felt that an exchange of views between such representatives and the United Kingdom Government would be a useful step towards realizing the common goal. His delegation looked with confidence to the United Kingdom to apply the same high principles it had applied in solving other difficult colonial problems. The establishment of vital communication between all parties concerned, either formally or informally, was particularly urgent and must be given the highest priority.

340. The representative of Chile said that his delegation had voted in favour of the resolution because it had considered it a constructive text. It had voted in favour of operative paragraph 9 on the understanding that the text in no way impaired the power of the Security Council to determine whether or not a situation constituted a threat to international peace and security.

341. The representative of Australia explained the vote of his delegation on the draft resolution. In connexion with the seventh preambular paragraph in the final text, he recalled the statement of the Australian Minister for External Affairs which he had cited at the meeting of 12 March and which emphasized that the aim in Africa, as indicated by African leaders themselves, was to achieve independent societies in which no group had exclusive privileges but in which there was genuine equality among citizens. That view seemed to express the essence of democracy, which was based on majority rule but provided adequate protection for minorities.

342. The holding of a constitutional conference, as recommended in operative paragraph 3, was an excellent idea in theory but in practice the Committee was inviting the Government of the United Kingdom to do something which was at the moment beyond its power. His delegation would have preferred a more flexible and realistic expression of the Committee's hopes in the form of a consensus rather than a resolution.

343. With regard to operative paragraph 5, a recent issue of the journal Africa 1964 made it clear that Mr. Field was no longer thinking in terms of a unilateral declaration of independence. The United Kingdom Prime Minister had publicly noted the dangers of such a declaration while the Australian Government had recently warned that it might lead to an Algerian type of situation and a lasting cleavage between the black and white communities. Indeed, the danger of race war was inherent in the whole situation. The United Nations must do everything possible to prevent that from happening.

344. In the present circumstances a resolution of the kind adopted at the previous meeting did not appear to be the best procedure. The more constructive proposals that had been made should have been followed although it was gratifying to note that the representatives of Iraq, India and Tunisia had said that the resolution did not preclude other action. The resolution adopted merely went to further extremes, made the task of the liberal more difficult, entrenched the fears of the fearful and complicated the task of the United Kingdom. For those reasons, his delegation had abstained from the vote.

345. The resolution (A/AC.109/61) on the question of Southern Rhodesia adopted by the Special Committee at its 232nd meeting on 23 March 1964 reads as follows:

"The Special Committee,

"Having considered the question of Southern Rhodesia,

"Taking note of the reports of the Secretary-General A/5664 and A/AC.109/57/,

"Having heard the statement of the Administering Power,

"Bearing in mind the objectives of resolution 1514 (XV) of 14 December 1960,

"Recalling General Assembly resolutions 1747 (XVI) of 28 June 1962, 1760 (XVII) of 31 October 1962, 1883 (XVIII) of 14 October 1963, 1889 (XVIII) of 6 November 1963 and 1956 (XVIII) of 11 December 1963,

"Taking into account the recommendations made by the Heads of African States and Governments on Southern Rhodesia during the Summit Conference held in Addis Ababa in May 1963 and recently re-affirmed by the Conference of their Ministers of Foreign Affairs in Lagos, from 24 to 29 February 1964 [see appendix I],

"Considering that the interests of the African majority in Southern Rhodesia are paramount and that their representatives should fully participate in any decisions or consultations affecting the future of the Territory,

"Deploring the transfer by the United Kingdom of Great Britain and Northern Ireland, contrary to General Assembly resolution 1883 (XVIII), of armed forces and aircraft to the settler minority government of Southern Rhodesia,

"Deeply concerned with the constant deterioration of the situation in Southern Rhodesia which constitutes a serious threat to international peace and security,

"Being aware of the threat of a unilateral declaration of independence by the minority settler government,

"1. Deplores the continued refusal of the Government of the United Kingdom to implement General Assembly and Special Committee resolutions on the question of Southern Rhodesia;

"2. Urges the Government of the United Kingdom to take immediately the necessary steps to implement resolution 1514 (XV) as it has been invited to do so by General Assembly resolutions 1747 (XVI), 1760 (XVII), 1883 (XVIII), 1889 (XVIII) and 1956 (XVIII);

"3. Once more invites the Government of the United Kingdom to hold without delay a constitutional conference in which representatives of all political parties of the Territory will take part with a view to making constitutional arrangements for independence on the basis of universal adult suffrage, including the fixing of the earliest date for independence;

"4. Urges further the Government of the United Kingdom to warn emphatically the minority settler government against the consequences of a unilateral declaration of independence and to take appropriate measures to prevent the implementation of such a declaration;

"5. Calls upon the Government of the United Kingdom to declare categorically that independence will not be granted to Southern Rhodesia until majority rule is established in the Territory on the basis of universal adult suffrage;

"6. Requests all States to take without delay whatever measures they deem appropriate to obtain from the Government of the United Kingdom the implementation of the General Assembly resolutions on the question of Southern Rhodesia;

"7. Requests further all States to refrain from supplying, in any form, arms and ammunition to the minority settler government of Southern Rhodesia;

"8. Requests the Secretary-General to communicate the text of this resolution to all Member States and to intensify his efforts with a view to the implementation of the mandate entrusted to him by the General Assembly in its resolution 1760 (XVII);

"9. Draws the immediate attention of the Security Council to the explosive situation in Southern Rhodesia, which constitutes a serious threat to international peace and security;

"10. Decides to maintain on its agenda the question of Southern Rhodesia."

346. The text of the resolution was transmitted to the President of the Security Council and to the representative of the United Kingdom on 26 March 1964 (S/5626).

347. At the 232nd meeting, the representative of Iraq introduced a further draft resolution (A/AC.109/L.105), sponsored by the same thirteen Powers. The operative paragraphs of the draft resolution reads as follows:

"1. Requests the Government of the United Kingdom of Great Britain and Northern Ireland to use all its powers and prerogatives to save the lives of those who are condemned to death under the amended Law and Order (Maintenance) Act and to ensure the release of all political prisoners;

"2. Requests the Secretary-General to bring this resolution to the attention of the Government of the United Kingdom and to report to the Special Committee on its implementation."

348. The representative of Italy said he would vote in favour of that draft resolution for humanitarian reasons, which were consistent with the juridical and moral principles of the Italian Government and people. Such a vote did not imply any judgement on the constitutional and legal questions involved in the appeal to the United Kingdom Government.

349. The representative of the United Kingdom said that for reasons already explained his delegation would not participate in the vote on the draft resolution.

350. The representative of Bulgaria supported the draft resolution. He could not agree that the United Kingdom had no responsibility in the matter and could not intervene directly to save the lives of the persons condemned to death. No one inside or outside the Committee could possibly believe that the United Kingdom should not be held responsible for the crimes committed by the white settlers in Southern Rhodesia who used such criminal weapons as the so-called Law and Order (Maintenance) Act. It was inconceivable that the United Nations should allow an Administering Power to permit a small white minority to decide the fate of 4 million inhabitants with the sole aim of continuing its policy of colonial domination. It was all the more difficult for the United Kingdom to deny its responsibility since Mr. Field, in his speech of 26 February, had admitted that he had been encouraged by the position taken by the United Kingdom representative during the secret London negotiations. The statement made at the 232nd meeting by the United Kingdom representative clearly showed that the United Kingdom had the means of using its prerogatives at all levels. After the adoption of the draft resolution the Committee would have to follow developments carefully and spare no effort to see that the lives of condemned prisoners were saved.

351. The representative of Denmark said his Government shared the view that the death penalty should not be applied in political cases. His delegation would therefore vote in favour of the draft resolution but did not have sufficient knowledge about the extent to which the United Kingdom Government possessed the powers and prerogatives referred to in operative paragraph 1.

352. The draft resolution (A/AC.109/L.105) was adopted at the 233rd meeting on 24 March 1964 by a roll-call vote of 21 to none, with 2 abstentions, as follows:

In favour: Bulgaria, Cambodia, Chile, Denmark, Ethiopia, India, Iran, Iraq, Italy, Ivory Coast, Madagascar, Mali, Poland, Sierra Leone, Syria, Tanganyika, Tunisia, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Australia, United States of America.

353. The representative of the United States of America said that while his delegation had abstained from the vote, it wished to express its deep concern about the fate of the persons now condemned to death and about the legislation itself. The United States Government strongly opposed the detention of political prisoners without trial; if the draft resolution had dealt solely with that point, his delegation would have voted for it. Should the convictions be upheld under the due processes of law, the United States was prepared to join in an appeal for clemency because it considered mandatory death sentences in the particular circumstances harsh.

354. The representative of Australia said his delegation was still deeply moved by the humanitarian aspects of the question but had been compelled to abstain from the vote on the draft resolution because of certain difficulties. The exact legal position was far from clear. In one case an appeal at present lay to the Privy Council, and in the other cases such appeals were apparently pending. In such circumstances, when matters were still sub judice, his delegation was most hesitant to express any opinion. Nor did the Committee know whether the reference in the resolution to "many political prisoners detained without trial in Southern Rhodesia" was in fact correct.

355. The resolution (A/AC.109/62) on the question of Southern Rhodesia adopted by the Special Committee at its 233rd meeting on 24 March 1964 reads as follows:

"The Special Committee,

"Gravely concerned about the fate of those condemned to death under the amended Law and Order (Maintenance) Act and the fate of the many political prisoners detained without trial in Southern Rhodesia,

"1. Requests the Government of the United Kingdom of Great Britain and Northern Ireland to use all its powers and prerogatives to save the lives of those who are condemned to death under the amended Law and Order (Maintenance) Act and to ensure the release of all political prisoners;

"2. Requests the Secretary-General to bring this resolution to the attention of the Government of the United Kingdom and to report to the Special Committee on its implementation."

356. The text of this resolution was transmitted to the representative of the United Kingdom on 26 March 1964.



V. FURTHER CONSIDERATION BY THE SPECIAL COMMITTEE

Introduction

357. The Special Committee gave further consideration to the question of Southern Rhodesia at its 245th-249th, 252nd, 258th-259th, 262nd and 263rd meetings from 20 April to 22 May 1964.

358. The Special Committee had before it a message from the President of Ghana concerning the restriction of Mr. Joshua Nkomo and three other African leaders, which was transmitted to it by the Secretary-General by letter dated 20 April 1964. (appendix III).

A. Report of the Secretary-General

359. On 4 May 1964, the Secretary-General submitted to the Special Committee a report (A/AC.109/70) in which were reproduced letters from the representative of the United Kingdom concerning the position of the United Kingdom Government with regard to the implementation of the three resolutions adopted by the Committee during its current session.

B. Written petitions and hearings

360. The Special Committee also had before it the following written petitions concerning the Territory:

<u>Petitioner</u>	<u>Document No.</u>
Mrs. C.S. Moore, Secretary of the Salisbury Christian Action Group	A/AC.109/PET.244
Mr. Nehwati, President of the Municipal Workers Union	A/AC.109/PET.245
Mr. G.B. Nyandoro, Secretary-General, Zimbabwe African People's Union	A/AC.109/PET.189/Add.2
Mr. J.R.D. Chikerema, Deputy President and Secretary for Special Affairs, Zimbabwe African People's Union	A/AC.109/PET.189/Add.3
The Rev. Ndabaningi Sithole, President, Zimbabwe African National Union	A/AC.109/PET.190/Add.1

361. The Special Committee heard the following petitioners concerning Southern Rhodesia:

Mr. G.B. Nyandoro, Secretary-General,  
Zimbabwe African People's Union  
(A/AC.109/PET/189/Add.1)

(247th-248th meetings)

Mr. Garfield Todd, former  
Prime Minister of Southern Rhodesia  
(A/AC.109/PET/243)

(249th meeting)

362. Mr. Nyandoro said that, whenever the question of Southern Rhodesia had been discussed in the United Nations, the main point had been that the United Kingdom Government must call a constitutional conference which would solve the political impasse in which the Territory had found itself. The United Kingdom Government had at first maintained that it had no power to intervene in the affairs of Southern Rhodesia because of a long-standing "convention"; later, it had retracted and admitted that it had the power to intervene, but it had claimed that the convention prohibited it from legislating on matters within the competence of the Rhodesian legislature. The United Kingdom Government's letters to Mr. Winston Field in April 1963 made it clear that independence would not be granted to the minority unless a constitutional conference was called to discuss defence, financial and constitutional matters, which did not fall within the competence of the minority legislature. Thus, the United Kingdom Government was definitely playing the part of Administering Power in Southern Rhodesia, and it was clearly incumbent upon it to call a constitutional conference now.

363. All the petitioners who had come before the Special Committee had done so in a spirit of goodwill, and in the belief that the United Kingdom Government would act to solve the impasse in Southern Rhodesia. Several resolutions had been adopted, and a Sub-Committee of the Special Committee had visited the United Kingdom for the purpose of persuading the Government to call a constitutional conference. Events had proved that Mr. Joshua Nkomo had been right in asking the Special Committee to exert all possible diplomatic pressure on the United Kingdom to call such a conference, for the situation had continued to deteriorate since that time. From December 1963 to March 1964, forty-five deaths had been recorded as a result of clashes with the Rhodesian police, and that figure was

a conservative one. Life was daily becoming more difficult in Southern Rhodesia; whenever a small gathering of people formed, the police used tear-gas to disperse them or resorted to shooting, causing fatal injuries but avoiding the publicity which would accompany immediate deaths. The objective was to be able to claim that the situation in Southern Rhodesia was not explosive and that all was calm. There had been many instances of brutality, for all the whites were armed to the teeth and had been provided with tear-gas canisters. Anything done by a policeman in the name of white justice was considered legal, and the laws protected him. Under the terms of the Law and Order Maintenance Act, the police were empowered to open fire after giving three orders to disperse. A sort of anarchy obtained in Southern Rhodesia, where one race, because it had arms, an army and a police force, was daily intimidating the majority of the people of the country.

364. In Hartley district, 75 miles from Salisbury, Mr. Joshua Nkomo, the leader of ZAPU had been tried for entering the area closed to the indigenous population. He had previously been arrested and imprisoned on many occasions and had been released on bail. He was now living under restriction in a game reserve near the border of Portuguese East Africa. There had been mass arrests of members of ZAPU, followed by the arrest of all the leaders of the party, under the Vagrancy Act. Only those members of the party executive who had been outside Southern Rhodesia had escaped arrest.

365. The wave of arrests had provoked the people of Southern Rhodesia to greater determination to crush the regime of oppression, even at the cost of violence. He emphasized how patient his compatriots had been in suffering everything inflicted upon them by a small minority; but their patience was exhausted, and the world should make allowances for that if the people of Southern Rhodesia had to react in order to regain their lost dignity.

366. After the coming into power of Mr. Field's racist government, negotiations for the granting of independence had taken place between the United Kingdom Government and the settlers. The United Kingdom Government had stated publicly that it would not grant independence to the colony until the franchise had been widened sufficiently to allow "increased" African representation, but that merely meant that the United Kingdom wished to maintain the status quo. All authority remained in the hands of the white minority, by the will of the United Kingdom

Government. The United Kingdom's admission that it was "inhibited" from granting independence to the settler Government, which threatened to withdraw from the Commonwealth, revealed that it ultimately wanted to grant independence to its nationals, as it had done in South Africa. The United Kingdom Government did not dare to do so because some members of the Commonwealth had threatened to withdraw, and not because the Government of Southern Rhodesia was a racist government not representative of the people. No account had been taken of the indigenous inhabitants of Southern Rhodesia when negotiations had taken place between the United Kingdom Government and the Southern Rhodesian Government. The United Kingdom Government had always rejected the demands of Mr. Nkomo, who had asked the United Kingdom to desist from holding conferences with the minority Government without the participation of the Africans. The settlers' racist Government, on the other hand, had made public declarations of its intention to declare independence unilaterally. Mr. Ian Smith, who had just succeeded Mr. Field, had said that he did not see African nationalists in power in his lifetime; he was pursuing the same policy as Mr. Field, but was speaking even more provocatively. 367. The people of Southern Rhodesia had been docile for many years, but he did not believe that they could continue to be docile in the face of a racist government which declared that Africans would be unable to participate in the public affairs of their own country for a whole generation.

368. Sir Alec Douglas-Home had told the House of Commons, on 12 November 1963, that the United Kingdom Government accepted without qualification the principles of self-determination and majority rule. However, subsequent statements by the United Kingdom Government, the Prime Minister's answers in the House of Commons to the effect that the present Constitution would eventually lead to majority rule, and some remarks by the Secretary of State for the Colonies, Mr. Duncan Sandys, threw some doubt on the question whether the United Kingdom intended to introduce majority rule. Mr. Sandys had now spoken of referring the question of Southern Rhodesia to the Commonwealth, in order to remove it from the jurisdiction of the United Nations and the Organization of African Unity. That would enable the United Kingdom Government to equivocate under the pretext of non-interference in the domestic affairs of a State member of the Commonwealth.

369. The Africans of Southern Rhodesia did not regard Southern Rhodesia as a problem, as did the United Kingdom Government. Action must be taken to restore peace and tranquillity in the country. Suggestions had been made for the drafting and application of a constitution of the Cyprus type, for a constitution under which independence would be granted to the settler government, with negative powers for the African representatives in the parliament and a nebulous theoretical possibility of majority rule in about five years. In his view those were manoeuvres to delay and obstruct the proper solution of giving power to the majority under the principle of one man, one vote. The African people rejected all such schemes.

370. It had been said that the United Kingdom was unable to act in Southern Rhodesia because of the armed forces there. However, the military forces in question came under the exclusive authority of the United Kingdom Government. It would be remembered, in that connexion, that the threats of Sir Roy Welensky had come to nothing.

371. The United Kingdom Government's attitude of equivocation with regard to Southern Rhodesia showed that it did not want to take action. But action was what was needed, and it was particularly urgent in view of the circumstances in which the ZAPU leaders found themselves. It was undeniable that responsibility for everything that had happened in Southern Rhodesia - torture, arbitrary and wanton arrests, imprisonment, detention, and the killing of unarmed Africans - rested entirely with the United Kingdom Government, which had persistently rejected the United Nations resolutions.

372. ZAPU called upon the Special Committee to: (1) obtain immediately from the United Kingdom the release of Joshua Nkomo and all the nationalist political prisoners and detainees; (2) demand from the United Kingdom the abrogation of the present Constitution; (3) demand from the United Kingdom the implementation of all the past United Nations resolutions calling for an immediate constitutional conference with the specific purpose of transferring power to the majority under the rule of one man, one vote; (4) call for the convening of the Security Council to implement the United Nations resolutions. If the United Kingdom persisted in its refusal to comply with those requests, it should be censured and the necessary sanctions should be imposed on it.

373. Nothing short of intervention by the United Nations could stop the bloodshed in Southern Rhodesia which had been provoked by the United Kingdom Government.

374. Mr. Todd said he had come before the Committee, as he had come two years previously<sup>10/</sup> to plead that pressure from the nations of the world should be brought to bear upon the United Kingdom in order to persuade it to act immediately with understanding and courage so that further bloodshed might be averted in Southern Rhodesia and freedom restored to Mr. Nkomo and the many other persons who had been restricted. He also wished to plead for the establishment in Southern Rhodesia of a regime which would be based upon the sanctity of the individual, of every individual; only thus could long-term security be ensured to the white population, which had contributed much in the past towards the development of Rhodesia and whose continued presence as equal citizens was greatly to be desired. That, however, was not the policy of the present Government, and, in order to implement the assurance given recently by the new Prime Minister, Mr. Smith, that he did not visualize an African government in his lifetime, the Government had no alternative but to pursue its present policy of ruthless oppression.

375. He wished to draw the Committee's attention to a booklet which had just been published. It was entitled Southern Rhodesia, the Price of Freedom and comprised nine essays by both white and African Rhodesians none of whom had quite given up hope of a peaceful transfer of power from the minority to the majority. In that booklet, he himself made it clear that the Government of Southern Rhodesia had really no option but to take action against passive resistance if it was to pursue its present policy. While the editor of the booklet, the Reverend Fred Rea, took a more optimistic view of the possibility of a peaceful solution, the Mayor of Salisbury, Mr. Frank Clements, referred to the frustrations which were leading to increasing aggressiveness on both sides. Mr. Clements, took the view that there was no real inter-racial violence, but in the meantime, on hearing of the arrest and restriction of Mr. Nkomo, African youths had deliberately entered shops and attacked white people in public places. Advocate Lloyd of

10/ Official Records of the General Assembly, Seventeenth Session, Annexes, addendum to item 25 (A/5238), chapter II, paras. 40-48.

Bulawayo stated that, if the present situation was allowed to continue without negotiation, open conflict was unavoidable. Advocate Enoch Dumbutshena, a member of Mr. Nkomo's group, made it clear that the Constitution of 1961 had been unacceptable to the Africans because it would curb the advance of African nationalism and democracy and perpetuate racial thinking. As Mr. Nkomo had pointed out, the existing tension could only be broken if the United Kingdom summoned a representative constitutional conference. The Daily News of Salisbury had recognized in an editorial on 29 January 1964 that African leaders would probably agree to a compromise at the conference table but they could never accept a settlement reached between the United Kingdom Government and the present Government of Southern Rhodesia.

376. The United Kingdom Government had maintained repeatedly that it did not have the power to intervene in the affairs of Southern Rhodesia. In the booklet referred to, Advocate Claire Palley showed clearly that Southern Rhodesia could not legally become a republic by unilateral action; that the United Kingdom Government had the power to disallow any legislation which was inconsistent with the Crown's international obligations; and that the United Kingdom Parliament had the inherent right of legislating for Southern Rhodesia. Unless United Kingdom co-operation and consent were given, Mr. Palley observed, independence could not be obtained by constitutional means; a successful rebellion would be the only alternative. Mr. Palley also pointed out that the United Kingdom could exert pressure on Southern Rhodesia by denying it imperial preference on its tobacco exports and also by depriving it of the many benefits of Commonwealth membership.

377. He wished to appeal to the United Kingdom Government, through the Committee, to act before it was too late. Sir Robert Tredgold, a former chief justice of Southern Rhodesia and of the Federation, warned in the article he had written that there would probably be an abrupt transfer of power; that the minority would cling desperately to its privileged position until the pressure of events compelled it to yield; and that power would then be handed over to a majority quite inadequately prepared for its exercise. The consequences, Sir Robert declared, were bound to be far-reaching and could easily be disastrous.

378. Why would the United Kingdom not act? The former Prime Minister, Mr. Macmillan, had spoken with pride of the fact that in the last twenty years the United Kingdom Government had led more than 500 million people to self-government. But such a statement rang very hollow and gave no comfort to 4 million people in Southern Rhodesia who were harried, restricted and repressed in their own land. It was amazing to think that the United Kingdom could close its eyes to the grave moral issues involved in Southern Rhodesia. The United Kingdom had the weapons to use if it wished to establish a progressive and just constitution for Southern Rhodesia. At the same time, it could provide substantial and attractive incentives for both Africans and Europeans. The economy had fallen into such a perilous state that hundreds of white people had already left Rhodesia to find employment elsewhere. No one knew how many tens of thousands of Africans were unemployed. A just political solution, supported by a ten-year development plan with a guarantee of adequate loan funds to implement it, would be acceptable today to many people who perhaps in other times would accept nothing but extreme political measures either one way or the other. He himself was a man who would not resort to violence. But violence might well erupt. The High Commissioner for Southern Rhodesia in London had recently stated that Mr. Nkomo was a terrorist. Nothing was further from the truth. It could only be suspected that such an allegation against a man who was restricted without trial was an attempt to justify extreme and unjust action on the part of the Southern Rhodesian Government. Four million people did not know where to turn if they could not turn to the people and Government of the United Kingdom.



## VI. FURTHER ACTION TAKEN BY THE SPECIAL COMMITTEE

379. At the 246th meeting, the representative of Ethiopia introduced a draft resolution (A/AC.109/L.111) jointly sponsored by Cambodia, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Sierra Leone, Syria, Tanganyika, Tunisia and Yugoslavia.

380. Introducing the draft resolution, the representative of Ethiopia enumerated the resolutions adopted by the General Assembly in the four years which had elapsed since the adoption of the Declaration on the granting of independence to colonial countries and peoples and pointed out that their common objective, namely, the implementation of the Declaration and the granting of political rights to the Africans in Southern Rhodesia, had not been achieved. Moreover, the resolutions recently adopted by the Special Committee (A/AC.109/61 and 62) had also remained without effect. The Administering Power had delayed the implementation of all those decisions either by abstaining from the vote on them or by declaring that they were unacceptable, with the result that the situation in Southern Rhodesia had deteriorated sharply. Mr. Ian Smith, the Prime Minister who had succeeded Mr. Winston Field, held even more extreme racist views than his predecessor, had imprisoned leaders of Southern Rhodesia and reportedly would not be satisfied until they had been completely eliminated. The Secretary-General had received pleas from African Heads of State to restrain Mr. Smith in the exercise of that policy forthwith lest it be directed against all nationalist leaders seeking to achieve equality for the African population.

381. The representative of Ethiopia stated that the object of the draft resolution was to minimize the suffering of the nationalist leaders being persecuted by Mr. Smith's government by calling upon the Administering Power to assume its responsibilities for Southern Rhodesia. According to the Charter and the resolutions adopted by the General Assembly, the United Kingdom Government was fully accountable to the international community for the situation in the Territory.

382. After reviewing the contents of the draft resolution, he pointed out that if no measures were taken to implement its provisions by 4 May 1964, the question would be brought before the Security Council, and the four Ministers who had been appointed by the African Heads of State to deal with the questions of apartheid and the Portuguese territories in the Council, would be requested to present the case on Southern Rhodesia as well. In view of the gravity of the question, he

appealed to the United Kingdom Government to have the imprisoned leaders released and to convene a constitutional conference at which the leaders of all political parties in Southern Rhodesia could endeavour to solve their problems. No authorization was requested in the draft resolution for members of the Special Committee to go to Southern Rhodesia or to London in view of the unsatisfactory nature of such visits in the past, but he hoped that the Administering Power would implement the other measures urged upon it in the draft resolution.

383. The representative of India said that, as a co-sponsor of the thirteen-Power draft resolution, his delegation hoped that it would receive overwhelming support. Unfortunately, the United Kingdom delegation had paid no heed to the two resolutions on Southern Rhodesia which the Special Committee had already adopted (A/AC.109/61 and 62). The United Kingdom's refusal to co-operate whole-heartedly with the Special Committee and, in particular, its repeated statements that it could not intervene in Southern Rhodesia militated against both the spirit and letter of General Assembly resolution 1514 (XV). In spite of repeated appeals from the Indian delegation and from the Special Committee as a whole, no helpful response had been forthcoming from the United Kingdom Government. Events in Southern Rhodesia had now taken an ominous turn.

384. On 17 April 1964 Mr. Field had been succeeded as Prime Minister of Southern Rhodesia by Mr. Smith, whose public pronouncements since his assumption of office had added to the Committee's anxiety and to the misery of the struggling people of the Territory. Indiscriminate arrests had been taking place and in several instances crowds had been fired upon. Mr. Nkomo and three leading supporters of his group had been placed under restriction and banished to an inaccessible part of the country on the border with Mozambique. Demonstrations had been held in Salisbury and Bulawayo and some 300 persons had been arrested by the police who had made use of dogs. The statement made by Mr. Smith at his first news conference on 17 April to the effect that he did not expect to see an African nationalist government in Southern Rhodesia in his lifetime was most discouraging. The Committee could do little at the present juncture unless the United Kingdom Government was willing to act responsibly. The thirteen-Power draft resolution specified the preliminary steps needed to create the proper atmosphere for the implementation of General Assembly resolution 1514 (XV).

385. He would like to commend to his colleagues on the Special Committee a book which had just been published by Sir Hugh Foot, former representative of the United Kingdom

Government on the Trusteeship Council and the Fourth Committee. It was entitled A Start in Freedom. Its author had resigned from his position at the United Nations because of his disagreement with the United Kingdom Government on the question of Southern Rhodesia. In the book in question he explained his inability to defend the United Kingdom position on Southern Rhodesia; accused the United Kingdom Government of being guided not by patriotism but by pique; pointed out that in a world full of explosive dangers the United Kingdom Government seemed to have no higher ideal than the maintenance of the status quo; and emphasized that the United Kingdom had failed at every opportunity to strengthen the United Nations. The book showed clearly that the thinking of Sir Hugh Foot was far closer to that of the co-sponsors of the draft resolution than to the present policy of the United Kingdom Government.

386. The representative of Tanganyika shared the hope expressed by the Indian representative that the draft resolution, of which Tanganyika was a co-sponsor, would be adopted. Events of the past two weeks had abundantly demonstrated that the situation in Southern Rhodesia was extremely dangerous. The new Prime Minister, J. Smith, was even more racist than Mr. Field. He appeared to be an avowed enemy of the African people in their struggle for freedom and dignity. Mass terror, arrest, banishment and detentions, as well as the most humiliating effrontery to African women and children, had become the daily preoccupation of the settler regime. New restriction areas, which could better be described as concentration camps, had been set up. Reports appearing in the Tanganyika Standard and The New York Times described the mass arrests which had taken place, the breaking up of demonstrations by police dogs, and the arrest and banishment of Mr. Nkomo and three of his aides. Those grim events revealed that the explosive situation in Southern Rhodesia had reached a new and most dangerous level. The racist European settler regime had resorted to practices reminiscent of the Gestapo. Even some of the newspapers which were not usually on the side of the Africans had described the new regime in Southern Rhodesia in the most contemptuous terms.

387. The Committee had rightly decided to take up the question once again. It should again condemn the continued oppression of the African people in Southern Rhodesia and ask the Administering Power to take action. Mr. Smith must be given a warning from the United Nations that his methods would not be tolerated much longer by Africa and the freedom-loving people of the world. His delegation was sure that Mr. Smith would soon have to vacate the seat he illegally occupied because freedom was bound to triumph in Southern Rhodesia.

388. The representative of the United Kingdom said that reference had been made, during this discussion on the question of Southern Rhodesia, to the possibility of a visit by a sub-committee of the Committee to London. This question had been previously raised during the debate held last March. In his statement on 18 March (A/AC.109/SR.229) the United Kingdom representative had indicated that his Government would be prepared to receive a sub-committee in London. That position had not changed; if the Committee decided to form a sub-committee, and if that sub-committee wished to go to London in connexion with its inquiries into the situation in Southern Rhodesia, then his Government would welcome them in London and invite them to have discussions with Her Majesty's Ministers on the same basis as last year. Moreover, the Southern Rhodesian Government had indicated to his Government that in such a case it would have no objection to the sub-committee's holding direct talks in London with one of its representatives, for the sole purpose of obtaining and receiving information.

389. The representative of Mali said that his delegation was aware that the adoption of the draft resolution would not of itself solve the painful and long-standing problem of Southern Rhodesia and that only objective and dynamic action by the Administering Authority could peacefully settle that colonial question, which was threatening to degenerate into a racial conflict. It had hoped that the United Kingdom Government, yielding to international expressions of concern, would have already reacted against the arbitrary and repressive actions of the Southern Rhodesia Government, and, in keeping with the suggestions that had been made, would have arranged a meeting between members of the Committee and representatives of the United Kingdom Government and of Southern Rhodesian political parties in order to help pave the way for a constitutional conference. Unfortunately, his delegation had not been encouraged by such informal talks as it had had, and the United Kingdom appeared unwilling to budge from its old position, which the United Nations had consistently rejected.

390. His delegation therefore hoped that as a temporary measure the draft resolution would be adopted and that the United Kingdom would change its attitude, for its procrastination merely served to encourage the introduction of apartheid and racial repression in Southern Rhodesia. Otherwise, it would be necessary to lay the question of Southern Rhodesia before the Security Council.

391. Finally, he wished to stress that his delegation refused to be drawn into the legal quibbles by which the colonial Powers set so much store. Either a territory was independent or it was not, and the United Kingdom itself recognized that Southern Rhodesia was not an independent territory. In the case of Southern Rhodesia, which was dependent upon the Administering Power, there could be no transfer of power otherwise than to the majority of the population.

392. The representative of Syria observed that, as a result of the United Kingdom's failure to act on the resolution only recently adopted by the Committee and on previous resolutions regarding Southern Rhodesia, a new Prime Minister, a still more rabid racist than the previous one, had taken over there and had lost no time in attempting to eliminate the independence movement and its leaders. In the light of that situation, his delegation had co-sponsored the draft resolution and trusted that the United Kingdom would in its wisdom heed the demands made in it, since the independence of the Southern Rhodesian people, which was inevitable, would be better achieved in harmony than in violence.

393. The representative of Yugoslavia said that recent events in Southern Rhodesia had justified the concern previously expressed by his delegation about the situation in the Territory. It was very grateful for the additional information that had been provided by the last two petitioners who had both stressed the responsibility incurred by the United Kingdom through its failure to intervene. Only recently, the Committee had adopted a rather mild resolution on Southern Rhodesia, in the vain hope that the Administering Power would realize that the time had come to act. He wondered whether the representatives who had then advised the Committee to refrain from interfering in a delicate situation would still maintain that attitude in the face of the deterioration that had since taken place owing to the actions of the white extremists.

394. The present situation in Southern Rhodesia was comparable to that which had obtained in South Africa in 1910, when a small group of white settlers had been made omnipotent, leading to the creation in South Africa of a racist and fascist bastion of colonialism. A repetition of that trend of events was to be avoided at all costs, and the Administering Power was well equipped to exert political and economic pressure on the Southern Rhodesian Government as a means of effectively avoiding it.

395. In the circumstances, the Committee was entirely justified in taking further action in an endeavour to stem the rising tide of violence in Southern Rhodesia and promote a peaceful solution of the problem. As one of its thirteen co-sponsors, his delegation hoped that the draft resolution would be unanimously adopted.

396. The representative of Poland expressed his delegation's appreciation of the statements made by the petitioners; Mr. Nyandoro in particular, like many of his colleagues from ZAPU who appeared before the Fourth Committee and the Special Committee, had adopted a responsible and statesmanlike approach which should silence once and for all the sentiments repeatedly expressed in colonial quarters concerning the alleged need of preparedness of Africans for independence. These sentiments were clearly in contravention of paragraph 3 of the Declaration.

397. Since it had last been considered only a month ago in the Special Committee, the situation in Southern Rhodesia had taken a new turn for the worse. The repression of the African nationalists had been intensified, still more savage penalties for acts of sabotage or subversion had been introduced, and the maximum period of arbitrary detention without trial had been increased from three to twelve months - four times longer than in South Africa - all with the consent of the Administering Power. The danger of a unilateral declaration of independence by the racist régime of Southern Rhodesia was increasing, for the Southern Rhodesian Parliament had adopted a motion requesting the United Kingdom to relinquish its residual powers under the 1961 Constitution and Mr. Field had been replaced by his ultra racist deputy Mr. Smith as Prime Minister reportedly because the former had refused to set a time-limit for negotiations with the United Kingdom on independence under the present white supremacy constitution. The militant extremists were prepared to seize independence on their own whatever the United Kingdom Government said or did.

398. His delegation was greatly concerned at the fate of Mr. Nkomo and his supporters who have been banished to a remote part of Southern Rhodesia. It held the United Kingdom Government morally and internationally responsible for the current situation in Southern Rhodesia, which had arisen largely owing to that Government's consistent disregard for United Nations decisions and passive attitude towards the policies of the present Southern Rhodesia regime. It believed nevertheless that the United Kingdom could still save the situation by taking the action referred to in the draft resolution, which his delegation supported in its entirety. If the United Kingdom continued to refuse its

co-operation it would be the duty of the Special Committee to bring the question of Southern Rhodesia before the Security Council.

399. The representative of Denmark said that the deterioration of the situation in Southern Rhodesia justified the Committee's decision to reconsider the problem. His delegation hoped, however, that the defeat of the moderate forces would only be transient. Indeed, the present policy of the Southern Rhodesia Government, based on the unfounded conception that white domination was indispensable to white existence in Southern Rhodesia, could only have an adverse effect on the very interests that it was trying to protect.

400. However, in considering how the deepening split between the minority Government and the nationalists, representing most of the population, could best be healed before Southern Rhodesia became a second South Africa, his delegation was unable to support the attempts made in operative paragraphs 1 and 2 of the draft resolution to lay the onus on the United Kingdom. In all fairness, it was not the United Kingdom which was mainly responsible for the critical situation in Southern Rhodesia, but those circles in Southern Rhodesia itself that refused to acknowledge the inevitable political changes in Africa. His delegation felt that the Committee should take that fact into account in its resolutions and should concentrate on finding ways of directly influencing the attitude of the ruling minority in the Territory, rather than simply blaming the United Kingdom Government, although it would favour an appeal to that Government and to other members of the Commonwealth to try to persuade the Southern Rhodesia Government to release its political prisoners. On the other hand, his delegation agreed with operative paragraphs 3 and 4. In the circumstances, his delegation had had some difficulty in making up its mind about the draft resolution, but had finally decided to support it as a token of its sympathy with and concern for the people of Southern Rhodesia.

401. The representative of Tunisia expressed his appreciation of the statement made by the United Kingdom representative. His delegation was always prepared to co-operate with the Administering Power in finding reasonable and peaceful solutions. The statement of the United Kingdom representative that his Government would be willing to receive a delegation in order to discuss the question of Southern Rhodesia on the same basis as it had with the sub-committees which had

previously gone to London did not seem very clear. The suggestion that those responsible for the situation in Southern Rhodesia would be willing to inform the Committee about the problem or at least to discuss it with a sub-committee in London, could be very useful. But there were other elements which his delegation needed and it would have liked to study the statement and hold consultations before reaching any conclusion about that suggestion.

402. The draft resolution dealt with a very dangerous and explosive situation. Its adoption would by no means preclude further discussion on the question, which was likely to remain on the Committee's agenda for some time. The Tunisian delegation urged the Committee to adopt the draft resolution forthwith.

403. The representative of Madagascar said that his delegation protested against the situation in Southern Rhodesia, where an entire people was suffering because its human dignity was being flouted and its political rights denied. His country, which condemned acts of terrorism and violence, was in the ranks of all the peace-loving and freedom-loving peoples who denounced the developments in Southern Rhodesia and were seeking a positive solution to that Territory's problems by negotiation.

404. The representative of Tanganyika agreed with the Tunisian representative that the United Kingdom representative's suggestion merited further study. Some points, however, required clarification; for example, he wished to know whether it would be possible for a sub-committee to meet leaders of all political parties, including Mr. Nkomo.

405. The representative of the Union of Soviet Socialist Republics said that the situation in Southern Rhodesia was deteriorating daily and the country was on the verge of an explosion. By refusing to implement the decisions of the United Nations in regard to Southern Rhodesia, the United Kingdom Government had in fact been encouraging the policy of terror and repression followed by the racists of that country and was preparing the way for their unilateral declaration of independence. The refusal of the United Kingdom's allies to support the United Nations decisions also aided and abetted the Southern Rhodesian racists in their repressive policies.

406. The replacement of Mr. Field by Mr. Smith indicated that the ruling clique in Southern Rhodesia, encouraged by the support of the United Kingdom and its allies, had decided that the time had come for them to proclaim independence, all power remaining in the hands of the racists. The execution of that plan would inevitably strengthen the "unholy alliance" of the Southern Rhodesian racists with the South



African racists and the Portuguese authorities, who would then aim at subjugating all of Southern Africa. The realization of that plan would be a threat not only to the unity of Africa but also to peace and security throughout the continent.

407. The gravity of the situation demanded the adoption of immediate and urgent measures. The Soviet delegation supported the draft resolution before the Committee. The United Kingdom Government, which was responsible for the course of events in the Territory, could not take refuge in statements to the effect that it was unable to intervene in the internal affairs of Southern Rhodesia. A number of United Nations resolutions already held the United Kingdom fully responsible for the situation in the Territory. The United Kingdom had the power to take the necessary steps to restrain the racists, free the African political prisoners, and convene forthwith the constitutional conference referred to in operative paragraph 3.

408. The draft resolution provided for the minimum measures necessary to avert a dangerous turn of events, provided, of course, that the Administering Power at last understood the need for their speedy implementation. He hoped that the allies of the United Kingdom would realize the dangers of the game that country was playing in Southern Rhodesia and would join forces with the majority of the Committee. His delegation also felt that if steps were not immediately taken to comply with the draft resolution, the question should be referred to the Security Council.

409. The representative of the Ivory Coast said that the situation in Southern Rhodesia was distressing from the human and repugnant from the political point of view. That was why the regime was opposed by the African population of Southern Rhodesia. In spite of the importance of the problem, the Committee had so far adopted only very moderate resolutions; yet, the only change which had ensued had been the replacement of the Prime Minister of the minority Government, followed by the arrest of a number of African nationalists. That showed that there had been a steady deterioration in the situation and a curtailment of the liberties and rights of the African majority. His delegation, as a sponsor of the draft resolution, wished to express the support of the Government and people of the Ivory Coast for the struggle of the African people of Southern Rhodesia. He hoped that the draft resolution would be adopted and that it would be promptly implemented by the United Kingdom.

410. The representative of the United Kingdom said that the statement made at the 248th meeting by the petitioner, Mr. Nyandoro, to the effect that the Southern

Rhodesian army was directly under the command of the United Kingdom Government and could not be used without its consent was highly misleading. The army's titular Commander-in-Chief was the Governor, who was appointed by the Queen on the advice of the Southern Rhodesian ministers and did not act without their agreement. The two joint commanders of the Southern Rhodesian armed forces were Southern Rhodesians who were neither appointed by the United Kingdom Government nor in any way responsible to it as long as the Southern Rhodesian armed forces remained within the boundaries of Southern Rhodesia. He was surprised that the statement had not been challenged because the Committee had, in the seventh preambular paragraph of its resolution of 19 March deplored the transfer by the United Kingdom, contrary to General Assembly resolution 1883 (XVIII), of armed forces and aircraft to the settler minority Government of Southern Rhodesia.

411. He had to emphasize once again that the United Kingdom Government was not the Administering Power in Southern Rhodesia. Apart from the High Commissioner and his staff there was no civil servant in Southern Rhodesia responsible to Her Majesty's Government. Since the United Kingdom Government was in no way responsible for the government and administration of Southern Rhodesia, his delegation was unable to discuss that country's internal affairs. Moreover, for the reasons which his delegation had repeatedly given, his Government could not acknowledge the Committee's right to adopt resolutions on Southern Rhodesia, which it regarded as ultra vires. His delegation would not therefore participate in any vote on the draft resolution or on any part of it. If the draft resolution was adopted by a means other than voting, his delegation would dissociate itself from that adoption.

412. The representative of Tanganyika recalled that the United Kingdom representative had stated in the Security Council that his Government had an agreement with the Southern Rhodesia Government that the Southern Rhodesian army would not be used outside the country except with the consent of the United Kingdom; that fact showed that the United Kingdom still had control over the armed forces of Southern Rhodesia. Although the Committee had deplored the transfer of armed forces and aircraft, it realized that over-all control was still vested in the United Kingdom. Moreover, Mr. Todd had made it clear that officers in the army owed their allegiance to the Queen.

413. With regard to the relationship between the United Kingdom Government and Southern Rhodesia, he recalled that the United Nations had already adopted a resolution saying that the United Kingdom was the Administering Power in Southern Rhodesia and should therefore comply with decisions of the Special Committee and the General Assembly.

414. The representative of Bulgaria observed that the statement just made by the United Kingdom representative gave the Committee a clear indication of the unwillingness of the United Kingdom to comply with United Nations resolutions on Southern Rhodesia. The Committee was unanimous in the view that Southern Rhodesia was not an independent country but in every sense a dependency of the United Kingdom. The United Kingdom representative's assertion that neither the Committee nor the United Nations had the right to adopt resolutions on the question of Southern Rhodesia placed his previous statement concerning a possible visit by a sub-committee to London in its proper perspective.

415. The draft resolution contained only two new elements: an expression of the Committee's deep concern at the serious deterioration of the situation in Southern Rhodesia as a consequence of the recent arrests of African political leaders and the Committee's request to the United Kingdom Government to take the necessary steps for their immediate release. Emphasis had been laid on the serious deterioration of the situation by all delegations which had spoken in the debate, even by those which had previously refused to associate themselves with some of the Committee's resolutions. That point had been particularly stressed by the last two petitioners, whose statements should have convinced those who had previously abstained from the vote on the Committee's resolutions that they must take a more positive attitude towards the present draft resolution if they wished to make a substantial contribution to the improvement of the situation in that country.

416. The representative of Italy said that his delegation would have no alternative but to abstain from the vote on the draft resolution for the reasons he had given in his explanation of vote at the 232nd meeting in connexion with a similar resolution. He expressed some surprise at the decision to vote on the draft

resolution. The adoption of the draft resolution by consensus, which the Special Committee had been about to achieve, would have given it the support of the Committee as a whole - something that had been requested by the co-sponsors, that had been hoped for by one of the petitioners, and that corresponded to the needs and requirements of the situation in Southern Rhodesia.

417. Operative paragraph 2 of draft resolution A/AC.109/L.111 was adopted at the 249th meeting on 27 April 1964 by a roll-call vote of 20 to none, with 2 abstentions, as follows:

In favour: Bulgaria, Cambodia, Chile, Denmark, Ethiopia, India, Iran, Iraq, Italy, Ivory Coast, Madagascar, Mali, Poland, Syria, Tanganyika, Tunisia, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Australia, United States of America.

418. Operative paragraph 3 was then adopted by a roll-call vote of 19 to none, with 3 abstentions, as follows:

In favour: Bulgaria, Cambodia, Chile, Denmark, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Poland, Syria, Tanganyika, Tunisia, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Australia, Italy, United States of America.

419. Finally, the draft resolution (A/AC.109/L.111) as a whole was adopted by a roll-call vote of 19 to none, with 3 abstentions as follows:

In favour: Bulgaria, Cambodia, Chile, Denmark, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Poland, Syria, Tanganyika, Tunisia, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Australia, Italy, United States of America.

420. The representative of the United States of America said that the United States was in full agreement with the objectives of the resolution just adopted by the Committee, and continued to believe that the most important action the Committee could take would be to strive to provide the means to establish communication among all the parties concerned in Southern Rhodesia. In previous statements, he had warned against the oppression and violence that would follow a breakdown in communication and regretted that recent events indicated that Southern Rhodesia was moving in that direction. The arrest of Mr. Nkomo and the other African leaders had increased tension. His Government strongly opposed the detention of political prisoners without trial anywhere in the world and deplored its use in the present circumstances in Southern Rhodesia.

421. His delegation also agreed that a constitutional conference was desirable, but seriously questioned whether the provision in the draft resolution calling for such a conference would bring it into existence any more quickly than similar provisions had done in the past.

422. Despite its agreement with the objectives of the resolution, however, his delegation had abstained from the vote because the resolution did not take full account of the realities of the situation and the limitations on action by the United Kingdom.

423. A unilateral declaration of independence by the Government of Southern Rhodesia would have disastrous consequences and, while his delegation recognized the difficulties in which the United Kingdom found itself, it would continue to look to it to apply the same high principles it had applied to other difficult colonial issues.

424. The representative of Australia said that his delegation had abstained not because it opposed the principles or objectives of the resolution but because it doubted its practicability under existing circumstances and in its present wording.

425. The representative of Yugoslavia expressed surprise at the Italian representative's suggestion that the taking of a formal vote precluded the possibility of general support for the draft resolution. His delegation had felt that the positions of all delegations should be clearly recorded.

426. The representative of Italy said that his delegation agreed with the majority of the Committee on the aims and objectives sought concerning Southern Rhodesia, but sometimes disagreed about methods. He regretted that the opportunity which the Committee had had to adopt the resolution in the name of the whole Committee, even with some reservations, had been lost.

427. The representative of Tunisia expressed his gratification that no delegation had opposed the resolution and that even those delegations which had abstained endorsed its objectives.

428. The representative of India was glad to learn from the explanations of vote given by the Australian and United States delegations that their abstentions had not been due to disagreement with the objectives of the resolution.

429. The Chairman said that, in consequence of the statements made at the beginning of the meeting by the United Kingdom and Tunisian representatives, the Special Committee would maintain the question of Southern Rhodesia on its agenda, and would consider other possibilities with a view to finding a just and equitable solution to the problem of Southern Rhodesia.

430. The resolution (A/AC.109/68) on the question of Southern Rhodesia adopted by the Special Committee at its 249th meeting on 27 April 1964 reads as follows:

"The Special Committee,

"Having considered the question of Southern Rhodesia,

"Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 1747 (XVI) of 28 June 1962, 1760 (XVII) of 31 October 1962, 1883 (XVIII) of 14 October 1963, 1889 (XVIII) of 6 November 1963 and 1956 (XVIII) of 11 December 1963, and its own resolutions A/AC.109/61 of 23 March 1964 and A/AC.109/62 of 25 March 1964,

"Deeply concerned with the serious deterioration of the situation in Southern Rhodesia following the recent arrests and restriction of the African leader Mr. Nkomo and other political leaders,

"Convinced of the urgent necessity to take energetic steps with a view to safeguarding the rights and legitimate aspirations of the majority of the peoples of Southern Rhodesia,

"Convinced of the specific responsibilities of the Government of the United Kingdom of Great Britain and Northern Ireland in Southern Rhodesia as Administering Power of this Territory,

"1. Deprecates the continued refusal of the Government of the United Kingdom to implement the resolutions of the General Assembly and of the Special Committee on the question of Southern Rhodesia;

"2. Requests the Government of the United Kingdom to take the necessary steps with a view to the immediate release of Mr. Nkomo and other political prisoners detained under the arbitrary laws of the minority Government of Southern Rhodesia;

"3. Calls upon once again the Government of the United Kingdom to hold immediately a constitutional conference in which representatives of all political parties of the Territory will take part with a view to making constitutional arrangements for independence on the basis of universal adult suffrage, including the fixing of the earliest date for independence;

"4. Requests the Secretary-General to communicate the text of this resolution to the Government of the United Kingdom and to report to the Special Committee at the latest on 4 May 1964."

431. The text of this resolution was transmitted to the representative of the United Kingdom on 28 April 1964.

432. At the 252nd meeting on 30 April 1964, the representative of Ethiopia, noting from the statement by the United Kingdom representative at the 249th meeting that his Government would be prepared to invite a sub-committee to London to hold discussions with the responsible ministers in London and that the minority government in Southern Rhodesia wished to attend the discussions, said that he would welcome clarification from the United Kingdom representative on the conditions under which the sub-committee would be received in London, on the possibility that the United Kingdom Government might also arrange for the presence of the African leaders, and on the likelihood that such negotiations would deal with definite problems, such as arrangements for a constitutional conference.
433. At the same meeting, the Special Committee decided to request the Chairman to approach the representative of the United Kingdom for clarifications concerning the points made by the representative of Ethiopia and to inform the Special Committee of the results as soon as possible.
434. At the 258th meeting on 15 May 1964, the Chairman announced that, in accordance with the request made by the Ethiopian representative at the 252nd meeting, he had approached the United Kingdom representative about the possible visit of a sub-committee to London. The United Kingdom representative had said that his Government was prepared to receive a sub-committee in London and that the Ministers concerned were prepared to discuss with it all questions relating to Southern Rhodesia. However, the United Kingdom Government could not commit itself regarding the arrival in London of leaders of the different political parties in Southern Rhodesia.
435. At the 259th meeting on 18 May 1964, the representative of Ethiopia, on behalf of the delegations of Ethiopia, Iraq and Sierra Leone, introduced a draft resolution (A/AC.109/SR.259) by which the Special Committee would decide to send a sub-committee composed of five members, to be appointed by the Chairman, to London to discuss with the Government of the United Kingdom the implementation of the resolutions of the General Assembly as well as of the Special Committee concerning Southern Rhodesia.
436. He stated that the sending of a sub-committee to London would make it possible to obtain first-hand information and to ascertain the intentions of the United Kingdom Government regarding the implementation of the resolutions on



Southern Rhodesia. Although its past experiences in that respect had not been very happy, it was the Committee's duty to enter into an exchange of views with the Administering Power. The proposed sub-committee should endeavour to persuade the Administering Power to implement all the resolutions relating to the Territory.

437. The representative of Tunisia recalled that at the 249th meeting the United Kingdom representative had stated that if the Committee decided to form a sub-committee and if the latter wished to go to London, his Government would welcome it and would enter into discussions with it on the same basis as in 1963. The Tunisian delegation had attempted in all objectivity to ascertain the true intentions of the Administering Power while taking into account its previous statements and its attitude toward the resolutions of the United Nations. It had hoped that that offer might constitute the starting point for a realistic United Kingdom policy in Southern Rhodesia - a policy founded on respect for its commitments and satisfaction of the legitimate aspirations of the Africans. In that perspective, the Tunisian delegation, anxious not to neglect any opportunity of hastening a solution of the difficulties in Southern Rhodesia, had therefore undertaken consultations on as broad a scale as possible, and, in the light of the information provided by the representatives of the Administering Power, it was constrained to state that the United Kingdom proposal did not go to the root of the problem with which the Committee was concerned and that it appeared to be prompted by considerations foreign to the terms of resolution 1514 (XV).

438. His delegation's objective was the implementation of the Declaration on the granting of independence to colonial countries and peoples and it could act only within these terms. There could be no compromise in regard to that objective, otherwise the Committee's terms of reference would be distorted and any good-offices mission which proceeded on some other premise would be acting contrary to the spirit and the letter of the Committee's terms of reference. A Committee could only go to London to secure the implementation of the resolutions concerning Southern Rhodesia and only with the specific intention of seeking, together with the United Kingdom, a solution which would be consistent with the genuine responsibilities of that country and with the legitimate rights of the African people.

439. That undertaking was one which must cover all aspects of the question, and that could not be done in the absence of the representatives of the African people and of

its Chief, Mr. Nkomo; the goal was to pave the way for a constitutional conference which would make the necessary arrangements for accession to independence on the basis of universal adult suffrage. In the understanding of the Administering Power, however, the sub-committee would visit London only to gather information; that was the only interpretation the United Kingdom Government admitted. The United Kingdom Government said it could not guarantee the presence of Mr. Nkomo, who, it contended, was under the exclusive jurisdiction of the Southern Rhodesian Government, while at the same time it informed the Committee of the willingness of the racist Government to hold direct talks with the sub-committee for the purpose of obtaining and receiving information.

440. A journey for information purposes was entirely unnecessary, since the United Kingdom Government was fully aware of the Committee's position, and the Committee knew the views of the United Kingdom. Nevertheless, if the majority of the members of the Committee wished to experiment again with a journey to London, his delegation would be content simply to forewarn them and would not oppose their decisions.

441. Southern Rhodesia was not a Territory under United Nations mandate, and consequently the Organization could not substitute itself for the parties concerned - the representatives of the Southern Rhodesian people on the one hand, and the Administering Power on the other. Furthermore, his delegation could not agree to the Committee's getting in touch or dealing with the racist Government of Southern Rhodesia at a time when that Government had opened a veritable campaign of terror and subjugation against the African population. It objected to any attempt to give the white racialists an international audience. The question of Southern Rhodesia could be resolved only in conformity with the aspirations of the African people and with the terms of the United Nations resolutions. Postponing important decisions would only encourage an outbreak of hatred and involve those responsible for that situation and the Territory of Southern Rhodesia in an inextricable dilemma in which everyone concerned, and especially the Administering Power, would suffer.

442. The representative of the United Kingdom recalled that his Government was willing to receive a sub-committee in London. He would not oppose the draft resolution, but must make it clear, with special reference to the term "Administering Power", that this was without prejudice to his Government's well-known position in regard to the constitutional relations between the United Kingdom and Southern Rhodesia.

443. The representative of Mali pointed out that his delegation was not a sponsor of the draft resolution. That attitude was justified in the light of the situation that had obtained for the last two years regarding Southern Rhodesia. The United Kingdom Government refused to co-operate with the Committee, while on each occasion encouraging the false impression that it was ready to negotiate directly with a sub-committee. In view of the restrictions placed on Mr. Nkomo and his companions, and of Mr. Nyandoro's appeal to the Committee to endeavour to secure the immediate release of the political prisoners in Southern Rhodesia, his delegation could not do otherwise than to vote for the draft resolution. It hoped, however, that the United Kingdom would soon desist from its ambiguous role and would make an effort to have the prisoners released and, in general, to find a solution to the problem of Southern Rhodesia.

444. The representative of Sierra Leone said he was convinced that the African nationalists could not fail to be impressed by the zeal displayed by the members of the Committee during their discussions. However, more positive action was necessary. Although it was true that when the Committee had previously entered into contact with the United Kingdom, that country had not shown itself to be very co-operative - a fact which accounted for the misgivings of some representatives - his delegation felt that the draft resolution should, despite past failures, be adopted. The very fact that the Administering Power had not entered into any commitments as to the scope of the discussions to be held in London left the proposed sub-committee a very wide measure of freedom and should in particular enable the Special Committee to take all possible steps in order to obtain the release of the political prisoners in Southern Rhodesia. Furthermore, the consultations would provide a means of exploring the possibility of convening a constitutional conference.

445. Even those delegations that had expressed reservations on the subject of the draft resolution were in general agreement with the sponsors on the need to hold talks. He consequently appealed to all the representatives to vote for the draft resolution.

446. The representative of the Union of Soviet Socialist Republics recalled that on 8 May his delegation had conveyed to the Special Committee the text of the Soviet Government's note (A/5719) in response to the decision taken by the Special Committee on 23 March on the subject of Southern Rhodesia (A/AC.109/61). In that

note, the Soviet Government had reiterated its support for the demands by the African nationalists for the transfer of full authority to the indigenous inhabitants, had condemned the actions of the racialists and had appealed for the cessation of repressive measures and, in particular, for the release of Mr. Nkomo. 447. The Soviet Union had consistently striven to secure immediate independence for Southern Rhodesia, and that was why his delegation had supported the resolution adopted by the Committee on 23 March 1964. In response to that resolution, the United Kingdom representative had confined himself to stating that his country did not intend to take the appropriate measures. He had said that his Government would be prepared to examine the situation with a sub-committee in London and that the Southern Rhodesian Government had stated that if the sub-committee so desired, it would not object to entering into direct contact with its members, but only for purposes of information.

448. What, therefore, was contemplated was no more than a mere exchange of information, and it was quite understandable that some delegations should be somewhat over-hesitant, to say the least, about sending a sub-committee to London. Before doing so, the role of the sub-committee should first be defined. From the information at hand, it appeared that the United Kingdom rejected the idea of immediately convening a constitutional conference and the possibility of inviting Mr. Nkomo to take part in the discussions. The only possible conclusion was that the United Kingdom Government's intentions were not serious and that its sole purpose in receiving a sub-committee was to give the rest of the world the impression that it was willing to negotiate.

449. Negotiations in which Mr. Nkomo and the other African leaders did not take part could not be fruitful. The negotiations must be participated in by all the political parties of Southern Rhodesia and be based on the principles of the Declaration on the granting of independence. The United Kingdom could show proof of its sincerity by seeing to it that Mr. Nkomo and his companions were released and that talks were conducted on the basis of those principles. As those were not the intentions of the United Kingdom Government, his delegation considered that the Committee should refer the issue to the Security Council.

450. The representative of the Ivory Coast said that as long as the problem of Southern Rhodesia remained unsolved, the Government of the Ivory Coast would spare

no effort to ensure that the claims of the people of that Territory were met. It was in that spirit that his country had associated itself with all the steps taken in the United Nations to solve that problem. The fact that it had not co-sponsored the draft resolution did not mean that it had retreated in any way from its previous position. However, it would have wished that the sub-committee which might go to London should be able to meet African leaders from Southern Rhodesia and come to grips with certain problems relating to the constitutional conference. Those were points on which it would have been desirable for the Committee to reach an understanding with the United Kingdom before dispatching a sub-committee. Yet not only had the United Kingdom failed to give the necessary assurances, but there was not even any certainty that the sub-committee would have a chance of seriously considering the essential points to which he had referred.

451. For those various reasons, his delegation doubted whether the sending of a sub-committee to London would prove effective. It would nevertheless support the the draft resolution, in the belief that no avenue should be left unexplored.

452. The representative of the United Republic of Tanganyika and Zanzibar felt that a more useful purpose would have been served if the proposed sub-committee could have met representatives of all Southern Rhodesian political parties in London. However that might be, there was still a chance that the sub-committee might succeed in bringing home to the United Kingdom Government the Committee's concern at the deterioration of the situation in Southern Rhodesia, and especially at the mass arrests in the Territory. It was to be hoped that on its return the sub-committee would at the very least be able to set forth a concrete plan drawn up by the United Kingdom Government for solving the problem on the basis of universal adult suffrage. His delegation would vote for the draft resolution.

453. The draft resolution was then adopted by the Special Committee without a formal vote.<sup>11/</sup>

454. This resolution (A/AC.109/76) reads as follows:

"The Special Committee,

"Taking note of the willingness of the Administering Power to enter into an exchange of views on the question of Southern Rhodesia with a mission of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV),

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<sup>11/</sup> The financial implications of this draft resolution appeared in A/AC.109/78.

"1. Decides to send a Sub-Committee composed of five members, to be appointed by the Chairman, to London to discuss with the Government of the United Kingdom the implementation of the resolutions of the General Assembly as well as of the Special Committee concerning Southern Rhodesia;

"2. Requests the Sub-Committee to report to the Special Committee without delay on the result of its discussions with the Government of the United Kingdom."

455. At the 262nd meeting on 21 May 1964, the Chairman informed the Special Committee that in accordance with this resolution, he had nominated the following as members of the Sub-Committee on Southern Rhodesia: the Chairman of the Special Committee (Mali), Ethiopia, Sierra Leone, Syria and Yugoslavia.

456. At the same meeting, the representative of Ethiopia said that, after the adoption of the Committee's resolution establishing the Sub-Committee on Southern Rhodesia (A/AC.109/76), he had been informed that a number of persons currently in Africa would like to be consulted with regard to the future of that Territory. In particular, many Southern Rhodesian nationalist leaders were now at Dar es Salaam. He believed, therefore, that the Committee should authorize the Sub-Committee on Southern Rhodesia, if necessary, to visit other places besides London. He also said that if, for procedural reasons, it was impossible to add a new paragraph to resolution A/AC.109/76, he was prepared to submit a new draft resolution (A/AC.109/L.122), the operative paragraph of which would read:

"Decides to authorize the Sub-Committee to visit such place as it may consider necessary in connexion with the implementation of the resolutions of the General Assembly and the Special Committee concerning Southern Rhodesia".

457. At the 263rd meeting on 22 May 1964, the representative of Ethiopia introduced an oral revision to insert the words "in Africa" after the words "such place" in the operative paragraph of the draft resolution.

458. Following a discussion, during which the Committee was informed of the financial implications (A/AC.109/79), the draft resolution (A/AC.109/L.122), as orally revised by the sponsor, was adopted by a roll-call vote of 18 to none, with 4 abstentions, as follows:

In favour: Bulgaria, Cambodia, Chile, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Poland, Sierra Leone, Syria, Union of Soviet Socialist Republics, United Republic of Tanganyika and Zanzibar, United States of America, Uruguay, Yugoslavia.

Against: None.

Abstaining: Australia, Denmark, Italy, Tunisia.

459. The representative of the United States of America said that his delegation had voted for the draft resolution on the understanding that the financial implications would not be greater than the amount stated by the Secretary-General.

460. The resolution (A/AC.109/80) thus adopted by the Special Committee reads as follows:

"The Special Committee,

"Recalling its resolution on the question of Southern Rhodesia, adopted on 18 May 1964, by which it decided to send a Sub-Committee of five members to London,

"Decides to authorize the Sub-Committee to visit such place in Africa as it may consider necessary in connexion with the implementation of the resolutions of the General Assembly and the Special Committee concerning Southern Rhodesia."

VII. ACTION ARISING FROM THE REPORT OF THE SUB-COMMITTEE  
ON SOUTHERN RHODESIA

461. The Sub-Committee on Southern Rhodesia was composed of Mr. Sori Coulibaly (Mali), Chairman, Mr. Tesfaye Gebre-Egzy (Ethiopia), Mr. Gershon B.O. Collier (Sierra Leone) and Mr. Danilo Lekic (Yugoslavia). The representative of Syria was unable to participate in the work of the Sub-Committee on account of ill health.
462. The Sub-Committee visited London from 30 May to 5 June 1964 and unanimously adopted its report (appendix IV) on 17 June 1964.
463. In considering the report of the Sub-Committee, the Special Committee had before it a letter dated 18 June 1964 from the Permanent Representative of the United Kingdom addressed to the Secretary-General, enclosing a document entitled "The Situation in Southern Rhodesia: A Statement by the Southern Rhodesian Government" (A/AC.109/85).
464. The Special Committee also had before it a written petition concerning the Territory from Mr. J.R.D. Chikerema, Deputy President and Secretary for Special Affairs, Zimbabwe African People's Union (A/AC.109/PET.189/Add.3).
465. The Chairman of the Sub-Committee on Southern Rhodesia, in introducing the Sub-Committee's report said that as the report stated, the Sub-Committee had not obtained any satisfactory results. As in previous years, the Administering Power had stuck to its position that Southern Rhodesia was self-governing. That position had of course been rejected by the General Assembly in June 1962, and thus the United Kingdom had not taken into account the resolutions of the Assembly or of the Special Committee. Nor had it taken into consideration appeals and warnings from African Heads of State and Government.
466. The members of the Sub-Committee had been disagreeably surprised by the fact that during the London talks the United Kingdom Ministers had shown constant concern for the possible reactions of the white settlers if an attempt were made to implement United Nations resolutions, whereas they were not in the least concerned about the possible reaction of the three million Africans in Southern Rhodesia if they continued to be denied the most elementary rights.
467. The Sub-Committee had done its utmost to persuade the United Kingdom Government to take the necessary steps to reduce the serious tension existing in Southern Rhodesia, which constituted a real threat to international peace and security.



468. The Sub-Committee felt that the visit to London had enabled its members to form a more or less conclusive opinion about the attitude of the United Kingdom Government, which was more anxious about the interests of the settlers and its own economic interests than those of the African majority. Consequently, any fresh effort at persuasion was not likely to be more successful than the Sub-Committee's effort. For that reason, and also in view of the fact that the situation in Southern Rhodesia continued to deteriorate and constituted a real threat to international peace and security, the Sub-Committee proposed that the Special Committee should recommend the Security Council to take up the matter.

469. The representative of Ethiopia said that the visit to London of the Sub-Committee on Southern Rhodesia, of which his delegation was a member, had been a complete failure, because the Administering Power had refused its co-operation. Of all the items on the agenda of the United Nations, none was more tragic than the questions of apartheid and Southern Rhodesia. Both situations were the result of racial discrimination. Apartheid had come into being because the United Kingdom had granted independence to South Africa without consulting the African population or making provision for African participation in the Government. A similar failure on the part of the United Kingdom in the early stages of its colonial administration was the reason why the problem of Southern Rhodesia was now principally a racial one. During the Sub-Committee's visit the United Kingdom Government had taken a position on Southern Rhodesia's status that was very familiar to the Special Committee. It regarded Southern Rhodesia as having been a self-governing territory since 1923, when it had been granted a constitution and power had subsequently been transferred to the local government. The action taken by the Administering Power in 1923, however, had been illegal and unjust, because the Constitution had provided for an exclusively European legislature and had been devised solely to protect the interests and privileges of a minority consisting mostly of settlers from the United Kingdom. The opinion of the Africans who at the time had made up almost 98 per cent of the population had not been consulted and the 1923 Constitution had thus been granted without their consent. Since 1923, the minority Government in Southern Rhodesia had used its powers to suppress and exploit the African population. At no time had the Africans been consulted about the administration of their country. Thus, it was not Southern Rhodesia that had been granted self-government in 1923,

but a group of 50,000 settlers. It was sometimes argued that the Administering Power could not reverse a decision taken so long ago. That argument might be accepted if the Administering Power was actually unable to reverse matters in Southern Rhodesia. But in fact it was legally and materially in a position to do so.

470. During the period since 1946, the United Kingdom had been fully aware of the policy of the United Nations with respect to Non-Self-Governing Territories and had had ample opportunity to honour its commitments under Chapter XI of the Charter. Instead, it had chosen to proceed in the opposite direction. When the General Assembly had invited Member States in 1946 to submit information on the Non-Self-Governing Territories for which they were responsible, the United Kingdom had deliberately not done so for Southern Rhodesia on the pretext that it was self-governing. It had ignored the pleas of the nationalist leaders, throughout the 1950's for fair representation in the legislature. Disregarding United Nations condemnation of the 1961 Constitution as detrimental to the African population, it had continued to follow the course first set in 1923. The 1961 Constitution, it claimed, was workable and if the nationalists had accepted it, they would have been able to influence developments in the Territory, including legislation. But the truth was that by accepting the Constitution the nationalists would have surrendered to perpetual bondage. In a legislature of sixty-five members, the Constitution provided for fifteen members to be elected by over 3.5 million Africans and fifty, by some 220,000 settlers. In addition, an important veto formerly enjoyed by the Administering Power had been abolished. The intent was clearly to enable the settlers to rule the Territory without the participation of the African population for decades, if not centuries, and the African leaders had therefore rightly rejected the Constitution.

471. The United Kingdom contended that the present situation was the result of forty years of constitutional development and must therefore be accepted as a reality. It also claimed that in the absence of outside interference, the people of Southern Rhodesia would enjoy peace and stability, and the matter should therefore be left entirely to them. But the whole responsibility for the developments of the last forty years lay with the United Kingdom itself. Apart from granting the 1923 Constitution to its own settlers and excluding Southern Rhodesia from the list of

Non-Self-Governing Territories in 1946, it had persistently defied General Assembly resolution 1747 (XVI), which affirmed that Southern Rhodesia was a Non-Self-Governing Territory, had made and unmade the Central African Federation, established without the consent of the African peoples, had disregarded the appeal of the United Nations not to permit application of the Constitution, and had transferred armed forces and armaments, including aircraft and armoured cars, to the settler government in violation of General Assembly resolution 1883 (XVIII). As far as outside interference was concerned, moreover, the collective and individual efforts of Members of the United Nations to bring about a peaceful solution of the Southern Rhodesian problem had actually acted as a restraint on the nationalists, who would otherwise long ago have resorted, in desperation, to violence.

472. The present situation in Southern Rhodesia was deplorable. Under the Land Apportionment Act, the best farming areas were reserved for European settlers. Well over 2.5 million of the African population lived on reservations where they were barely able to scratch a subsistence from the poor soil. The remainder lived on the land of European farmers for whose benefit they laboured. In industry, according to reliable statistics, the average annual African wage was \$150, while that of the European worker was not less than \$3,000. The Land Apportionment Act had in effect imposed apartheid by systematically segregating the races in Southern Rhodesia. Not only were the Africans restricted to certain places for the convenience of the Europeans, but they were forced to comply with discriminatory laws such as those requiring passes and identity cards. Wide-spread and arbitrary arrests of political leaders under the amended Law and Order Act, which enabled the Government to impose sentences of imprisonment and even death, along with other restrictive legislation, had made Southern Rhodesia second only to South Africa in its exploitation and oppression of Africans. It was claimed that civil liberties and equality before the law were better safeguarded in Southern Rhodesia than in other parts of Africa, but no independent African State had such discriminatory and restrictive laws.

473. Many arguments were put forward for the maintenance of the status quo. It was said that under the present Constitution there was a prospect of an African majority in fifteen years and that those who sought immediate universal suffrage

should therefore compromise. It was natural for the Africans to reject such a compromise, since they started from a disadvantage and their prospects were far from certain. Yet when they did so they were charged with irresponsibility. Another argument was that the country was prosperous and that nothing should be done to upset the economy. In essence, that only meant that the settlers should be left free to enjoy the wealth of the country, no matter what the condition of the Africans. Again, it was said that since the Administering Power had granted independence to its other colonies in Asia and Africa, its intentions with regard to Southern Rhodesia should be accepted in good faith. But independence had not been bestowed on such countries as India, Ghana, Nigeria, Sierra Leone, Tanganyika and Kenya as an act of grace: it had been taken. Furthermore, those countries had never suffered under a settler minority.

474. It was noteworthy that where there had been no settlers, the United Kingdom Government had to the end retained the power of intervention, including the right to suspend the Constitution, as it had done in Malta and British Guiana. In the case of Southern Rhodesia, however, it had handed over the prerogatives of sovereignty, including defence and external affairs, to the settlers, retaining merely residual responsibility for external affairs.

475. There were those who claimed that United Nations action rendered the Southern Rhodesian Government more intransigent, thus making it difficult, if not impossible, to negotiate a satisfactory solution. But the United Nations was acting at the request of the overwhelming majority of its Members and of the population of Southern Rhodesia, in accordance with the provisions of the Charter. The principle that colonies must be emancipated was one of the cornerstones of the Charter. Without United Nations intervention, Southern Rhodesia would have been the scene of mass violence, in which the minority of 220,000 would have had no chance against 3.5 million Africans. In the end the people of Southern Rhodesia would have their freedom whether the Administering Power or the settlers liked it or not. The only question was whether they were to get it peacefully or by bloodshed. The former was surely preferable.

476. Finally, it was argued that the recent disturbances in East Africa had given the settlers grounds to doubt the wisdom of transferring power to an African majority. It should be noted, firstly, that the emphasis was again on the feelings

of the settlers. Secondly, it was implied that the mutinous acts of a handful of soldiers in East Africa were a striking exception to the calm generally prevailing throughout the rest of the world, whereas such disturbances were common in all States, both old and new. Most important, however, was the attempt to make the freedom of the African population of Southern Rhodesia dependent on the political climate in other African States. There was not and could not be any connexion between the two.

477. Those being the circumstances, the Sub-Committee on Southern Rhodesia had recommended a number of measures to reduce tension and encourage a rapprochement between the two communities in Southern Rhodesia. If those proposals had been accepted and implemented by the Administering Power, the problem of Southern Rhodesia would have entered the phase of peaceful negotiation and settlement. Instead, it had dismissed them out of hand, saying that it would bring them to the attention of the authorities concerned, but had no constitutional power to implement them. It had stated further that it did not have the means to implement them, and even if it had, it would not do so, since it would not in any circumstances resort to the economic sanctions and use of force they might entail.

478. The Sub-Committee, for its part, believed that its proposals simply required the firm exercise of the United Kingdom's constitutional and political powers. It did not believe that they required the use of force. The settlers, being of British stock, would not be likely to oppose the wishes of their mother country. Furthermore, they were not all committed to apartheid as a way of life; the hard core of intransigent elements might be no more than 50,000. Given the support of the United Kingdom, the remainder would not allow the racists to ruin their future. A third reason why force would not be needed was that the economic and industrial roots of Southern Rhodesia lay deep within the United Kingdom itself and to be cut off from those roots would deprive Southern Rhodesia of its source of strength. Fourthly, the settlers must be aware of their overwhelming numerical inferiority. If, despite all those reasons, the minority Government were to resort to force in defiance of the Administering Power, the responsibility would lie fully with the former, and the world would surely not allow another slave State to be established on the African continent. But the possibility was remote, provided that the Administering Power made decisive use of the constitutional power vested in it.

479. The Sub-Committee's recommendations might appear to some to benefit only the African population. There might be fears that a constitutional conference would inevitably lead to the establishment of a government of the majority, which would disregard the interests of the present minority. That was a very short-sighted view. The Sub-Committee's recommendations would, on the contrary, have safeguarded the long-term interests of the minority, and, indeed, of the community as a whole, regardless of race, colour, creed or religion.

480. The Sub-Committee's report described the efforts it had made and the deadlock that had been reached. The nationalist leaders and the great majority of the people of Southern Rhodesia had confidence in the United Nations and awaited a solution based on equality and mutual respect which would protect the interests of all. Since the Administering Power continued to contend that Southern Rhodesia was a self-governing territory and that the situation would remedy itself if left alone, the Special Committee must conclude that, having done everything possible to solve the problem, it had failed to make any progress and should, as recommended by the Sub-Committee, bring the question before the Security Council.

481. In conclusion, he drew attention to a document entitled "The Situation in Southern Rhodesia: a Statement by the Southern Rhodesian Government", circulated at the request of the Permanent Representative of the United Kingdom (A/AC.109/85). It contained much that was misleading. Thus, in paragraph 14 an attempt was made to give the impression that the security laws had the support of the Africans because they had been endorsed by the parliamentary opposition. But since the Africans held only fifteen seats out of sixty-five there would have been no possibility of opposing the laws even if the fifteen members in question had been genuinely representative of the African majority; in fact they had been picked by the settlers. The same kind of comment applied to the assertion about the Declaration of Rights and the Constitutional Council in paragraph 19. Once again the consent of the Africans had not been sought. In paragraph 25, the Southern Rhodesian Government appeared to object to the Special Committee's description of it as a minority government while at the same time admitting that that was what it was in fact. The comments on voting rights in paragraph 36 omitted the key point that whatever efforts the Africans might make to participate in the country's political life, they were limited by the Constitution to fifteen seats in

Parliament. The whole purpose of the complicated electoral arrangements was to prevent the Africans achieving representation in Parliament.

482. Those were only some examples of the deliberate distortions contained in the document.

483. The representative of Denmark said that the position of his Government on the question of Southern Rhodesia was well known. The Danish Government rejected the policy of discrimination and restriction of political and democratic rights practised by the Southern Rhodesian Government. It was regrettable that it had not complied with the recommendations of the General Assembly and the Committee, not only because the African population continued to be deprived of its legitimate rights but also because the gap between the two ethnic groups was becoming so wide as to render future reconciliation almost impossible.

484. The Danish delegation had studied with great interest the very comprehensive report of the Sub-Committee on Southern Rhodesia on the discussions it had recently held in London with the United Kingdom Government. It had been gratified to note the statement of the United Kingdom Government that it was totally opposed to any unilateral declaration of independence by the present Southern Rhodesian Government, that it favoured government by majority rule in Southern Rhodesia, with adequate protection of the rights of the minority, and that it would not grant independence to the Territory unless the electorate was enlarged so as to ensure a wider representation of Africans. It had noted the repeated statements of the United Kingdom Government that, in view of the Constitution of Southern Rhodesia, it could not intervene in the internal policy of the Territory's Government. For that reason, it considered that the Government of the United Kingdom should not be held responsible for the distressing situation now prevailing in Southern Rhodesia, but it expected to use all its influence, under the prerogatives granted it under that Constitution, and in view of the close relations between the United Kingdom and Southern Rhodesia, to try to persuade the Southern Rhodesian Government to alter its policy.

485. The Danish delegation did not share the Sub-Committee's view that the situation prevailing in Southern Rhodesia constituted a threat to international peace and security and therefore did not think that the question of Southern Rhodesia should be brought before the Security Council on those grounds. However, it would have no

objection to drawing the question to the attention of the Council with appropriate reservations. It supported the four measures proposed by the Sub-Committee to eliminate the causes of the serious situation prevailing in Southern Rhodesia and it sincerely hoped that the Southern Rhodesian Government would soon alter its policy.

486. With those reservations, the Danish delegation could support the report of the Sub-Committee on Southern Rhodesia.

487. The representative of the Union of Soviet Socialist Republics recalled that his delegation had explained its views on the question of Southern Rhodesia on many occasions both in the Special Committee and in the Security Council and the General Assembly. As shown by its response to the Special Committee's resolution of 23 March 1964, the Soviet Union had always supported the colonial peoples struggling for independence and had always favoured the adoption of vigorous measures to put an end once and for all to the shameful colonial system. In the Committee, the USSR delegation had supported those decisions which paved the way for a just solution of the problem of Southern Rhodesia through the rapid implementation of the decisions of the General Assembly and the Special Committee.

488. The report of the Sub-Committee on Southern Rhodesia on its mission to London indicated that the United Kingdom Government, when it had declared its readiness to receive the Sub-Committee, had had no intention of working with it towards a solution of the problem on the basis of United Nations decisions. That attitude of the United Kingdom could only be deplored and condemned.

489. The USSR delegation associated itself with the evaluation made of the London talks by the Chairman of the Special Committee and the representative of Ethiopia, who, in his statement at the previous meeting, had made a very detailed and well-documented analysis of the unjustifiable position of the United Kingdom Government. The Special Committee's efforts to find a peaceful and just solution of the problem of Southern Rhodesia had failed as a result of the complete lack of co-operation on the part of the Administering Power. The United Kingdom stubbornly persisted in supporting the Southern Rhodesian minority Government, which was carrying out a monstrous policy of racial discrimination, shameless exploitation of the indigenous population for the benefit of the white minority and United Kingdom monopolies, and merciless repression of indigenous leaders. The attitude of the United Kingdom



Government was an act of defiance directed against the African population of Southern Rhodesia and all the African States fighting for the independence of their continent.

490. The USSR delegation noted with satisfaction that the Sub-Committee on Southern Rhodesia had frustrated the efforts of the British representatives to have it meet so-called representatives of the Southern Rhodesian authorities during the London discussions. The statement by the Southern Rhodesian Government, which the United Kingdom delegation had circulated to the Special Committee, was a cynical distortion of the facts clothed in mendacious phrases about legality, democracy and freedom. By requesting its issuance as a Committee document, the United Kingdom delegation had made common cause with the policy of violence and lawlessness of the Southern Rhodesian rulers, who were depriving the African people of the most rudimentary human rights, keeping them in poverty and ignorance, allowing them to be exploited by the white monopolies and imprisoning or exiling the leaders of the national liberation movement. The latter were charged with violating the 1961 Constitution, but the fact that the 1961 Constitution had been imposed was forgotten. For the overwhelming majority of the population, the so-called freedom granted to all Southern Rhodesians was the freedom to sell their labour for a mouthful of bread and to hold their tongues under laws which protected nothing but the interests of a tiny minority of racists and white exploiters. It had been argued that the present Constitution contained no discriminatory provisions, but 90 per cent of the indigenous people were deprived of the right to vote and the racists who ruled the country had said they had no intention, even in thirty years, to transfer power to a Government of the majority. When the United Kingdom Government stated in its covering letter to the document that it had "no responsibility for the internal affairs of Southern Rhodesia", it was underwriting the policy of the racist Southern Rhodesian Government which could only exacerbate the crisis in the Territory and had already created conditions there which constituted a threat to international peace and security.

491. For all those reasons, the Soviet delegation supported the proposal of the Sub-Committee on Southern Rhodesia that the question of Southern Rhodesia should be considered by the Security Council as a matter of great urgency. It also supported the other measures proposed by the Sub-Committee in the conclusions of

its report, namely, the release of Mr. Joshua Nkomo and all other political prisoners, the repeal of all repressive and discriminatory legislation and, in particular, the Law and Order (Maintenance) Act and the Land Apportionment Act, the removal of all restrictions on African political activity and the establishment of full democratic freedom and equality of political rights for Africans and, lastly, the holding of a constitutional conference in which representatives of all political parties would take part with a view to making constitutional arrangements for independence on the basis of universal adult suffrage, including the fixing of the earliest possible date for independence.

492. The representative of the United Republic of Tanganyika and Zanzibar said that the report of the Sub-Committee on Southern Rhodesia was an important, concise, pertinent and admirably presented document. His delegation commended the members of the Sub-Committee upon the manner in which they had carried out their mandate in London. It fully supported the Sub-Committee's conclusions.

493. The failure of the Sub-Committee's mission to London was due solely to the negative attitude of the Administering Power, an attitude which the delegation of the United Republic of Tanganyika and Zanzibar had foreseen. The Administering Power had stated that the African nationalists were the most to blame for the deterioration of the situation in Southern Rhodesia, but it knew full well that the African nationalists had won the admiration of the peoples of the world for the patience they had shown in their long fight for freedom, despite the many provocations of those who continued to rule them and exploit them. The real reasons for the deterioration of the situation in the Territory should be sought in the Land Apportionment Act, which deprived the Africans of their land in favour of the European settlers, and in the Law and Order (Maintenance) Act, under which the Southern Rhodesian rulers had ordered imprisonments and mass arrests. Moreover, it was a known fact that the Africans were deprived of the right to take part in managing their country's affairs, which was their most elementary right and a prerequisite for peace.

494. It was a monstrous travesty of the truth to compare the situation in Southern Rhodesia, as the Administering Power and Mr. Smith's settler Government did, with that prevailing in independent States of Africa and to imply that the events in East Africa could be cited to justify the delay in granting independence to the

African people of Southern Rhodesia. It was clear from the report of the Sub-Committee on Southern Rhodesia (para. 50) that the United Kingdom Government did not wish to take measures which would weaken its economic position. The same attitude had been adopted, moreover, by some countries with respect to the policy of apartheid. All the moral principles of freedom and human dignity preached by certain Powers vanished as soon as they saw an opportunity for profit.

495. The situation in Southern Rhodesia was deteriorating every day. Nearly all the African leaders had been imprisoned, as for example, only recently, the Reverend Sithole, head of the Zimbabwe African National Union. That cowardly policy was obviously patterned after that of Mr. Verwoerd in South Africa where Mr. Smith went to seek guidance. Furthermore, the Press, in particular The Times (London) of 20 June 1964, had mentioned the possibility of a unilateral declaration of independence by the Southern Rhodesian racist rulers.

496. In view of that disturbing situation, some members of the Committee had decided to submit a draft resolution (A/AC.109/L.132). It was sponsored by Cambodia, Ethiopia, India, Iraq, Iran, Ivory Coast, Madagascar, Mali, Sierra Leone, Syria, Tunisia, the United Republic of Tanganyika and Zanzibar, and Yugoslavia. It was drafted in moderate terms. It recalled previous resolutions of the General Assembly and the Special Committee on the question. adopted the report of the Sub-Committee on Southern Rhodesia, which expressed the Committee's concern and its determination to bring about a peaceful settlement of the explosive situation in the Territory. It deplored the negative attitude of the Administering Power and drew the immediate attention of the Security Council to the Sub-Committee's report, and, in particular, to its conclusions and recommendations.

497. The representative of Poland expressed agreement with the arguments put forward by the Ethiopian representative at the 271st meeting to refute the contentions by which the Administering Power tried to evade its responsibilities towards the Africans in Southern Rhodesia. The Special Committee had always tried to obtain the co-operation of the Administering Powers and, in that spirit, it had on three occasions sent sub-committees to London to discuss the question of Southern Rhodesia with the United Kingdom Government. Many members of the Committee had interpreted the willingness of that Government to receive the sub-committees and discuss the problems facing the African population in Southern

Rhodesia as an indication of its desire to find a just solution to those problems. The results, however, had proved that the United Kingdom Government had no such desire and for this reason all the efforts of the Special Committee and its sub-committees had failed.

498. The report on the most recent discussions (appendix IV) showed that the United Kingdom Government had not changed its attitude and was still "preoccupied with the interests of the minority European element and with its own economic relations with Southern Rhodesia". As stated in paragraph 61 of the report of the Sub-Committee, the plea that the United Kingdom was not competent in the matter was untenable. The Polish delegation was deeply distressed that the United Kingdom Government had declined to use its powers and prerogatives and take the measures outlined by the Sub-Committee in paragraph 64 of its report. The implementation of those measures would remove many of the causes of the explosive situation in Southern Rhodesia and would pave the way for a constitutional conference with the participation of all the political parties, which would formulate constitutional arrangements for early independence on the basis of universal adult suffrage.

499. Owing to recent developments, the grave situation in the Territory could lead to the creation of a second racist state in Africa and, as stated by the Sub-Committee in paragraph 63 of its report, to "serious conflict and violence, the repercussions of which will not be limited to Southern Rhodesia". A critical stage had been reached: the minority Government of Southern Rhodesia was seeking the assistance of the Pretoria regime, contemplating a unilateral declaration of independence and openly opposing the establishment of a Government based on the principle of majority rule; at the same time, the United Kingdom was continuing to ignore all the appeals of the General Assembly and the Organization of African Unity. The United Nations should take immediate and vigorous action to rescue the indigenous inhabitants of Southern Rhodesia. The Polish delegation endorsed the Sub-Committee's recommendation that the question should be referred to the Security Council and would vote for draft resolution.

500. The representative of Italy said that, although his delegation appreciated the work done by the Sub-Committee, it had doubts about some of its conclusions and in particular about the view that the United Kingdom was refusing to co-operate with the United Nations in implementing the resolutions of the General Assembly and the Special Committee. That view was refuted by the very fact that the Sub-Committee

had been invited to London. The Italian delegation was not satisfied with the results of the talks held in London but it was convinced that the United Kingdom was deeply concerned about the situation and intended to use all its influence to achieve a peaceful settlement of the problem of Southern Rhodesia. The United Kingdom Government had said that it did not intend to grant independence to Southern Rhodesia until the principle of majority rule was applied and that it would firmly oppose any unilateral declaration of independence by the Salisbury Government. The Italian delegation shared the concern of the free African peoples about the unsatisfactory situation in Southern Rhodesia. However, it was doubtful whether a solution would be facilitated by requesting the Security Council to adopt a resolution along the same lines as those previously adopted by the General Assembly and the Special Committee. Such a resolution would meet the same fate as the previous ones and the prestige and authority of the Security Council would only be undermined.

501. His delegation again appealed to the United Kingdom to exert all its influence on the Salisbury Government in order to pave the way for the recognition of the rights of the African majority. It was confident that the Commonwealth countries would make a similar appeal. In line with its past position on the question under discussion, the Italian delegation would abstain from the vote on the draft resolution.

502. The representative of the Ivory Coast said that the serious and explosive nature of the situation in Southern Rhodesia could be seen from the extensive efforts and lengthy discussion devoted to it in the United Nations. In the view of his delegation, the question should be considered in relation to several other matters. With its persistent racial policy, Southern Rhodesia was undoubtedly an outpost of the South African empire of racism and segregation. Together with Angola, South West Africa and Mozambique, Southern Rhodesia formed a belt around South Africa. The racial policies of those countries were interrelated and they supported South Africa's policies of apartheid.

503. Although the United Kingdom Government claimed that its powers were limited to certain residual responsibilities for Southern Rhodesia's external relations, all the civilized nations of the world appealed to the United Kingdom to impel the Southern Rhodesian Government to take a clearer view of the situation and keep in

step with history. No time should be lost in initiating a dynamic process that would enable the Government of Southern Rhodesia to adopt a policy in line with the principles of the United Nations Charter and thus ensure friendly relations among nations and world peace.

504. The more the United Kingdom adopted an attitude which seemed unlikely to please the South African Government, the more the Government of Southern Rhodesia turned towards the Pretoria Government and expressed support for its policy of domination by the white minority. South Africa wanted buttresses outside the country in order to protect and propagate its policies of apartheid. It would find itself in difficulties if the countries surrounding it attained independence and elected Governments representing the majority of the people.

505. The main concern at the moment should be political considerations. A constitution should be elaborated which would satisfy the African majority in Southern Rhodesia and permit the formation of a Government with an African majority. The infamous laws should be repealed and African leaders such as Mr. Joshua Nkomo and the Reverend Sithole should be released from prison. The United Nations should condemn anything which might be a source of conflict or an obstacle to universal peace.

506. He urged the members of the Special Committee to vote for the draft resolution and thus express their willingness to contribute effectively to the building of peace.

507. The representative of Uruguay said that his delegation endorsed the report of the Sub-Committee and would vote for the draft resolution, which contained provisions similar to those which it had supported on previous occasions. Operative paragraph 4 did not prejudge the action to be taken by the Security Council. Since the Special Committee had last drawn the attention of the Council to the situation in Southern Rhodesia, that situation had not only failed to improve but had actually deteriorated.

508. The representative of the United Kingdom said that his Government's policy on Southern Rhodesia had been explained in the Special Committee and was reflected in the report of the Sub-Committee. The verdict that the mission of the Sub-Committee had been a complete failure was contradicted by the description of the conversations held and by some of the Sub-Committee's own conclusions. In

particular, in paragraph 59 of the report the Sub-Committee accepted in principle the idea of a compromise solution; that seemed to suggest that the positions were not as far apart as had been said and that there was a prospect of progress. In addition, in paragraph 56 of the report, the Sub-Committee acknowledged that the United Kingdom Government was totally opposed to a unilateral declaration of independence; that implied that the United Kingdom Government had observed the principal recommendation of the General Assembly by not granting independence to Southern Rhodesia. The Sub-Committee had also noted his Government's acceptance of the principle of majority rule and its intention to widen the franchise. The Sub-Committee's support of those principles, which were the basis of the United Kingdom policy, was a welcome step forward. He hoped that it might lead the Special Committee to agree that his Government should be allowed to bring its policy to fruition without further outside intervention.

509. The imputations contained in paragraphs 61 and 62 of the Sub-Committee's report were supported neither by fact nor by the substance of the report itself. United Kingdom investments in Southern Rhodesia were greatly exceeded by those in Northern Rhodesia, which would attain independence before the end of the year; the constitutional status of Southern Rhodesia was quite different from that of territories for whose administration the United Kingdom Government was responsible.

510. The report contained no indication of why or how the Security Council should examine the question. His Government acknowledged that there was tension in Southern Rhodesia but could not agree that the situation was a threat to international peace and security. There was no action which the Security Council could take to resolve the situation. The four measures outlined in paragraph 64 of the report could be taken only with the agreement of all concerned; such agreement would not be facilitated by a discussion of the matter in the Security Council. On the contrary, there was a risk that such discussion might strengthen the hand of those who sought extreme solutions.

511. For reasons which were familiar to the Committee, his delegation would not participate in the vote on the draft resolution.

512. The representative of Ethiopia said that the position of the United Kingdom Government was not supported by the facts. The United Kingdom representative had not dealt with any of the facts at length, because they showed a different picture

from the one he had attempted to depict. The Sub-Committee supported a compromise solution but had specified that it must be based on the principle of majority rule. It could therefore not accept the compromise envisaged by the United Kingdom Government, which would be based on something far less than majority rule. The United Kingdom Government admitted that there was tension in Southern Rhodesia, a fact which it had denied a year earlier; it was only a matter of time before it would admit that the situation was a threat to international peace and security. 513. The draft resolution (A/AC.109/L.132) was then adopted by the Special Committee by 20 votes to none, with 3 abstentions.

514. The representative of Denmark said in explaining his vote that his delegation could not agree with the implication contained in operative paragraph 3 of the draft resolution that responsibility for the deplorable situation in Southern Rhodesia lay with the United Kingdom Government. It felt that the persons responsible were to be found in Southern Rhodesia, among those who would not take into account the political changes occurring in Africa. Nor did his delegation agree that the situation in Southern Rhodesia was a threat to international peace and security. However, it had voted in favour of the resolution because it agreed with what was the heart of the resolution - the termination of the policy of racial discrimination pursued by the Government of Southern Rhodesia.

515. The representative of Venezuela said that his delegation had voted in favour of the resolution because the Sub-Committee's report, which was an excellent document, contained conclusions and recommendations endorsed by the majority of the members of the Committee.

516. However, his delegation had certain reservations about operative paragraph 2 and, if there had been a separate vote on that paragraph, it would have abstained, not because the paragraph approved the report of the Sub-Committee but because it also endorsed the conclusions and recommendations in the report. In his delegation's view, the Special Committee could not indicate even indirectly what the Security Council should or should not do. Operative paragraph 4 would have been quite sufficient since it drew the attention of the Council to the Sub-Committee's report and to the conclusions and recommendations contained therein.

517. The representative of Australia explained that his delegation had abstained from the vote because it could not support the wording of the final preambular



paragraph or of operative paragraph 3 of the resolution. In his delegation's opinion, the United Kingdom Government had demonstrated beyond a doubt its intention in a difficult situation of carrying out its responsibility for negotiating a settlement on a basis of reconciliation.

518. His delegation appreciated the work done by the Chairman and members of the Sub-Committee which had recently held discussions with the United Kingdom Government in London. Although the discussions had not resulted in agreement, they had been frank and marked by mutual respect. His delegation had been unable to accept the Sub-Committee's conclusions and recommendations and had certain reservations with regard to operative paragraph 2 of the resolution. His delegation felt that in view of the courtesy shown to the Committee by the United Kingdom, its conclusions and recommendations should have been worded differently.

519. The representative of the United States of America explained that his delegation had abstained for the same reasons as on previous occasions in connexion with resolutions concerning Southern Rhodesia. While his delegation appreciated the good work done by the Sub-Committee, it could not agree with all the conclusions and recommendations in the report. His delegation felt that in operative paragraph 3 more emphasis should have been laid on the grave situation in Southern Rhodesia rather than on criticism of the United Kingdom. His delegation did not believe that the United Kingdom had refused to co-operate in seeking to achieve a peaceful and equitable solution of the question of Southern Rhodesia.

520. As his delegation had already pointed out in previous statements, it believed that the United Kingdom still had a role to play in influencing the course of events in Southern Rhodesia and that the ultimate solution of the question of Southern Rhodesia lay with the entire population of Southern Rhodesia.

521. In reiterating the continuing concern with which the United States Government viewed the situation in Southern Rhodesia, he quoted from a statement he had made at an earlier meeting (A/AC.109/SR.227) to the effect that the Southern Rhodesian Government must be aware of the widely held view that independence under conditions which did not have the approval of the majority of the people of Southern Rhodesia would obtain little endorsement throughout the world community; there could be no doubt in the minds of anyone in Southern Rhodesia as to the international reaction that would follow a unilateral declaration of independence.

522. The representative of Sierra Leone, speaking on behalf of the sponsors of the resolution, expressed their deep appreciation of the near unanimous support that the Committee had given to the resolution. The increasing support which the Committee was giving to the cause of Africans in Southern Rhodesia was not only a rejection of the United Kingdom position but a means of affirming that all freedom-loving people all over the world were behind them.

523. The resolution (A/AC.109/88 and Corr.1) adopted by the Special Committee at its 273rd meeting on 26 June 1964 reads as follows:

"The Special Committee,

"Recalling its resolution adopted on 18 May 1964 [A/AC.109/76] by which it established a Sub-Committee on Southern Rhodesia to hold talks with the authorities of the Administering Power in London with a view to implementing the resolutions of the General Assembly and of the Special Committee regarding Southern Rhodesia,

"Having considered the report submitted by the Sub-Committee on 17 June 1964 [appendix IV],

"Deploing the negative attitude of the Administering Power which prevented the Sub-Committee from attaining its objectives in the implementation of the resolutions of the General Assembly and the Special Committee regarding Southern Rhodesia,

"1. Expresses its deep appreciation to the Chairman and to the members of the Sub-Committee for undertaking the mission entrusted to them;

"2. Adopts the report of the Sub-Committee and endorses its conclusions and recommendations;

"3. Deplores the persistent refusal of the Administering Power to co-operate with the United Nations in the implementation of the resolutions of the General Assembly and of the Special Committee with regard to Southern Rhodesia;

"4. Draws the immediate attention of the Security Council to the report submitted by the Sub-Committee on 17 June 1964 and particularly to the conclusions and recommendations contained therein."

524. The text of this resolution and the report of the Sub-Committee (appendix IV) were transmitted to the President of the Security Council on 30 June 1964 (S/5789), and to the representative of the United Kingdom on 2 July 1964.

APPENDIX I

Resolution on Southern Rhodesia adopted at the second regular session of the Council of Ministers of the Organization of African Unity (CAU) held in Lagos, Nigeria, from 24 to 29 February 1964 a/

Council Resolution 4 (II)

The Council of Ministers, meeting in Lagos, Nigeria, from 24 to 29 February 1964,

Recalling the resolution on Southern Rhodesia adopted at the Addis Ababa Conference of Heads of State and Government held in May 1963,

Having noted with grave concern the critical and explosive situation prevailing in Southern Rhodesia where a minority white settler government has been imposed upon the African peoples against their wishes,

Convinced that this situation constitutes a threat to the solidarity and peace of Africa and the world,

I

Calls on the British Government to:

1. Prevent effectively the threat of unilateral independence or subtle assumption of power by the minority settler régime in Southern Rhodesia;
2. Convene, without further delay, a fully representative constitutional conference of all political parties in Southern Rhodesia to decide on the granting of immediate independence to Southern Rhodesia on the basis of "one man, one vote";
3. Take immediate steps to end the present explosive political situation in Southern Rhodesia.

II

4. Further, the Council recommends to Member States of the OAU to consider their diplomatic and other relations with Britain should the British Government ignore the above recommendations.

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a/ Previously issued under the symbol A/AC.109/59.

III

5. The Council calls on the Liberation Committee of the OAU to strengthen its support of the courageous African nationalists in order that they may intensify the struggle and carry it to its logical conclusion, namely, independence based on the principle of "one man, one vote";

6. Requests the African Group at the United Nations, with the help of the Asian and other interested groups, to take appropriate diplomatic measures to ensure that the British Government implement, without delay, past United Nations resolutions on Southern Rhodesia.

APPENDIX II

Letter dated 20 March 1964 from the Chairman of the Special  
Committee to the Permanent Representative of the United  
Kingdom concerning the death sentences and detention without  
trial of African nationalists

Sir,

I have the honour to inform you that during its meeting of 20 March 1964, the attention of the Special Committee was drawn to document A/AC.109/PET.188. The Special Committee is told in this document that the white settler minority Government of Southern Rhodesia has sentenced an African nationalist named Richard Mapolisa to death by hanging. The Special Committee has also been informed that following the sentencing of Mr. Richard Mapolisa, two other Africans were sentenced to death.

In view of the seriousness of these sentences and their possible consequences, the Special Committee has requested me, without prejudice to the decisions it might take on the question of Southern Rhodesia, to issue an appeal to the United Kingdom Government to use its powers and prerogatives in order to prevent the sentences from being carried out.

Following the agreement reached in the Special Committee to direct this appeal to the United Kingdom Government, the representative of the United Kingdom in the Special Committee stated that he would transmit it to his Government.

I would therefore request you, sir, urgently to approach your Government so that a decision may be taken along the lines which we have indicated.

I have the honour to be, etc.,

(Signed) Sori CCULIBALY  
Chairman of the  
Special Committee on the Situation  
with regard to the Implementation of  
the Declaration on the Granting of  
Independence to Colonial Countries  
and Peoples

/...

APPENDIX III

Message of 18 April 1964 from the President of Ghana  
concerning the restriction of Mr. Joshua Nkomo and  
three other African leaders a/

I have the honour to transmit herewith a copy of a message from the President of Ghana concerning "the restriction of Mr. Joshua Nkomo and three of his colleagues to an area close to the Mozambique and South African borders". Since the question of Southern Rhodesia is on the agenda of the Special Committee, you may wish to bring this message to the attention of the members of your Committee.

I might add for your information that I am taking up this matter with the Permanent Representative of the United Kingdom.

(Signed) U THANT

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a/ Previously issued under the symbol A/AC.109/67.

Permanent Mission of Ghana  
to the United Nations

144 East 44th Street  
New York 17, N.Y.

18 April 1964

Excellency,

I have the honour to transmit to your Excellency the following message received from Osagyefo Dr. Kwame Nkrumah, President of the Republic of Ghana:

"Dear Mr. Secretary-General,

"I have received with great concern the news of the restriction of Mr. Joshua Nkomo and three of his colleagues to an area close to the Mozambique and South African borders. This news is disquieting in view of the statements made by petitioners from South West Africa in the Fourth Committee of the General Assembly of the United Nations regarding the banishment of certain African nationalists to neighbouring Portuguese territories and the torture and eventual execution to which these nationalists have been subjected by the Portuguese authorities. The fate of the Congolese patriot and hero, Mr. Patrice Lumumba, is still fresh in our minds and we in Africa cannot stand by while similar fate is meted out to other nationalist leaders.

"I am therefore requesting you to seek to obtain a guarantee for the safety of Mr. Nkomo and his colleagues from the Government of the United Kingdom, which is the Administering Authority of the colony, and also to seek their immediate release and freedom of movement as requested by the many resolutions of the General Assembly.

"You will agree, Mr. Secretary-General, that this act, following closely on the change of regime in Southern Rhodesia, clearly indicates the extreme ends to which the minority settler-government of Southern Rhodesia is prepared to go in its desperation. The situation therefore calls for the

His Excellency U Thant  
Secretary-General  
United Nations Secretariat  
New York, N.Y.

/...

firmest and urgent action. I hope that you will consider the situation serious and urgent enough to use your good offices in urging the British Government for proper guarantees of the safety of these African nationalist leaders.

"I look forward to hearing from you as soon as possible. Meanwhile, you may, at your discretion, wish to circulate this message to the Members of the United Nations.

"With assurances of my highest consideration.

KWAME NKRUMAH

President of the Republic of Ghana"

Accept, Excellency, the assurances of my highest consideration.

(Signed) Nathan A. Quao  
Counsellor  
Chargé d'Affaires, a.i.



APPENDIX IV

Report of the Sub-Committee on Southern Rhodesia<sup>a/</sup>

Chairman: Mr. Sori COULIBALY (Mali)

INTRODUCTION

1. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples considered the question of Southern Rhodesia at its 223rd to 233rd meetings, between 6 and 24 March 1964, and at its 245th to 249th, 252nd, 258th, 259th, 262nd and 263rd meetings between 20 April and 22 May 1964. The discussions on this question were held in the context of General Assembly resolutions 1747 (XVI) of 28 June 1962, 1755 (XVII) of 12 October 1962, 1760 (XVII) of 31 October 1962, 1883 (XVIII) of 14 October 1963, 1889 (XVIII) of 6 November 1963 and 1956 (XVIII) of 20 December 1963.
2. The Special Committee had before it two reports submitted by the Secretary-General on 11 December 1963<sup>b/</sup> and 5 March 1964 (A/AC.109/57) regarding the implementation of operative paragraph 8 of General Assembly resolution 1889 (XVIII).
3. The Special Committee also had before it a working paper prepared by the Secretariat (paras. 1-70 of the present report) containing information on recent developments concerning Southern Rhodesia. The Special Committee was also aware, among other things, of the following subsequent developments:

(a) On 24 March 1964, the Southern Rhodesia Legislative Assembly adopted, by 31 votes to 26, a motion requesting the Governor to address a petition to the Queen, praying that Section 111 of the Constitution be amended so that the residual powers of the United Kingdom should be exercised at the request and only with the consent of the Government of Southern Rhodesia. The object of the desired amendment was to ensure that those powers, which

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a/ Previously issued under the symbol A/AC.109/L.128.

b/ Official Records of the General Assembly, Eighteenth Session, Annexes, agenda item 75, document A/5664.

include the power to disallow certain categories of Southern Rhodesia legislation, would be exercised exclusively at the request of the Southern Rhodesia Government. The present Constitution of Southern Rhodesia prescribes in this connexion that amendments to any of its specially entrenched provisions which have been duly passed by a two-thirds majority of the Legislative Assembly shall not become law unless an address is presented to the Governor praying him to submit them to the Queen for assent. However, the Government of the United Kingdom had not received a submission from the Governor to this effect.

(b) The Prime Minister of Southern Rhodesia, Mr. Winston Field, resigned on 13 April 1964. He was succeeded on the same day by Mr. Ian Smith, the Deputy Prime Minister and Minister of the Treasury. On the day of his accession to office, the new Prime Minister was reported to have told a press conference that though his Government would strive for a negotiated independence, it could visualize circumstances which would drive it to do something else. At another press conference on 16 April 1964, he stated that he did not believe that there would be an African government in Southern Rhodesia during his lifetime. He added that his life expectancy was about thirty more years.

(c) A motion calling for the repeal of the Land Apportionment Act was defeated by 31 votes to 27 in the Southern Rhodesia Legislative Assembly on 10 March 1964.

(d) Mr. Joshua Nkomo and three of his leading supporters, Mr. Josiah Chinamano, his wife, Mrs. Ruth Chinamano and Mr. Joseph Msika, were arrested on 16 April 1964 and placed under restriction for twelve months.

4. At its 232nd meeting on 23 March 1964, the Special Committee adopted, by a roll-call vote of 18 to none, with 5 abstentions a draft resolution as orally amended by the co-sponsors (A/AC.109/L.103 and Add.1), jointly sponsored by Cambodia, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Sierra Leone, Syria, Tanganyika, Tunisia and Yugoslavia. The text of this resolution is attached to this report as annex I.<sup>c/</sup>

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c/ Not reproduced. See para. 345 of the present report.

5. At its 233rd meeting on 24 March 1964, the Special Committee adopted by a roll-call vote of 21 votes to none, with 2 abstentions, another draft resolution (A/AC.109/L.105), co-sponsored by Cambodia, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Sierra Leone, Syria, Tanganyika, Tunisia and Yugoslavia. The text of this resolution is attached to this report as annex II.<sup>d/</sup>
6. At its 249th meeting on 27 April 1964, the Special Committee adopted by a roll-call vote of 19 to none, with 3 abstentions, another draft resolution (A/AC.109/L.111) jointly sponsored by Cambodia, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Sierra Leone, Syria, Tanganyika, Tunisia and Yugoslavia. The text of this resolution is attached to this report as annex III.<sup>e/</sup>
7. At the same meeting, the representative of the United Kingdom recalled during the current discussion of the question of Southern Rhodesia that reference had been made by some delegations to a possible visit by a sub-committee of the Special Committee to London. In his statement at the 229th meeting of the Special Committee on 18 March 1964, he had indicated that his Government would be prepared to receive a sub-committee in London. He stated that this position had not changed; if the Special Committee decided to form a sub-committee, and if that sub-committee wished to go to London in connexion with its inquiries into the situation in Southern Rhodesia, then his Government would welcome them in London and invite them to have discussions on the same basis as last year.
8. At the 247th, 248th and 249th meetings of the Special Committee on 25 and 27 April 1964, Mr. G.B. Nyandoro, Secretary-General of the Zimbabwe African People's Union, and Mr. Garfield Todd, former Prime Minister of Southern Rhodesia, appeared as petitioners and provided it with information on recent developments in Southern Rhodesia.
9. At its 252nd meeting on 30 April 1964, the Special Committee decided, on the proposal of the representative of Ethiopia, to request the Chairman to obtain from the representative of the United Kingdom certain clarifications of his statement on 27 April 1964 concerning a possible visit to London of a sub-committee of the Special Committee.

<sup>d/</sup> Not reproduced. See para. 355 of the present report.

<sup>e/</sup> Not reproduced. See para. 430 of the present report.

10. At the 258th meeting on 15 May 1964, the Chairman informed the Special Committee that, in response to his inquiries, the representative of the United Kingdom had confirmed that his Government was prepared to receive a sub-committee in London. The Ministers concerned were prepared to discuss with it all questions relating to Southern Rhodesia and to examine with it any suggestions it might make. However, the United Kingdom Government could not undertake any commitment as to the coming to London of various leaders of political parties in Southern Rhodesia.

11. At the 259th meeting of the Special Committee on 18 May, the Special Committee had before it a report submitted by the Secretary-General on 4 May 1964 (A/AC.109/70) concerning the position of the United Kingdom Government with regard to the implementation of the resolutions adopted by the Committee on this question during its current session. At the same meeting, the Special Committee adopted without a formal vote a draft resolution (A/AC.109/SR.259), co-sponsored by Ethiopia, Iraq and Sierra Leone. The text of the resolution (A/AC.109/76) is as follows:

"The Special Committee,

"Taking note of the willingness of the Administering Power to enter into an exchange of views on the question of Southern Rhodesia with a mission of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV),

"1. Decides to send a Sub-Committee composed of five members, to be appointed by the Chairman, to London to discuss with the Government of the United Kingdom the implementation of the resolutions of the General Assembly as well as of the Special Committee concerning Southern Rhodesia;

"2. Requests the Sub-Committee to report to the Special Committee without delay on the result of its discussions with the Government of the United Kingdom."

12. At its 262nd meeting on 21 May 1964, the Chairman informed the Special Committee that, in accordance with this resolution, he had nominated the following as members of the Sub-Committee: Mali (Chairman), Ethiopia, Sierra Leone, Syria and Yugoslavia.

13. At its 263rd meeting on 22 May 1964 the Special Committee adopted by a roll-call vote of 18 to none, with 4 abstentions, a draft resolution

(A/AC.109/L.122) sponsored by Ethiopia. The text of the resolution (A/AC.109/30) is as follows:

"The Special Committee,

"Recalling its resolution on the question of Southern Rhodesia adopted on 18 May 1964, by which it decided to send a Sub-Committee of five members to London,

"Decides to authorize the Sub-Committee to visit such place in Africa as it may consider necessary in connexion with the implementation of the resolutions of the General Assembly and the Special Committee concerning Southern Rhodesia."

14. The Sub-Committee was composed of the following representatives:

Mr. Sori Coulibaly (Mali), (Chairman)

Mr. Gershon B.O. Collier (Sierra Leone)

Mr. Tesfaye Gebre-Egzy (Ethiopia)

Mr. Danilo Lekic (Yugoslavia)

The representative of Syria was unable to take part in the work of the Sub-Committee, owing to ill health.

15. In accordance with its mandate, the Sub-Committee visited London from 30 May to 5 June 1964. It was accompanied by Mr. G.K.J. Amachree, Under-Secretary for Trusteeship and Non-Self-Governing Territories, as representative of the Secretary-General. Also accompanying the Sub-Committee was a secretariat composed of Mr. M.E. Chacko, Secretary of the Special Committee, Mr. K.K.S. Dadzie, Political Affairs Officer, and Miss Colette Charpentier, Secretary.

16. During its stay in London, the Sub-Committee held two meetings on 1 and 2 June 1964 with representatives of the United Kingdom Government. At these meetings the United Kingdom Government was represented by the following, together with their advisers:

The Right Honourable Duncan Sandys, M.P.	Secretary of State for Commonwealth Relations and for the Colonies
The Duke of Devonshire . . . . .	Minister of State, Commonwealth Relations Office
Mr. Peter Thomas, M.P. . . . .	Minister of State, Foreign Office
Mr. C.E. King . . . . .	Foreign Office
Sir A. Snelling . . . . .	Commonwealth Relations Office.

17. In addition to the two formal meetings, the Sub-Committee paid a courtesy call on the Secretary of State for Foreign Affairs. The Sub-Committee also had talks with African nationalist leaders from Southern Rhodesia and with representatives of certain organizations interested in developments in the Territory. The Sub-Committee also held a press conference in London on 3 June 1964.

#### DISCUSSIONS WITH THE UNITED KINGDOM GOVERNMENT

18. At the first meeting with the United Kingdom Ministers, the Sub-Committee explained the purpose of its visit to London.

19. The Sub-Committee pointed out that the mandate conferred on it by the Special Committee was, as set forth in that Committee's resolution of 13 May 1964 (A/AC.109/76), to discuss with the Government of the United Kingdom the implementation of the resolutions concerning Southern Rhodesia of the General Assembly and of the Special Committee. Bearing that mandate in mind, the Sub-Committee would refrain from going into the historical background of the question, which had been exhaustively discussed during the visits to London of previous Sub-Committees.

20. The Sub-Committee also recalled that the question of Southern Rhodesia had been discussed by the General Assembly at its eighteenth session, when on 14 October 1963 and 6 November 1963 it had adopted resolutions 1983 (XVIII) and 1989 (XVIII), the contents of which were known to the United Kingdom Government. It was a matter for deep regret that these and other resolutions of the General Assembly on the question had not been implemented by the United Kingdom.

21. The Sub-Committee stated that the explosive situation prevailing in the Territory, which the General Assembly held to be a threat to international peace and security, had been further aggravated by recent developments. Among these developments were the arrest and detention of Mr. Joshua Nkomo and his colleagues, the imposition of death sentences on other African nationalist leaders, the ban on the People's Caretaker Council from convening meetings, the continued denial of political rights and elementary freedoms to the African population and the increasing danger of a unilateral declaration of independence by the present minority Government of Southern Rhodesia.

22. These developments had caused grave concern to the Special Committee, which had consequently accorded priority of consideration to the question of Southern Rhodesia and had adopted three substantive resolutions (A/AC.109/61, 62 and 63) on this matter during its present session. These resolutions had laid stress, inter alia, on two points, namely, the immediate release of Mr. Joshua Nkomo and other political prisoners and the immediate holding of a constitutional conference, to be attended by all political parties, which would make constitutional arrangements for independence on the basis of universal adult suffrage.

23. The Sub-Committee also pointed out that the grave concern expressed in these resolutions regarding Southern Rhodesia was not confined to the United Nations. The African States, in particular, had adopted similar resolutions (A/AC.109/59) on the question at the Conference of Heads of African States and Governments held at Addis Ababa in May 1963 and at the second regular session of the Council of Ministers of the Organisation of African Unity held at Lagos, in February 1964. The positions set forth in these resolutions were a reflection of the deep anxiety felt by the international community regarding the situation in Southern Rhodesia, which constituted a serious threat to international peace.

24. The Sub-Committee interpreted the willingness of the United Kingdom Government to discuss the question as an indication of its desire to find a solution to the problem. The Sub-Committee would accordingly be glad to learn what steps the United Kingdom Government intended to take for the implementation of the resolutions of the General Assembly and of the Special Committee. These resolutions were aimed at the attainment of independence by the Territory on the basis of majority rule, a principle to which the United Kingdom Government had previously declared its adherence.

25. The United Kingdom Ministers then proceeded to explain the position of the United Kingdom Government.

26. With regard to the constitutional position of the United Kingdom Government in relation to Southern Rhodesia, the Ministers reiterated the statements previously made on this matter by them and their representatives. Southern

Rhodesia had enjoyed control of its internal affairs for over forty years. Unlike other United Kingdom dependencies, it had the power to amend its own constitution, and exercised control over its defence forces. It had wide discretion to conduct relations with other Commonwealth countries at the level of High Commissioner, and with South Africa, as well as relations at the consular level with other countries. The powers of the United Kingdom Government were limited to certain residual responsibilities for Southern Rhodesia's external relations. The United Kingdom Government had over the years accepted the convention that it does not intervene in the internal affairs of Southern Rhodesia, and that the United Kingdom Parliament does not legislate for matters within the competence of the Legislative Assembly of Southern Rhodesia except with the agreement of the Southern Rhodesia Government. The Ministers asked the Sub-Committee to accept that this was the constitutional position, in accordance with which the United Kingdom Government would act.

27. The United Kingdom Ministers agreed that there was tension in Southern Rhodesia but did not share the view that the situation constituted a threat to international peace. According to them, there was similar and sometimes greater tension in other countries, which the United Nations often did not regard as a threat to international peace. They also maintained that no one in Southern Rhodesia, of whatever race or party, had the slightest desire to be a threat to international peace. Such a threat would only come into existence if there were intervention from outside in the internal affairs of the Territory.

28. With regard to the arrests mentioned by the Sub-Committee, the United Kingdom Ministers asserted that while they would agree that conditions of liberty in Southern Rhodesia were not comparable to those existing in the United Kingdom, the United Kingdom Government was not competent to express an opinion on the wisdom or rightness of actions which, in their view, were the responsibility of the Southern Rhodesia Government. At the same time, the Ministers pointed out that many of the countries, which were only too ready to criticize the situation in Southern Rhodesia, had far less regard for liberty, justice and democracy.



29. As to the threat of a unilateral declaration of independence, to which the Sub-Committee had alluded, the United Kingdom Government had explained to the Southern Rhodesia Government in no uncertain terms that it would be totally opposed to such a step.

30. With reference to the need for majority rule in the Territory, the Ministers recalled the United Kingdom Government's affirmations that it was prepared to grant independence to Southern Rhodesia on the same conditions as it had granted it to other United Kingdom Territories and that one of the matters to which it would give attention in that connexion would be the widening of the franchise. It was true that the present franchise in Southern Rhodesia was limited, but this was a matter to be worked out by the Southern Rhodesia Government, whose responsibility it was.

31. On the question of a constitutional conference, the Ministers remarked that the African nationalist leaders had participated in the constitutional conference which produced the 1961 Constitution, but that after agreeing to that Constitution, they had repudiated it under pressure from their followers and decided to boycott the subsequent elections. Many of Southern Rhodesia's present difficulties stemmed from this boycott. The Ministers also pointed out that when the Southern Rhodesia Government submitted its demand for independence a year ago, the United Kingdom Government had replied that as a normal precedent to independence a conference would have to be held at which such matters as the constitution and the franchise would be discussed. The reaction of the Southern Rhodesia Government, however, was that since it had the right to amend its own Constitution, it was not for the United Kingdom Government to convene such a conference. Consequently, in the view of the United Kingdom Government, no useful purpose would be served by planning a conference in which the Southern Rhodesia Government would not participate.

32. The Ministers reaffirmed the conviction they had expressed in their discussions with the Sub-Committee last year that only agreement and persuasion, not force, could lead to rapid progress in the solution of the problems of Southern Rhodesia. This implied a reconciliation of views between those who insisted on the immediate application of majority rule on the one-man one-vote principle, and others who preferred the present Constitution to be maintained, with the prospect of an African majority emerging in fifteen years' time. In the belief of the Ministers, a compromise was not impossible. This meant that all who looked for a settlement must

approach the problem constructively, in a spirit of sympathy and with understanding of the points of view of both communities in Southern Rhodesia, as well as a desire to bring them together in an atmosphere of confidence. The Ministers recalled that the United Kingdom Government had suggested that the Commonwealth countries might be able to play some part in bringing about such a solution. Though much progress had not been made along this line, the United Kingdom Government still held the belief that it offered some possibility of advance.

33. The Ministers remarked, however, that the confidence of the European population of Southern Rhodesia at the prospect of transferring power to an African majority had not been increased by recent events in East Africa and elsewhere. At the same time the continued expression of sharply critical opinion in the United Nations and elsewhere was not likely to influence conditions in Southern Rhodesia in the direction desired.

34. The Ministers emphasized that the United Kingdom Government was anxious that Southern Rhodesia should move towards greater prosperity with the unity and co-operation of all its peoples and that this result could be achieved, not by concentration on criticism or by the advocacy of extreme and impractical solutions, but by the promotion of reconciliation in the Territory. In this task, the United Nations and in particular the Special Committee could play a part by helping to create an atmosphere in which agreement might prove possible.

35. The Sub-Committee undertook to examine the statement of the United Kingdom Ministers and, at a later meeting, to make comments and suggestions for a solution to the Southern Rhodesian problem. It had no wish, however, to engage in a discussion of the differing conceptions of liberty held by the Governments of independent countries.

36. After studying the statement of the United Kingdom Ministers concerning the position of the United Kingdom Government, the Sub-Committee, at the second meeting with the Ministers, presented its reply to the points made during the previous discussion and made suggestions for consideration by the United Kingdom Government.

37. The Sub-Committee recalled that at the end of the previous meeting it had expressed the wish to confine the discussions to the question of Southern Rhodesia and within the framework of its mandate. The system of government, the electoral arrangements and the degree of liberty obtaining in independent countries were

matters within the exclusive sovereignty of the people concerned. In deference to the provisions of the Charter and to the principles of peaceful coexistence among States with different political, economic and social systems, the Sub-Committee would refrain from interference in the internal affairs of sovereign independent countries. It was precisely in order to permit the people of Southern Rhodesia to accede to sovereign independence in accordance with the resolutions of the General Assembly and Special Committee that the Sub-Committee had been assigned its task. Southern Rhodesia was a colony where a minority of some 220,000 settlers aimed at perpetuating its domination over the three and a half million African majority, through the use of force, racial discrimination and anti-democratic legislation. Such a colonial regime could not be compared to the governmental system which the independent peoples of Africa and elsewhere enjoy in full sovereignty.

38. The Sub-Committee also pointed out that discussions in the United Nations, far from defeating the aims advanced within the Organization, had impressed on the African nationalists the need for a peaceful solution. If the Africans in Southern Rhodesia had not had recourse to violence it was because of their confidence in the United Nations ability to achieve a peaceful solution to the problem. Rejecting the contention of the United Kingdom Ministers that the situation was not a threat to peace, the Sub-Committee recalled that the General Assembly had stated in resolution 1889 (XVIII) that the aggravation of the situation in Southern Rhodesia constituted a threat to international peace and security. The Special Committee, in its resolution of 23 March 1964, had also drawn the attention of the Security Council to the explosive situation in Southern Rhodesia which constituted a grave threat to international peace and security. The Sub-Committee further pointed out that, in the event that the Africans were reduced to despair and took up arms to regain their legitimate rights, the African States, having regard to their decisions at the Addis Ababa Conference last year, and for reasons of solidarity, could not remain indifferent to such a situation. This applied also to a number of non-African States. The existing threat to international peace would then become a breach of the peace.

39. Further, the Sub-Committee stated that it was aware of the United Kingdom Government's position that it could not intervene in the internal affairs of Southern Rhodesia. It was not necessary to go into either the historical background or to a detailed argument of the point. Nor was this the occasion to argue the claim advanced by the Ministers that the African nationalist leaders had accepted

the 1961 Constitution and then repudiated it in the face of pressure from their supporters. These matters had been considered in detail by the Sub-Committee which visited London in 1962, and 1963, and by the Special Committee and by the General Assembly. However, the United Kingdom position had been rejected by the United Nations, when, in resolutions 1747 (XVI) and 1760 (XVII), the General Assembly clearly affirmed that Southern Rhodesia was a Non-Self-Governing Territory. This affirmation had lost none of its validity. The United Kingdom was fully responsible as the Administering Power for the Territory. It bore an inescapable responsibility concerning the destinies of the people of Southern Rhodesia and particularly for the African people who were the principal victims of the present state of affairs in Southern Rhodesia.

40. Concerning the allusion made by the Ministers to the impact of recent events in Africa on the Europeans in Southern Rhodesia, the Sub-Committee observed that while regretting the crises which had, for a time, troubled that part of Africa, these situations were not peculiar to Africa and that similar crises had occurred in other parts of the world without provoking such reactions.

41. The Sub-Committee stated that it had noted with appreciation the United Kingdom Government's opposition to a unilateral declaration of independence by the minority settler government and its adherence to the principle of majority rule. The Sub-Committee had also taken note of the United Kingdom Government's readiness to examine suggestions for a solution, and its belief that a compromise solution was not impossible. While recognizing that only the interested parties, namely the United Kingdom as Administering Power and the two communities living in Southern Rhodesia, were competent to discuss the nature and content of a compromise, the Sub-Committee emphasized that the essential prerequisite for a compromise was the removal of the grave tension prevailing in the Territory.

42. The causes of the grave tension were, in essence, the arrest and detention of Mr. Nkomo and other political leaders, the ban on the People's Caretaker Council and other restrictions on African political activity, which had deprived the Africans of the possibility of participating in the running of the country, the inequitable electoral system embodied in the present Constitution, and the existence of repressive and discriminatory laws, particularly the Law and Order (Maintenance) Act and the Land Apportionment Act.

43. In this situation, the Sub-Committee strongly urged the United Kingdom Government immediately to use all its powers, influence and prerogatives to carry out the following suggestions: firstly, Mr. Joshua Nkomo and all other political prisoners should forthwith be released. Secondly, action should be taken without delay to repeal all repressive and discriminatory legislation, particularly the Law and Order (Maintenance) Act and the Land Apportionment Act. Thirdly, all restrictions on African political activity should immediately be removed and full democratic freedom and equality of political rights established. Finally, as a matter of urgency, steps should be taken to hold a constitutional conference, with the participation of all political parties in Southern Rhodesia, which would formulate constitutional arrangements for early independence on the basis of universal adult suffrage.

44. In order to enable it to assess how the United Nations could assist in the desired direction, the Sub-Committee invited the Ministers to give it some indication of their intentions and of their reactions to these suggestions. The Sub-Committee was ready to co-operate in the search for a solution which would embody the principle of majority rule and at the same time protect the rights of the minority; but such a solution must speedily be found and implemented before explosions of hate and violence make impossible all co-operation between the two communities.

45. At the same meeting, the Ministers explained their reaction to the Sub-Committee's statement. They appealed to the Sub-Committee to bear in mind, in considering its attitude to the United Kingdom Government's policy, the remarkable record of that Government in bringing to complete independence some 700 million people. The desire of the United Kingdom Government was to bring Territories independence under conditions of freedom and efficiency. It had done so for Territories with large European populations such as Kenya, and Northern Rhodesia. However, the realities of the situation, which the Sub-Committee did not wish to accept, were that the United Kingdom Government had no power to intervene in Southern Rhodesia either constitutionally or physically and it could not enforce its will even if it wished to do so. The United Kingdom Government had no intention of attempting any action which would be both wrong and impracticable.

46. The Ministers recognized that conditions in other countries were outside the Sub-Committee's terms of reference, but they emphasized that developments in certain African countries had in fact disturbed and frightened the Europeans who control Southern Rhodesia. The Europeans were therefore concerned that what had taken place in these African countries should not happen in Southern Rhodesia. Though there was legislation in force in Southern Rhodesia which might be oppressive, the rule of law prevailed there, and the Southern Rhodesia Government did not wish to see it undermined, as was the case in other countries.

47. The Ministers also pointed out that the level of economic and educational development in Southern Rhodesia was far in advance of that of most other African countries, and that insistence on a doctrinaire and unrealistic approach to the problems of Southern Rhodesia could lead to a deterioration in this position. Referring to the suggested repeal of discriminatory legislation, the Ministers affirmed that the United Kingdom Government was opposed in principle to all discriminatory legislation. They asked the Committee to bear in mind, however, that had the African nationalist groups not decided to boycott the elections under the 1961 Constitution, there would have been fewer difficulties in the way of the removal of these laws.

48. Addressing themselves to the view that the situation in Southern Rhodesia constituted a threat to international peace, the Ministers stated that the adoption of a resolution by the General Assembly of the United Nations on this point did not establish it as a fact nor did it entitle the United Nations to intervene in the internal affairs of Southern Rhodesia. At the same time, the Ministers expressed surprise at the Sub-Committee's statement that the African States would not remain indifferent to the situation, should the Africans in Southern Rhodesia resort to armed struggle. This, in their estimation, implied that these States would in certain circumstances intervene militarily in an internal struggle. A breach of the peace would arise from such military intervention, but that was no valid argument for the position that the situation was a threat to the peace.

49. Regarding the removal of the tension in Southern Rhodesia, the Ministers considered that confidence was the key to the whole situation. Every step that was taken should be directed towards bringing the races together, towards reducing the suspicion that existed on both sides and towards creating greater confidence

between them. Only thus could an atmosphere be produced in which some agreed solution might be possible. To intensify animosities and to encourage aspirations which could not be attained overnight except by force was the wrong approach.

50. In response to a question by the Sub-Committee regarding the economic and other pressures that the United Kingdom was in a position to bring to bear on Southern Rhodesia, the Ministers stated that it was not the policy of the United Kingdom Government to seek to change the internal policies of another Government through the imposition of economic pressures. At the same time, it was not the wish of the United Kingdom Government to take measures which would weaken its own economic position. The Ministers further explained that the United Kingdom Government's powers in relation to Southern Rhodesia amounted simply to the right to grant or not to grant independence to the Territory. The only role the United Kingdom Government could play was by way of persuasion and in the establishment of confidence. Asked what action the United Kingdom Government might take if the Southern Rhodesia Government made a unilateral declaration of independence, the Ministers replied that they did not wish to speculate on the matter during these discussions. However, a unilateral declaration of independence was, in their opinion, neither an easy undertaking nor a satisfactory step from the point of view of the country concerned.

51. Concerning the kind of compromise solution they had in mind, the Ministers stated that there was no disagreement between the communities in Southern Rhodesia as to the objective of eventual majority rule. They also recalled their previous statement that a compromise solution would therefore lie between the positions of those who sought majority rule immediately and those who wished to maintain the present Constitution together with the prospect that it offered of an African majority in Parliament in fifteen years' time.

52. Finally, the Sub-Committee observed that the differences between it and the United Kingdom Government stemmed from a difference of appreciation as to the status of Southern Rhodesia. So far as the Sub-Committee was concerned, Southern Rhodesia was a Non-Self-Governing Territory, as had been determined by the General Assembly, and the United Kingdom was the Administering Power, which could not escape the full responsibility for the fate of the African majority. The Sub-Committee could at no time accept that Southern Rhodesia was self-governing, when over three and a half million Africans were excluded from participation in the running of the Territory, which was in the hands of a European minority of

some 220,000. Whatever powers were conferred on Southern Rhodesia in 1923 took no account of the views of the Africans, who were not even consulted. Nor were they associated with the development of the convention regarding non-interference in the Territory's affairs. Even if the United Nations were to accept the United Kingdom position that it had no power to intervene, the United Kingdom Government would be acting contrary to all principles of justice and democracy in ignoring the legitimate rights of the Africans.

53. The suggestions that the Sub-Committee had offered were aimed at the removal of the basic causes of the present grave situation and to prepare the ground for a peaceful solution of the problem, in conformity with the decisions of the General Assembly and the Special Committee. The Sub-Committee was ready to co-operate in every way possible in order to achieve the implementation of these suggestions. The Sub-Committee would therefore be grateful if the United Kingdom Government would examine them and inform it of its reactions.

54. At the same meeting, the United Kingdom Ministers stated in reply that these suggestions related to matters which fell within the competence of the Southern Rhodesia Government and consequently, all that the United Kingdom was in position to do would be to ensure that they were conveyed to the Southern Rhodesia Government.

55. In conclusion, the Ministers expressed the hope that while there might be differences between them and the Sub-Committee regarding the interpretation of the constitutional position and on the possibilities open to the United Kingdom Government, these discussions had revealed to the Sub-Committee that so far as objectives were concerned, there was a wide measure of agreement. They also appealed to the Sub-Committee to have confidence in the sincere desire of the United Kingdom Government to do whatever was in its power to bring about a peaceful and honourable settlement of this problem.

#### CONCLUSION

56. In the course of the discussions, the Sub-Committee impressed on the United Kingdom Ministers the gravity of the situation in Southern Rhodesia and the danger of upheaval and conflict if the United Kingdom Government, in disregard of General Assembly resolution 1889 (XVIII), acceded to the demands of the present minority Government of Southern Rhodesia for independence before the establishment of



majority rule based on universal adult suffrage or if it acquiesced in a unilateral declaration of independence by that Government. It is therefore important to note the assurances conveyed to the Sub-Committee that the United Kingdom Government has explained to the Southern Rhodesia Government in no uncertain terms that it was totally opposed to a unilateral declaration of independence. The United Kingdom Ministers however gave no indication to the Sub-Committee of the measures their Government proposed to take in opposition to such a declaration.

57. The Sub-Committee also took note of the reaffirmation made to it of the United Kingdom Government's acceptance of the principle of majority rule, together with protection for minorities, in relation to Southern Rhodesia. In particular, the Sub-Committee had in mind the repeated declarations of the United Kingdom Government that it would grant independence to Southern Rhodesia in the same circumstances as it had granted it to other Territories and that, to this end, it looked for a "widening of the franchise" so as to give greater representation to the Africans who constitute nine-tenths of the population but have less than a quarter of the seats in Parliament.

58. At the same time, it was made clear to the Sub-Committee that the United Kingdom Government regarded the present situation with concern, and that though in the view of the United Kingdom Government this situation did not constitute a serious threat to international peace and security, it appreciated that conditions of tension prevailed in the Territory. The Sub-Committee also noted the belief expressed by the United Kingdom Government that in order to prevent a deterioration in the situation, a compromise solution was not only desirable, but was not impossible.

59. The United Kingdom Government did not elaborate upon the nature of the compromise solution it envisaged, or upon the steps it proposed to take to achieve it. Nevertheless, the impression of the Sub-Committee was that the United Kingdom had in mind an enlargement of the franchise, but to an extent which would fall significantly short of universal adult suffrage, as called for in the resolutions of the General Assembly and Special Committee, and as desired by the Africans. The Sub-Committee has no objection to a compromise solution freely agreed upon between all the parties concerned on the basis of full democratic freedom, the principle of majority rule and equality of political rights; however, the continued denial to the Africans of their legitimate and

inalienable rights precludes the attainment of any compromise solution in keeping with the resolutions of the General Assembly and Special Committee.

60. The United Kingdom Government has made no progress beyond its initial position regarding the implementation of these resolutions. It continued to maintain that it had no power to intervene in the internal affairs of Southern Rhodesia, owing to the constitutional status of the Territory. This question, however, was determined by the General Assembly in resolution 1747 (XVI) which affirmed that Southern Rhodesia is a Non-Self-Governing Territory and that the United Kingdom is the Administering Power. All subsequent resolutions of the General Assembly concerning Southern Rhodesia have been based on this finding. As has been made clear by previous Sub-Committees, the United Nations has thus rejected the United Kingdom contention that it has no power to intervene in the internal affairs of the Territory.

61. In the view of the Sub-Committee the attitude of the United Kingdom suggests that it is preoccupied with the interests of the minority European element and with its own economic relations with Southern Rhodesia, to the exclusion of the interests of the African population, for which it bears responsibility. As was pointed out by previous Sub-Committees on Southern Rhodesia, the granting of so-called self-government to the European minority in 1923, as well as the development of the convention of non-interference in the internal affairs of Southern Rhodesia, took place without any consultation with the African people. Reference should also be made in this connexion to the adoption by the Southern Rhodesia Legislative Assembly of a motion seeking to ensure that the United Kingdom Government should exercise its residual powers under Section 111 of the Constitution exclusively at the request and with the consent of the Southern Rhodesia Government. The passage of this resolution, in the opinion of the Sub-Committee proves that even the Southern Rhodesia Parliament holds that the United Kingdom Government has the constitutional competence to intervene in the affairs of the Territory. At the same time, the Sub-Committee recalls that on at least two occasions in recent colonial history, the United Kingdom has actively intervened in Territories which had a no less extensive measure of autonomy in order to implement decisions which it thought fit to make. In all these circumstances, the plea put forward that the United Kingdom has not the competence to ensure the establishment of the legitimate rights of the people is in the opinion of the Sub-Committee untenable, and serves

only to perpetuate the injustice and inequality meted out to the African majority forty years ago.

62. The Sub-Committee deeply regrets that the suggestions it submitted to the United Kingdom Government, which were aimed at the removal of the underlying causes of the present explosive situation in the Territory, did not receive a favourable response. In the opinion of the Sub-Committee, the reaction of the United Kingdom Government that, having no power to ensure the implementation of these suggestions, it would merely transmit them to the Southern Rhodesia Government, amounts to a flagrant denial of its responsibilities to protect the interests of the majority of the Territory's inhabitants, and a deplorable refusal to discharge its obligations under the Charter and under the resolutions adopted by the General Assembly on this question.

63. The situation in Southern Rhodesia, which the General Assembly has previously acknowledged as a threat to international peace and security, has been seriously aggravated by recent developments. Owing to these developments, there has set in a mood of desperation which, unless present trends are arrested, will lead to serious conflict and violence, the repercussions of which will not be limited to Southern Rhodesia. At the same time, the Sub-Committee considers that further discussions with and representations to the United Kingdom Government within the framework of its mandate are unlikely to yield fruitful results.

64. In the light of the foregoing conclusions, and in view of the increasing gravity of the situation, the Sub-Committee is of the considered view that the question of Southern Rhodesia should be considered by the Security Council as a matter of great urgency. Without wishing to indicate to the Security Council what steps it should take, the Sub-Committee would nevertheless stress the necessity of envisaging the following measures in order to eliminate the causes of the grave situation prevailing in the Territory:

1. The release of Mr. Joshua Nkomo and all other political prisoners;
2. The repeal of all repressive and discriminatory legislation, and in particular, the Law and Order (Maintenance) Act and the Land Apportionment Act;
3. The removal of all restrictions on African political activity and the establishment of full democratic freedom and equality of political rights;

4. The holding of a constitutional conference in which representatives of all political parties will take part with a view to making constitutional arrangements for independence, on the basis of universal adult suffrage, including the fixing of the earliest possible date for independence.

ADOPTION OF THE REPORT

65. This report was unanimously adopted by the Sub-Committee on 17 June 1964.

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