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MEETING**

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**Chairman:** Mr. Guillermo FLORES AVENDAÑO  
(Guatemala).

Requests for hearings (continued)

REQUESTS CONCERNING AGENDA ITEM 57 (QUESTION OF SOUTH WEST AFRICA) (continued)\*

1. The CHAIRMAN informed the Committee that he had received a further request for a hearing relating to South West Africa. If there were no objections, that request would be circulated as a document and considered at a later date.

*It was so decided.*<sup>1/</sup>

2. The CHAIRMAN reminded the Committee of the telegram from Chiefs Hosea Kutako and Samuel Witbooi which he had read out at the 1330th meeting, and said that a further communication had been received from those chiefs. He invited the Secretary of the Committee to read out the new communication.

3. Mr. COTTRELL (Secretary of the Committee) read out the following telegram from Chiefs Hosea Kutako and Samuel Witbooi addressed to the Secretary-General: "Have re-authorized Mburumba Kerina as our representative at UNO".

AGENDA ITEM 56

**Question of Southern Rhodesia: report of the Special Committee established under General Assembly resolution 1654 (XVI) (A/5238, chap. II; A/C.4/560, A/C.4/561, A/C.4/564, A/C.4/565) (continued)**

HEARING OF PETITIONERS (continued)

*At the invitation of the Chairman, Mr. W. A. F. Burdett-Coutts, Mr. A. D. Butler, Mr. J. Dombura, Mr. J. M. Gondo and Mr. T. J. Hlazo, representing an independent multiracial group, Mr. Lucas Chiota, Mr. Paul M. Mushonga and Mr. Phineas F. Sithole, representing the Pan-African Socialist Union of Zim-*

\*Resumed from the 1331st meeting.

<sup>1/</sup> The request was subsequently circulated as document A/C.4/558/Add.2.

*babwe (PASU) and Mr. Nathan Shamuyarira, representing the Zimbabwe African Peoples Union (ZAPU), took places at the Committee table.*

4. Mr. NGANDO-BLACK (Cameroon) recalled that Mr. Butler, in his opening statement (1346th meeting), had compared his own situation in Southern Rhodesia with that of the Negroes in the United States of America. He asked what Mr. Butler had meant by that remark.

5. Mr. BUTLER said that he had used that analogy to emphasize a point which, in his view, must not be lost from sight, namely, that it was no more possible at the present time to send the Negroes of the United States back to Africa than it was to send back to their countries of origin all the Whites who had settled in Africa. It was only in that respect that the situation of the two racial groups was comparable.

6. Mr. NGANDO-BLACK (Cameroon) asked Mr. Butler whether he felt that the Government of Southern Rhodesia was a democratic government.

7. Mr. BUTLER replied that in his view Southern Rhodesia was not yet a country with a fully democratic government, but that it was on the way to becoming one.

8. Mr. NGANDO-BLACK (Cameroon) took note of the fact that Mr. Butler recognized that the present Government of Southern Rhodesia was not democratic.

9. Turning next to a reply given by Mr. Butler to the Yugoslav representative at the 1348th meeting, he asked for further information about the white voters registered on the "B" roll, and in particular whether the fact that they did not fulfil the conditions required for registration on the "A" roll meant that, economically and socially, their situation was comparable to that of the Africans registered on the "B" roll.

10. Mr. BUTLER stated that the number of Whites registered on the "B" roll was probably about 600 or 700. What was important was that the registration of voters on any particular roll was not determined by their race. For example, in the case of a white university graduate of twenty-eight years of age engaged in graduate studies, the electoral system now in force provided for his registration on the "B" roll because he was not yet employed. The system provided for a certain number of cases in which Whites could be registered only on the "B" roll; it likewise provided for conditions in which Africans could be registered on the "A" roll.

11. Mr. NGANDO-BLACK (Cameroon) thanked the petitioner for making the necessary corrections.

12. Mr. BUDU-ACQUAH (Ghana) asked Mr. Mushonga whether in his view Southern Rhodesia was a self-governing country, and how it was that the United Kingdom Government and not the Government of

Southern Rhodesia had convened the Constitutional Conference which had resulted in the 1961 Constitution.

13. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) replied that his party, like the United Nations, felt that Southern Rhodesia was a United Kingdom colony and not a self-governing country. He had been a member of the first delegation to contact the United Kingdom Government with a view to having the most recent Constitutional Conference convened. Contrary to what many people had claimed, particularly the petitioners of the multiracial group, it had not been at the request of Sir Edgar Whitehead that that Conference had been convened. It had in fact been the Africans of Southern Rhodesia, Northern Rhodesia and Nyasaland who had put pressure on the United Kingdom Government. At the time, Sir Edgar Whitehead had himself stated, on leaving Southern Rhodesia for London, that the Constitutional Conference would not take place. It was the United Kingdom Government that had decided otherwise.

14. Mr. BUDU-ACQUAH (Ghana), recalling that the African petitioners of the independent multiracial group had said that the Africans of Southern Rhodesia were not ready for independence because they were not sufficiently literate, asked whether illiteracy was more wide-spread in Southern Rhodesia than in the neighbouring African countries such as Kenya, Uganda, Northern Rhodesia and Nyasaland.

15. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) replied that, according to statements made by the white settlers of Southern Rhodesia themselves, the literacy rate among the Africans was higher in that Territory than in any other African country.

16. Mr. BUDU-ACQUAH (Ghana) noted that if such was the opinion of the Whites themselves, it was surprising that the United Kingdom Government had granted fewer rights to the inhabitants of Southern Rhodesia than to those of the four Territories he had just mentioned.

17. He had with him a photograph showing the Southern Rhodesian Minister of Internal Affairs crossing a stream on the back of an African. He asked Mr. Mushonga whether he felt that that was an adequate representation of the multiracial association envisaged by the Government of Southern Rhodesia, and whether he could make some observations after examining the photograph, bearing in mind that racial discrimination was practised in the restaurants and cafés of Southern Rhodesia.

18. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) said that he would prefer Mr. Shamuyarira to answer that question.

19. Mr. BUDU-ACQUAH (Ghana) was agreeable to having Mr. Shamuyarira answer his question.

20. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) stated that the photograph in question perfectly illustrated the sort of racial association which the Africans of Southern Rhodesia rejected. It was the sort of association which existed between a horse and its rider: both were following the same path and their destination was the same, but there was no question of equality between them. What the Africans in Southern Rhodesia wanted was equality.

21. Mr. BUDU-ACQUAH (Ghana) recalled that the petitioners Mr. Butler and Mr. Burdett-Coutts and

their African accomplices had said that the standard of living of the Blacks of Southern Rhodesia was higher than that of the Blacks in African countries now independent. He asked what the members of ZAPU and PASU who were present thought of that statement, since most of them had had an opportunity to see what the Africans in several neighbouring countries had achieved since their accession to independence.

22. Mr. SITHOLE (Pan-African Socialist Union of Zimbabwe) said that his party could not accept the division of his country's population into categories: on the one hand the so-called civilized, and on the other hand the so-called non-civilized. The Africans wanted self-government as rapidly as possible, by the end of 1963 at the latest, and they would see to it that the rural areas were properly developed, in particular by means of the co-operative system. They would also make it their business to develop industry and mining, which were now handicapped by the presence of monopolies.

23. As for the standard of living of the Africans of Southern Rhodesia, the great majority, despite certain external appearances, were as poor as those of the neighbouring countries. They were exploited in industry and were not adequately protected, particularly against accidents. Many of them did not know the regulations and, by failing to apply for the advantages to which they were entitled, did not benefit from them. That was a situation which should be remedied.

24. Mr. BUDU-ACQUAH (Ghana) recalled that the petitioners of the independent multiracial group had said that the inhabitants of Southern Rhodesia were equal before the law. In view of the existence of areas to which Africans were restricted and areas for Europeans, he asked Mr. Shamuyarira whether he could give his opinion on that question. He also asked whether he believed that the white settlers were ready to accept changes in the near future.

25. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) replied that, of course, there was neither equality nor justice in Southern Rhodesia. The Land Apportionment Act was still in force. In the towns, there were sections reserved for the indigenous inhabitants, and suburbs where only Europeans resided. There was likewise no equality between Blacks and Whites in wages and salaries. Some efforts had been made in certain large cities where a few large hotels and cinemas were open to all inhabitants regardless of their race, but racial discrimination still existed in small restaurants and cafés.

26. He did not believe that the Europeans were willing to change the situation in the following few months. Some, like Mr. Burdett-Coutts, had modified their stand, but they did not represent the Southern Rhodesian settlers as a whole. In fact, if Mr. Burdett-Coutts were to stand for election in his country while maintaining the views which he had expressed before the Committee, he would receive so few votes that he would forfeit his deposit.

27. Returning to the question of the standard of living of the Africans in Southern Rhodesia which Mr. Sithole had already answered, he declared that the situation of the African farmers and workers of Southern Rhodesia compared favourably with that of Africans in Ghana and other neighbouring countries. The Africans in Southern Rhodesia, however, suffered

from a denial of their human dignity. Moreover, they did not have the same opportunities for advancement as the Whites. Thus, Mr. Gondo, a member of the independent multiracial group, was unable to pursue the career of a musician to which his talents entitled him. Also, Mr. Hlazo had remained a school-teacher during his entire career and could not, even if he had wished, have become an inspector. He himself had taught for three months in the same school as Mr. Hlazo and had resigned because promotions were reserved for Whites from the metropolitan country.

28. The CHAIRMAN remarked that the time allotted for the questions of the delegation of Ghana had elapsed.

29. Mr. BUDU-ACQUAH (Ghana) recalled that Mr. Butler, who had been in Southern Rhodesia only since 1949, would be a candidate in the forthcoming elections. He asked whether the petitioners believed that if they had resided in the United Kingdom since that time they might, even if they were doctors of philosophy, hope to be elected to the House of Commons.

30. Mr. MUSHONGA said that in view of the racialism in the United Kingdom a black candidate to the House of Commons would forfeit his deposit. Moreover, discrimination existed in the United Kingdom in many fields, particularly housing.

31. Mr. THOM (United Kingdom), raising a point of order, remarked that the Committee was considering the question of Southern Rhodesia and not the situation in the United Kingdom, which was a Member of the United Nations.

32. Mr. BUDU-ACQUAH (Ghana) said that the question which his delegation had just put was based on a statement made by Mr. Butler. Moreover, at a previous meeting, Mr. Burdett-Coutts had spoken of the situation in Ghana, and he therefore did not see why the United Kingdom representative should object when his country was mentioned.

33. Mr. MONGUNO (Nigeria) recalled that it had been decided at a previous meeting that speakers might refer to countries other than their own. His delegation failed to see why the United Kingdom representative did not comply with that decision.

34. Mr. DELGADO (Senegal) said that his delegation was very interested in the information which Mr. Shamuyarira had been giving the Committee on the standard of living of the Africans in Southern Rhodesia when he had been interrupted by the Chairman. He asked whether Mr. Shamuyarira had any details to add on that subject.

35. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) said that when comparisons were made between Southern Rhodesia and the African countries of the west or east coast, more attention should be paid to the opportunities for advancement offered to the Blacks than to their standard of living. Africans with equal qualifications occupied higher posts in commerce and industry in the countries north of Southern Rhodesia than in Southern Rhodesia itself. The professional level above which Africans could not hope to rise was considerably lower in Southern Rhodesia than in the other countries.

36. Mr. DELGADO (Senegal) recalled that Mr. Mushonga had said that PASU had been formed as a result of the banning of ZAPU by the Government. He wondered whether Mr. Mushonga could say whether

there were any present threats to PASU, and whether that party's members were subjected to measures of intimidation or pressures.

37. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) remarked that there seemed to be a misunderstanding owing to confusion between ZAPU and the Zimbabwe National Party. The latter party had been dissolved, and PASU had been formed in its place.

38. As for the second part of the question put by the representative of Senegal, he pointed out that the laws under which ZAPU had been banned were likely to be invoked against PASU also. As he had already said, his party's members had been searched upon leaving Salisbury, and their documents had been confiscated. Moreover, the United Kingdom Press had reported on 18 October that the Southern Rhodesian Government had prohibited Sunday political meetings until January 1963. In justification of that measure, the Acting Minister for Justice had invoked acts of violence and arson following a recent political meeting. Those measures showed that the Southern Rhodesian Government was resolved to crush the Africans. If, as was expected, the Parliament was dissolved and elections were held in December 1962, PASU would doubtless be unable to carry out its activities without difficulty, but it would not submit without protest. He hoped that his party would last until 1963.

39. Mr. DELGADO (Senegal) recalled that according to Mr. Butler the Governor of Southern Rhodesia had no more powers than the Queen of England, but that the 1961 Constitution listed certain powers held by him and mentioned the procedure of Royal assent. He therefore asked Mr. Shamuyarira to what point the United Kingdom Government could intervene directly when a law was passed.

40. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) replied that Mr. Butler was perfectly right as to the powers of the Governor. Nevertheless, the United Kingdom Government, even under the new Constitution, had the right to suspend the Constitution, but had at present abandoned its reserve powers to the Southern Rhodesian Government.

41. Mr. DELGADO (Senegal) asked whether that was a policy of total abandonment on the part of the United Kingdom, or whether the situation resulted from resistance which the United Kingdom Government could not overcome.

42. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) replied that both those elements were present in the situation, although the second one was perhaps more important owing to pressure by the settlers. However that might be, all the Europeans were agreed that the influence of the United Kingdom should be eliminated. The 1923 Constitution, for example, stipulated that the Governor would be appointed by the United Kingdom Government upon the recommendation of the Southern Rhodesian Government. Under the 1961 Constitution, however, he would be appointed by the Southern Rhodesian Government alone, without that Government being required to request the approval of the United Kingdom.

43. Mr. DELGADO (Senegal), recalling certain statements made by the petitioners, asked in what form—whether directly, indirectly or as an alliance between parties—the South African Government was intervening in Southern Rhodesia.

44. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) said that for some time there had been an alliance between South Africa, the Federation of Rhodesia and Nyasaland and Portugal. High-level talks had been held by those Governments to consider certain co-operative military activities needed to silence the African population, and they had agreed to consult each other on all questions concerning what they called their security. African nationalists attempting to leave Southern Rhodesia were stopped and sent back to their country. The recent visit of the South African Defence Minister to Salisbury might be an indication that Sir Edgar Whitehead was seeking the aid of the South African police in the elections.

45. Mr. DELGADO (Senegal) asked whether troops or arms had been sent to Southern Rhodesia by South Africa or Portugal to stop the wave of nationalism.

46. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) answered that he was not in a position to give any figures. Those Governments were, however, in collusion, and it frequently happened that police measures were taken by one to benefit another. He added that most of the mercenaries in Katanga came from South Africa or Rhodesia.

47. Mr. HATTINGH (South Africa), raising a point of order, objected, saying that the petitioner had expressed a number of assumptions which were not in accordance with the facts. So, for example, there was no evidence to prove that South Africans were fighting in Katanga.

48. In reply to questions from Mr. DELGADO (Senegal), Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) said that a new European settler had to meet a two-year residence requirement before he could acquire Southern Rhodesian nationality. In contrast, African workers from Northern Rhodesia and Nyasaland had to keep a blue non-resident card in their possession, and it took perhaps fifteen years—the petitioner was not certain of the figure—before an African from a neighbouring territory could obtain a white permanent resident's card.

49. Mr. DELGADO (Senegal) recalled that Mr. Butler and the independent multiracial group had laid much stress on the reasons adduced by the Government for banning ZAPU and arresting its leaders. He asked whether Mr. Mushonga did not feel that they were also guilty of the repressive measures which they deplored.

50. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) said that he had no doubt that the multiracial group was bent on destroying the African nationalist movement: its members were disappointed because they were losing business owing to the fact that the Africans regarded them as traitors to the nationalist cause.

51. Mr. PALAR (Indonesia) expressed the deep sympathy of his delegation for the petitioners from ZAPU and PASU, who compared favourably with the three African members of the independent multiracial group. The petitioners from ZAPU and PASU had suggested that it might be necessary to refer the question of Southern Rhodesia to the International Court of Justice. The question of Southern Rhodesia, which was primarily political, did of course have certain extremely important legal aspects, and clearly, if those could be settled by the Court, the United Kingdom would find it very difficult not to

abide by the Court's decision. But the United Nations was responsible for settling the political issue and if the Committee agreed to have the matter referred to the Court, it would forfeit its right to discuss the question. He asked the petitioners whether they did not consider that the United Nations should not be requested to forfeit its right to intervene just when a situation was becoming explosive. If they wished to have the question referred to the Court, did they not think that one or two African countries should be asked to do so rather than the United Nations itself?

52. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) said that he was fully in agreement with the Indonesian representative. The petitioners had understood neither the special functions of the United Nations nor the distinction between the Organization and the International Court of Justice. Consequently, the whole issue should be left in the hands of the United Nations. If the General Assembly should adopt a resolution favouring their cause, it should go farther than the previous resolution: the United Nations should rapidly take a positive and practical initiative so that the question of Southern Rhodesia should not be dragged out like the question of South West Africa.

53. Mr. CALINGASAN (Philippines) asked Mr. Shamuyarira whether he had any comments on Mr. Butler's statement that Southern Rhodesia would be plunged into economic chaos if power was immediately transferred to the Africans.

54. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) replied that the same argument had been adduced with respect to all the colonial territories, whereas events had shown that, once independent, the Africans made much greater progress. In the event of an immediate transfer of power, there would be no economic chaos unless that was the desire of those who were alone in a position to create it, namely, the Europeans.

55. Mr. CALINGASAN (Philippines) asked what Mr. Mushonga thought of the multiracial group's statements that one of the reasons which made it impossible to give the Africans a parliamentary majority immediately was that there were not enough Africans with the necessary qualifications in Southern Rhodesia.

56. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) replied that that excuse was offered by those who wanted to maintain the *status quo* and perpetuate white rule. When it had adopted the Declaration on the granting of independence to colonial countries and peoples (resolution 1514 (XV)), the General Assembly had explicitly stated that the inadequacy of the economic, social and educational preparedness of the indigenous inhabitants should not serve as a pretext for delaying independence. Moreover, there were 210 African graduates in Southern Rhodesia as compared with only thirty in Nyasaland, which none the less was seeking independence in the near future. The only obstacle to the immediate independence of Southern Rhodesia was, as the Secretary of State for the Federation of Rhodesia and Nyasaland had pointed out, the existence of a large white minority in the country. In reality, Southern Rhodesia was in a much better position than many countries which had already become independent.

57. Mr. BINGHAM (United States of America) asked what were the differences between the Pan-African

Socialist Union and the Zimbabwe African Peoples Union.

58. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) said that he would not answer that question because he considered it an imperialist manoeuvre designed to divide the Africans in order to rule them.

59. Mr. BINGHAM (United States of America) said that he was surprised at the reply; his only purpose in putting the question had been to obtain information on the situation prevailing in Southern Rhodesia.

60. Turning to Mr. Shamuyarira, he asked whether ZAPU had done its utmost to inform all its members of its policy of opposition to violence.

61. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) said that everything had been done to show that ZAPU was against violence. He quoted several statements of its President, Mr. Nkomo, to that effect. The clashes between Africans and the police at public meetings organized by ZAPU were the result of provocations on both sides, because the presence of armed police at the meetings tended to irritate the crowd; in one instance, after one of the speakers had been arrested, the African mob had begun to stone the police, which had retorted by throwing tear-gas grenades and then by opening fire. Thus, the incidents were the result of frictions, but not the direct consequence of a policy of violence preached by ZAPU.

62. Mr. BINGHAM (United States of America) referred to Mr. Shamuyarira's proposal for a reconciliation between the various political factions of Southern Rhodesia under the auspices of the United Nations Acting Secretary-General, and asked the petitioner whether he thought an agreement could be reached on the main issues.

63. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) replied that there was a reasonable chance of agreement. It was the United Kingdom's obstinate refusal to carry out the General Assembly's resolutions which had led ZAPU to consider whether the United Nations might not offer to mediate, through the Acting Secretary-General. If the latter accepted, there might still be a bare chance of agreement.

64. Mr. EL KHATIB (Morocco) asked how large a police force would be used to fight the nationalist movement in Southern Rhodesia and what its attitude would be towards Africans.

65. Mr. CHIOTA (Pan-African Socialist Union of Zimbabwe) noted that defence matters in the three Territories of the Federation were closely linked: the Federal Government could organize armies in each of the Territories and send them into the others to put down incidents.

66. Mr. EL KHATIB (Morocco) asked whether there were any Northern Rhodesian Africans in the militia which the Federal Government was organizing in that country to fight the nationalist movement in Southern Rhodesia.

67. Mr. CHIOTA (Pan-African Socialist Union of Zimbabwe) replied that the Government of Northern Rhodesia had its own reserve police force which it could use in the Territory; the same was true for Southern Rhodesia and Nyasaland. But the Federal Government could always intervene in any of the three Territories by sending in the white army, which

was very well equipped. In contrast, the African units were rather poorly equipped and were not used in serious incidents.

68. Mr. EL KHATIB (Morocco) asked Mr. Chiota whether the conclusion to be drawn from his explanation was that the African soldiers ordered to intervene against the African population would refuse to obey the orders of the superiors.

69. Mr. CHIOTA (Pan-African Socialist Union of Zimbabwe) said that that would depend on the unit. In Nyasaland, for example, when Mr. Hastings Banda was arrested, the African units had refused to take part in putting down the riots and the European troops had been called out.

70. Mr. McINTYRE (Australia) said that the Australian delegation was still trying to find an answer to the question of which Africans held which views. The petitioner Mr. Enoch Dumbutshena, in the course of his able presentation of his case to the Committee, had claimed that ZAPU had the support of all the 3,600,000 Africans in Southern Rhodesia. That claim had been strongly contested by the independent multi-racial group of petitioners. It was also apparent that Mr. Mushonga and his group held different views from those of ZAPU. The manifesto of the Pan-African Socialist Union, which Mr. Mushonga had made available to the Committee, described ZAPU disparagingly as a capitalist, multiracial organization and the leaders of ZAPU as dirty and contemptible. Could Mr. Mushonga say how many Africans supported PASU and the views set out in its manifesto?

71. Mr. MUSHONGA (Pan-African Socialist Union of Zimbabwe) replied that PASU had considerably fewer supporters than ZAPU.

72. Mr. WOLNIAK (Poland) recalled that Mr. Burdett-Coutts, in speaking at the 1349th meeting of the reason why Africans were unable to continue their studies beyond the primary level, had mentioned "the force of circumstances". He wondered what was meant by that expression. Was it a question of discrimination, of Government policy?

73. Mr. BURDETT-COUTTS replied that, in every relatively under-developed country, it was inevitable that a certain social stratum should have a relatively low income. In Southern Rhodesia the majority of the African population had an income lower than the European average. That was what he had meant by "force of circumstances" and that was what compelled African children to leave school in order to earn a living.

74. Mr. SITHOLE (Pan-African Socialist Union of Zimbabwe) stated in reply to the same question that in Southern Rhodesia it was practically impossible for an African child to reach the secondary level. The teaching given in the primary schools was, in his view, conceived to impart the bare minimum to the African child so that he could receive the rudimentary vocational training he would need to work in the mines or on the farms. No working-class African could hope to send his children to the university.

75. Mr. WOLNIAK (Poland), speaking to Mr. Shamuyarira, said that he had read in the London Daily Express that the British High Commissioner was intending to report to Mr. R. A. Butler, the United Kingdom Minister responsible for Central African Affairs, on the crisis in Southern Rhodesia. The same article added that the Africans were determined

to see that the new Constitution was never applied in their country. He asked the petitioner what he thought of that statement.

76. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union) said that the report alluded to by Mr. Wolniak confirmed what he and his colleagues had already said, namely, that the situation in Southern Rhodesia was dangerous and explosive. He was surprised that the Government spokesman had tried to dispute that fact. The number of Africans who would take part in the elections would be insignificant and would not exceed 1 per cent, even if the police intervened. It was, moreover, impossible to apply a constitution that received the approval of only 1 or perhaps 2 per cent of the population. Unfortunately, the Minister refused to recognize the evidence and regarded the Constitution as cut and dried. That was why he and his colleagues were asking the Acting Secretary-General to mediate. The disorders would continue because of the people's dissatisfaction.

77. Speaking to Mr. Butler, Mr. WOLNIAK (Poland) reminded him that at the 1351st meeting, in reply to a question of the representative of Tanganyika, he had claimed to be anti-colonialist and in favour of self-determination, and had added that he believed in the forthcoming independence of Southern Rhodesia. Was there, perhaps, some difference between self-determination as Mr. Butler saw it and self-determination as the Committee saw it, in the light of the resolution adopted by the General Assembly, particularly resolution 1747 (XVI) of 28 June 1962; that resolution requested the administering Power to convene a constitutional conference in order to draw up a constitution to replace that of 6 December 1961, which would ensure the rights of the majority of the people on the basis of the principle of "one man, one vote"; and to take measures to restore all the rights of the non-European population and repeal all laws sanctioning a policy or practice based on racial discrimination? Could the petitioner perhaps say what had been done in Southern Rhodesia to carry out that resolution?

78. Mr. BUTLER recalled that he had expressed his conviction that the fundamental principles of the United Nations were just. If Mr. Wolniak, however, after examining the situation, doubted that his efforts and those of the petitioner were directed towards the same end, that was his affair and his right.

79. Mr. WOLNIAK (Poland) would like Mr. Butler to give a concrete answer. What had been done to grant independence to the African peoples?

80. Mr. BUTLER said that, in his opinion, the new Constitution had been drawn up with progressive intentions. If the Polish delegation did not consider it progressive, that was perhaps because it had not studied it thoroughly. Many of its provisions were along the lines wished by the United Nations, with respect to such matters as racial discrimination.

81. Mr. WOLNIAK (Poland) said that the petitioner was replying evasively. He would like a clear answer as to what had been done to give effect to the United Nations resolutions. Resolution 1747 (XVI) had requested the administering Power to convene without delay a constitutional conference to draw up a constitution replacing that of 1961, which was not sufficient to lead Southern Rhodesia to independence.

82. Mr. SHAMUYARIRA (Zimbabwe African Peoples Union), in reply to the same question, expressed surprise that Mr. Butler should see the new Constitution as progress towards independence. It did perhaps constitute some little progress towards a certain independence but towards independence for the Europeans, and that was why the Africans opposed it so violently. They felt that it would consolidate the position of the Europeans. If independence consisted in removing the last possibilities of control by the metropolitan country, the result would be to place all power in the hands of the Europeans in Southern Rhodesia, and that was a prospect which terrified the Africans in the Territory. As for discrimination, the new system consisted in adopting laws which were detrimental to the rights of the Africans, without specifically mentioning them. Thus the Law and Order (Maintenance) Act, as just amended, paralysed the political activities of the Africans, without practically restricting in any way those of the Europeans. The Declaration of Rights contained in the new Constitution in no way affected the existing legislation. As the latter included no less than thirty-two discriminatory texts it was clear that the Government of Southern Rhodesia did not need to add others. Those it already had were perfectly adequate.

83. Mr. WOLNIAK (Poland) concluded that it was not enough to call oneself anti-colonialist or to praise the new Constitution when the latter did not satisfy the people.

*Mr. Lucas Chiota, Mr. Paul M. Mushonga and Mr. Phineas F. Sithole, representatives of the Pan-African Socialist Union of Zimbabwe (PASU), and Mr. Nathan Shamuyarira, representative of the Zimbabwe African Peoples Union (ZAPU), withdrew.*

84. Mr. SOLOMON (Trinidad and Tobago) referred to the Southern Rhodesian Government's pamphlet entitled "Our Fight against Hooliganism and Thuggery", which had been made available to members of the Committee by the multiracial group of petitioners and which he found to be a revealing document: the children of Southern Rhodesia must be remarkably well informed about political realities if they knew what a person like Mr. Tshombé stood for. He recalled that Mr. Burdett-Coutts had said that Mr. Nkomo and ZAPU had originally approved the 1961 Constitution. One thing was not clear. Why would Mr. Nkomo have approved the draft constitution at the time of the Constitutional Conference and then objected to it later?

85. Mr. BURDETT-COUTTS replied that Mr. Nkomo had changed his mind in the meantime. He had had further talks with his colleagues in the party and, being pressed by the more impatient members, had decided that the Constitution did not meet the needs of his cause.

86. Mr. SOLOMON (Trinidad and Tobago) asked how the needs of Mr. Nkomo's cause differed from the needs of the cause of other Africans.

87. Mr. BURDETT-COUTTS replied that when the present Constitution was being drawn up, the prospect of fifteen or sixteen Africans taking their seats in the Legislative Assembly at Salisbury, which had not hitherto had a single African member, seemed very satisfactory. It was only after further talks with his party that Mr. Nkomo had reached the conclusion that that figure did not answer his purposes.

88. Mr. SOLOMON (Trinidad and Tobago) replied that in his second reply the petitioner had merely substituted "purposes" for "needs". The group to which Mr. Burdett-Coutts belonged had given different estimates of the time it would take the Africans to obtain the majority in Parliament. Some had spoken of two years, others of four or five years. The lack of education had been the pretext given for the delay in relaxing the electoral qualifications. What difference, therefore, did the petitioner see between concessions made now and concessions to be made four or five years afterwards?

89. Mr. BURDETT-COUTTS replied that four or five years would make a difference in that there would be time to find really qualified men. The people of Southern Rhodesia were not quite sure that that stage had yet been reached. If there was a period of stability lasting two or three years, if competent African leaders emerged and if there was confidence that they would pursue a genuinely non-racial policy and would be more concerned with ensuring their country's freedom than with seeking personal power, he saw no reason why such a transfer could not be speedily made.

90. Mr. SOLOMON (Trinidad and Tobago) recalled that Mr. Gondo had seemed to take the view that Southern Rhodesia should not attain independence until the African population had a majority in Parliament, because the country was still a colony. He asked Mr. Gondo what difference it made whether the country received its independence now or later, if the United Kingdom had no effective powers.

91. Mr. GONDO said that the Africans would need a few years to prepare themselves for parliamentary life, of which none of them had any experience as yet. The efficiency of Parliament might suffer if an African majority was installed overnight.

92. Mr. SOLOMON (Trinidad and Tobago) recalled Mr. Butler's statement that the Rhodesian Front might win the elections if the ban on ZAPU was lifted. He asked Mr. Butler whether he would rather see the elections won by that party or by the African parties.

93. Mr. BUTLER said that the question seemed to be based on a misconception of the outlook of the African and European members of the independent multiracial group. They all wished to see the number of representatives of all races in Parliament increase until the country attained full democracy and every citizen had a vote. The question of ZAPU's being banned, and of possible victory for the Rhodesian Front, was a matter of law and order. If the Europeans in the country felt that the security situation would continue to deteriorate, they would turn to the Rhodesian Front.

94. Mr. SOLOMON (Trinidad and Tobago) asked Mr. Butler what kind of Parliament would preside over the country's destinies when it attained independence.

95. Mr. BUTLER replied there could be no great differences in that respect between the various Commonwealth countries, all of which were governed by the Statute of Westminster.

96. Mr. MAKKAWI (Lebanon) suggested the adjournment of the meeting.

97. After a procedural discussion in which Mr. PALAR (Indonesia), Mr. ACHKAR (Guinea), Mr. BINGHAM (United States of America), Mr. SOLOMON

(Trinidad and Tobago), Mr. GREN (Union of Soviet Socialist Republics), Mr. MONGUNO (Nigeria), Mr. ATTIDEPE (Togo), Mr. McINTYRE (Australia), Mr. KIDWAI (India) and Mr. SANCHEZ (Chile) took part, the CHAIRMAN asked the Committee to decide on the procedure it wished to follow.

*The Committee decided, by 29 votes to 13, with 18 abstentions, to finish the hearing of the petitioners now before it during the present meeting.*

*Mr. Nabavi (Iran), Vice-Chairman, took the Chair.*

98. Mr. ABDELLAH (Tunisia) noted that, according to Mr. Butler, the United Federal Party (UFP) drew its members from all sections of the population. That implied some African participation, and he would like to know whether African members of UFP had had access to positions of responsibility.

99. Mr. BUTLER replied that public office was open to everyone without discrimination as to race. Europeans, because of their higher level of education, occupied most of the important posts, but great efforts were being made to throw such posts open to the African population. The African membership of UFP had increased considerably and there could therefore be no question of the party's adopting an anti-African policy.

100. Mr. ABDELLAH (Tunisia) asked whether the representative character of Mr. Nkomo and his party, ZAPU, had not been underestimated on the ground that Mr. Nkomo belonged to the Matabele tribe, which was far from enjoying the support of the entire indigenous population. He also asked whether it was not because the Government feared the representative character of Mr. Nkomo and his party that it did not want elections based on universal suffrage.

101. Mr. BURDETT-COUTTS stated that he knew people who did not support ZAPU because its leader belonged to the Matabele tribe. However, that was not the obstacle to the holding of elections on the basis of universal suffrage. He thought that Mr. Gondo was better qualified than he to answer the question concerning the representative character of Mr. Nkomo and his party.

102. Mr. GONDO estimated the number of Mr. Nkomo's followers at 6,000, which seemed a very small figure in relation to the total population of the Territory.

103. Mr. ABDELLAH (Tunisia) observed that the situation in Southern Rhodesia bore some resemblance to that in Algeria before independence. He wondered whether that should not prompt the Government to accede to the indigenous people's aspirations before it was too late.

104. Mr. BURDETT-COUTTS acknowledged that some points of similarity could be found between the situation in Southern Rhodesia and that which had prevailed in Algeria ten years previously. In contrast to the Algerian problem, however, he did not think that Southern Rhodesia's difficulties were of the sort that could be settled only by force. For that reason, nothing should be done which might encourage an African leader to resort to force.

105. Mr. DELGADO (Senegal) recalled that Mr. Butler had accepted for application to Rhodesia the principle of evolution towards independence—an evolution which, in the petitioner's view, would take a long time. Yet it was obvious that, under the pres-

ent electoral system, the Africans would never have access to positions of responsibility. He asked whether, by denying them the most elementary political rights, the chances of peaceful coexistence between the various communities in the Territory might not be jeopardized.

106. Mr. BUTLER said that he did not think the Senegalese representative's argument fitted the case. Furthermore, in common with all the African members of the multiracial group, he was confident that the political evolution would take place smoothly and without revolution.

107. Mr. DELGADO (Senegal) said that he would like to know more about the political position of the African members of the multiracial group: in particular, what their attitude would be if the Europeans offered them posts in the Government, admitted them to Parliament and gave them positions of responsibility.

108. Mr. HLAZO replied that the wisest course would be to accept.

109. Mr. PALAR (Indonesia) felt that the multiracial group did not truly represent the indigenous population as a whole. One thing was certain: the group supported the Government's policy.

110. He observed to Mr. Butler that the laws enacted by the Government put the power of the judiciary in the hands of the executive. That was the mark of a police State.

111. Mr. BUTLER replied that the law applied in Rhodesia was English law; the Government's legislative competence was still limited.

112. Mr. PALAR (Indonesia) asked whether the two parties which had been ZAPU's forerunners had been banned by judicial decision or on the Government's own initiation, and whether the persons now in prison were those under sentence or had been detained by order of the Government.

113. Mr. BUTLER replied that the parties in question had indeed been banned by the Government; however, there was nothing in the law to prevent them from re-forming and appointing the same leaders. The persons to whom the Indonesian representative referred were not in prison; they had been placed under restriction to prevent them from organizing subversive activities in the country.

114. Mr. PALAR (Indonesia) asked whether the two political parties in question had committed acts of violence.

115. Mr. BUTLER replied that that was precisely why they had been banned.

116. Mr. PALAR (Indonesia) observed that his information did not bear out Mr. Butler's assertions. If ZAPU committed acts of violence, the reason was that it had no other way to make its voice heard. It was denied all democratic means of expression. He wondered whether the same had applied to its two predecessors. He would like fuller information on the terrorist activities for which they had been blamed.

117. Mr. BUTLER replied that he would be unable to enumerate all the events of the past four years which would confirm that the charges made against the parties referred to had been well founded.

118. Mr. PALAR (Indonesia) said that that was the usual argument of the colonialists. The real reason

for the bans imposed had been fear; the Rhodesian Government had been disturbed at the importance which the two political parties had acquired.

119. Mr. BUTLER replied that it was difficult for a person living in a given country to look with favour on those who tried to stir up revolution there.

120. Mr. PALAR (Indonesia) said that Mr. Butler did not seem to him the person best qualified to assess the good intentions of a political party or group.

121. It should be noted that Mr. Nkomo was under restriction not at his home, but in the district of his birth, which he had not visited for twenty-five years.

122. The Constitution granted to Southern Rhodesia by the United Kingdom in 1923 had contained a clause reserving to the United Kingdom the right to set aside any law enacted by the Rhodesian Government. By failing to apply that clause, the United Kingdom had relinquished its right to colonize the Territory, but it had made colonizers of the Whites. There seemed to be an inconsistency between the petitioner's anti-colonialist statements and his defence of a Government which practised a colonialist policy. He asked whether the petitioner thought that such a defence was the best way to prove his anti-colonialist intentions.

123. Mr. BUTLER thought that the Indonesian representative had presented his arguments very skilfully, but could not agree with the conclusions he drew from them.

124. Mr. PALAR (Indonesia) asked Mr. Gondo what he thought of the telegram sent by Mr. Jamela (A/C.4/565, sec. 1).

125. Mr. GONDO said that in his telegram Mr. Jamela had asked the petitioners not to use either his name or his photograph. He did not criticize Mr. Jamela for acting as he thought right.

126. Mr. PALAR (Indonesia), addressing Mr. Burdett-Coutts, said that the methods resorted to by ZAPU showed that it had no democratic means of expression. History had shown that when a revolution was brewing, as it was in Southern Rhodesia, resort to violence, murder and arson was a commonplace. The fault lay, not with ZAPU, but with the Government. He asked whether Mr. Burdett-Coutts thought that, if democratic means of expression had been open to ZAPU, it would have acted democratically.

127. Mr. BURDETT-COUTTS said that, if the political parties concerned had acted democratically, the problem would have been easy to solve.

128. Mr. BINGHAM (United States of America) noted that a communiqué issued by the Government of Southern Rhodesia had drawn attention to incidents of violence involving members of ZAPU. The ZAPU petitioners had maintained that their party did not advocate violence. He asked whether Mr. Burdett-Coutts had any evidence that those petitioners were giving an inaccurate picture of their party and that ZAPU was in favour of intimidation and violence.

129. Mr. BURDETT-COUTTS replied that, so far as he knew, Mr. Nkomo had never asked the members of his party to abstain from all acts of violence. It was well known that anarchy reigned in Southern Rhodesia and that the instigators of disturbances usually attacked black Africans who had refused to join ZAPU or were unwilling to attend its political meetings.

For example, one black African had been killed by fanatics because he had chosen to go to a football match in preference to a political meeting. Incidents of that kind were frequent in Southern Rhodesia and showed that ZAPU did not shrink from violence to gain its ends.

130. Mr. BINGHAM (United States of America) reminded Mr. Butler that the latter had said that, if elections were held under the new Constitution, he firmly believed that the country would advance towards universal suffrage and that within two years there could be an African majority in Parliament. Judging from the arguments advanced by UFP during the campaign for ratification of the Constitution, UFP had looked on ratification as a means of removing the country from the United Kingdom's sphere of influence. He asked whether, in view of the optimism Mr. Butler had shown regarding the formation of an African majority in Parliament, he could say why his party had chosen to emphasize in that way the question of withdrawing the country from United Kingdom influence.

131. Mr. BUTLER recalled that he had said that there was a very strong feeling among the Europeans in favour of freeing themselves from outside control. Such feelings were latent in all peoples and it would be a mistake to regard them as the outcome of racial considerations. In an article published in *The Guardian*, London, and reproduced in the *Milwaukee Journal* of 7 October 1963, Mr. Shamuyarira, a member of ZAPU, had said that incendiaries and saboteurs inspired by ZAPU were engaging in guerilla warfare with Federal paratroops because some violence, come war or threat of war, was necessary to induce the United Nations to intervene.

132. Mr. BINGHAM (United States of America) said that he had read the article and might wish to comment on it at a later stage. He asked Mr. Butler whether, in his opinion, the qualifications for voters could be made more flexible under the existing legislation.

133. Mr. BUTLER said that he did not think that was an impossibility. The best way to set about it would be for UFP to study the question at a party congress, which would provide an opportunity to find out whether the majority of African delegates were in favour of such a measure. He was not absolutely certain that they were.

134. Mr. BINGHAM (United States of America) said that, in the present state of the law, the possibility in question seemed to him very slight. As to the real membership of ZAPU, the petitioner would undoubtedly admit that ZAPU represented a very large segment of the population. It ought to be possible for the representatives of the main groups to reach an agreement. He asked Mr. Butler and Mr. Burdett-Coutts whether it would not be better to draw up a new constitution which all groups in the population would support.

135. Mr. BUTLER thought that if that was possible, it would be an excellent thing; however, the possible reactions of the European element must be kept in mind.

136. Mr. BURDETT-COUTTS agreed. The first step must be to end violence. He himself would like to see a round-table conference of all parties, including ZAPU, but it was very difficult to say whether that was feasible in the present circumstances.

137. Mr. BINGHAM (United States of America) thanked the petitioners for their attendance. The fact that he had asked them questions should not be interpreted as a departure from his Government's usual position, which was that the Committee should not hear petitioners from United Kingdom Territories.

138. Mr. McINTYRE (Australia) recalled that Mr. Butler, in discounting the likelihood that the petitioners from ZAPU and PASU would be arrested on their return to Southern Rhodesia, had added however that if the Rhodesian Front came to power, God help them. Could he elaborate on that statement?

139. Mr. BUTLER replied that the Rhodesian Front stood for white supremacy, and that its accession to power would be a catastrophe.

140. Mr. McINTYRE (Australia) noted that the Southern Rhodesian police had been extensively criticized. It might be inferred that its methods were perhaps rather too brutal, and he would like to know Mr. Butler's opinion on that point.

141. Mr. BUTLER thought that, since the basis of ZAPU's case was that an explosive situation existed in Southern Rhodesia, it had to demonstrate the fact. It was obviously very difficult for ordinary citizens to obtain police protection if witnesses were intimidated, and that was the current practice. He suggested that Mr. Dombura might be asked for more details.

142. Mr. DOMBURA said that the police never had to take action in the European residential quarters. It sometimes had to take drastic action in African quarters, to protect Africans who asked for the protection of the law against ZAPU. Africans were humiliated and forced to remove their jackets, and their wives were made to go barefoot. If they had no ZAPU cards, their houses were destroyed. They were then obliged to call in the police.

143. Mr. McINTYRE (Australia) thanked the petitioners, noting at the same time that his Government's position regarding the hearing of petitioners from Non-Self-Governing Territories was unchanged.

144. Mr. Chiping H. C. KIANG (China) asked Mr. Butler whether it was true that the Europeans in Southern Rhodesia believed like the Africans in Northern Rhodesia, that the Federation of Rhodesia and Nyasaland had been an obstacle to their constitutional advancement.

145. Mr. BUTLER replied that a referendum had shown that the voters were in favour of the Federation. It had been obvious that the North would have an African Government before the South, but that had not prevented the electorate from voting in favour of the Federation.

146. Mr. Chiping H. C. KIANG (China) asked Mr. Butler whether he would agree that the whole situation in Central Africa would change in a short period of time to the advantage of both Africans and Europeans if the Federation were to continue under African control and to receive large-scale economic assistance from abroad.

147. Mr. BUTLER found it difficult to say at present how the situation would develop, for there were many obstacles to political progress throughout Central Africa.

148. Mr. THOM (United Kingdom), exercising his right of reply, recalled that one delegation had suggested during the meeting that a coloured person otherwise qualified could not be elected to the United Kingdom Parliament. There was no truth whatsoever in that assertion. Disabilities for Parliamentary membership were very clearly defined in the Representation of the People Act, 1949; peers of the realm,

clergymen, certified lunatics and holders of office under the Crown were specifically excluded, but it was nowhere stated that a coloured person could not be elected to Parliament. In fact, there had of course been instances of such elections.

The meeting rose at 8 p.m.