



TRUSTEESHIP COUNCIL

Twenty-seventh Session

OFFICIAL RECORDS

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President: U TIN MAUNG (Burma).**Present:**

The representatives of the following States: Australia, Belgium, Bolivia, Burma, China, France, India, New Zealand, Paraguay, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation; Food and Agriculture Organization of the United Nations; World Health Organization.

Examination of conditions in the Trust Territory of Tanganyika (concluded):

- (i) *Annual report of the Administering Authority for the year 1960 (T/1568, T/1577, T/L.1017);*
- (ii) *Petitions and communications raising general questions (T/PET.2/L.14 and Add.1, T/COM.2/L.57-59, L.60 and Add.1, L.61);*
- (iii) *Future of Tanganyika (General Assembly resolution 1609 (XV)) (T/1575)*

[Agenda items 4 (b), 5 and 15]

At the invitation of the President, Mr. Nyerere, Prime Minister of Tanganyika, and Mr. Fletcher-Cooke, special representative of the Administering Authority for the Trust Territory of Tanganyika, took places at the Council table.

GENERAL DEBATE (concluded)

1. Mr. BINGHAM (United States of America) expressed his satisfaction at the prospect of Tanganyika's forthcoming independence. He regretted, however, that, despite the atmosphere of general satisfaction, the representative of the Soviet Union had been unable to refrain from coupling the congratulations he had addressed to the people and the leaders of Tanganyika with his standard attack on the United Kingdom Government.

2. He was particularly gratified that the Prime Minister of Tanganyika, Mr. Nyerere, who was a symbol of African hopes, dignity and successes, had attended the session. He had been especially impressed by and interested in the comprehensive statement made at the 1169th meeting by Mr. Swai with regard to the problems facing the Government of Tanganyika, to which it was applying itself with realism and courage. He had also listened with interest and sympathy to the statements of the two petitioners at the same meeting; all technical and legal considerations aside, the questions they had raised were undoubtedly worthy of interest from the human point of view and he hoped that the Administering Authority would be able to devise some solution for them.

3. The Prime Minister, Mr. Nyerere, had given notice to all the world that the people of Tanganyika were not only eager for the fruits of independence, but were fully prepared to accept the accompanying responsibilities; the United States delegation was convinced that Tanganyika would discharge those responsibilities with energy and resourcefulness. Mr. Swai had announced that Tanganyika had declared war on poverty, ignorance and disease. The United States Government wished to inform the Government of Tanganyika of its anxiety to help it in that struggle.

4. Mr. OBEREMKO (Union of Soviet Socialist Republics) wished to exercise his right of reply to the statement of the United States representative.

5. Instead of clarifying the real position of his Government with regard to colonialism, Mr. Bingham had seen fit to attack the Soviet Union, probably through fear of disappointing his public. That attack, as he saw it, could have no other purpose than to camouflage the real position of the United States; he would like to know on what date the United States proposed to grant independence to the Territory of the Pacific Islands.

6. Mr. JHA (India) said that, together with the other members of the Council, his delegation was particularly happy to see Tanganyika accede to independence. A further reason for gratification was the fact that there was in Tanganyika a large number of persons of Indian origin who had made Tanganyika their home, who had made a valuable contribution to its development in the past and who would no doubt continue to do so in the future.

7. Commenting on some matters of detail arising from the statements of the special representative and of Mr. Swai, he said that he had been happy to learn that the Three-Year Plan for the development of Tanganyika envisaged an expenditure of up to £24 million, which was clear evidence of the Government's determination to develop the country's resources. In that connexion, Tanganyika would always find the Government of India ready to extend whatever assistance it could, either bilaterally, or through the United Nations, or both.

8. The integration of education which was planned for certain schools was evidence of an extremely satisfactory development. It was to be hoped that the experiment would be expanded so that a truly multi-racial and harmonious society would emerge in Tanganyika, which would thus become a shining example not only to Africa but to other parts of the world as well.

9. The Tanganyikan leaders had wisely decided to maintain their country's associations and to share common services with the East Africa High Commission comprising also Uganda and Kenya. While there might be some difficulties in the future, there could be no question that it was the natural destiny of territories in such close proximity to evolve common services, common policies and perhaps, with the consent of the people, even to emerge finally as a unified entity.

10. With respect to the civil service, he wished to make some observations which had been prompted in part by the grievances which the petitioners had laid before the Council the previous day (1169th meeting). The policy of the Government of Tanganyika, as stated by its Prime Minister, was to bring about the Africanization of the civil service. That of course was a wholly proper and desirable aim, as he had himself stated before the Trusteeship Council on 9 February 1959, at its twenty-third session (951st meeting). However, his delegation noted with some regret that, while the Administering Authority had recognized the need for recruiting indigenous personnel for the administrative services, its efforts to give indigenous personnel the training needed for such posts had been inadequate. The result was that today, with Tanganyika on the point of becoming independent, there were more than 2,000 British officers occupying all the senior administrative and technical posts and slightly more than 1,200 Asian civil servants. Those were the figures which had been given by one of the petitioners. On the other hand, Mr. Swai had stated that there were only 724 local civil servants, including Africans and other persons whose domicile was in the Territory. That was an unsatisfactory situation for a newly emerging Government. Experience had shown that the most important single factor necessary for the stability, progress and economic development of a newly independent country was an efficient indigenous civil service. The creation of such a civil service would undoubtedly be one of the most important problems facing the new Government of Tanganyika. While he would not presume to offer the Tanganyika Government advice in the matter, it was obvious that Tanganyika would for some considerable time continue to need the services of overseas officers. The Prime Minister had himself recognized that fact in a statement which he had made in Parliament.

11. On 19 October 1960, Mr. Nyerere had stated in the Legislative Council that at the present time there

was room in his country's civil service both for expatriate officials and for indigenous officials and that the Africanization of the civil service would be effected gradually. It was to be hoped that the future civil service would include officials who, while not African by race, had become citizens of Tanganyika. The case of the Asian civil servants should be studied on the same basis as that of European civil servants; should circumstances make their replacement by African personnel necessary, justice demanded that they should be compensated on the same basis and in the same way as other expatriate officials. He noted that the question of the compensation of Asian civil servants was not yet a closed matter and suggested that the Administering Authority should give assurances to the Council on that point and should report to the General Assembly at its forthcoming session on the action taken in that regard. Since the payment of compensation would be likely to constitute a very heavy burden on the newly emerging Government of Tanganyika at a time when it was faced with the additional expenses consequent upon independence, it might perhaps be fair if the Administering Authority assumed a part of that burden.

12. Mr. RIFAI (United Arab Republic) expressed satisfaction at the spirit of co-operation which had enabled the Tanganyika Government and the Administering Authority to solve together the problems raised by the Territory's accession to independence, and thereby to lay the foundations for a strong and prosperous society. That achievement was all the more spectacular for having been accomplished in only a few years. The results clearly demonstrated that a policy which reflected the wishes of the people could always win their co-operative support and speed up a territory's peaceful evolution towards the aims stated in the United Nations Charter. He, too, hoped that the Administering Authority and the Tanganyika Government would satisfy the legitimate demands of the Asian civil servants.

13. Mr. OBEREMKO (Union of Soviet Socialist Republics) said that, having heard the statements of the petitioners from Tanganyika, he endorsed the remarks and suggestions made by the representatives of India and the United Arab Republic urging the avoidance of any form of racial discrimination by the Administering Authority in the matter now before the Council.

14. Mr. NYERERE (Prime Minister of Tanganyika) made a statement.^{1/}

15. Sir Hugh FOOT (United Kingdom) assured the representative of India that he entirely shared his views on the need to train indigenous administrative staff before independence. The difficulty lay in the fact that training could not be accelerated beyond a certain point and there came a time when the political objective was paramount. Had it been the purpose in Nigeria and Tanganyika to create a wholly indigenous civil service before independence, independence would have had to be considerably delayed. A compromise solution reconciling the two objectives had therefore been needed and the Administering Authority had tried to meet that need.

16. He paid a tribute to the architects of Tanganyika's independence and especially the country itself, which

^{1/}For the text of the statement, see *Official Records of the General Assembly, Sixteenth Session, Supplement No. 4*, part I, chap. VI, para. 24.

had drawn its strength from racial diversity and whose population had set an example of racial harmony for the East African countries.

17. The PRESIDENT suggested that the Council take note with satisfaction of the fact that the date of Tanganyika's independence had been advanced from 28 to 9 December 1961 and draw the General Assembly's attention to it at its sixteenth session for appropriate action. He also suggested that the Council take note of the written petitions (T/PET.2/248 and T/PET.2/249) and oral statements of the two petitioners from Tanganyika (1169th meeting) and the observations of the Council's members on the subject, and commend them to the attention of the Administering Authority for urgent action.

18. Mr. HOOD (Australia) supported those suggestions and proposed their immediate adoption by the Council.

19. Mr. JHA (India) suggested that the Council should include in its report to the Assembly the inspiring statement made by the Prime Minister of Tanganyika.

It was so decided.

20. The PRESIDENT suggested that the outline of conditions in Tanganyika contained in document T/L.1017, together with the additional information given to the Council by the Administering Authority, should be included in the chapter on Tanganyika in the Council's report to the General Assembly.

It was so decided.

Examination of petitions (T/L.1016, T/L.1019)

[Agenda item 5]

TWO HUNDRED AND SIXTY-SECOND REPORT OF THE STANDING COMMITTEE ON PETITIONS (T/L.1016)

21. The PRESIDENT suggested that the Council should adopt the recommendation of the Standing Committee on Petitions contained in paragraph 6 of its report (T/L.1016).

The recommendation was adopted.

TWO HUNDRED AND SIXTY-THIRD REPORT OF THE STANDING COMMITTEE ON PETITIONS: PETITIONS CONCERNING THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION (T/L.1019)

22. The PRESIDENT put to the vote the draft resolutions contained in the annex to the report (T/L.1019).

Draft resolution I was adopted by 11 votes to none, with 1 abstention.

Draft resolution II was adopted unanimously.

Draft resolution III was adopted by 12 votes to none, with 1 abstention.

The recommendation contained in paragraph 2 of the introduction to the report (T/L.1019) was adopted unanimously.

Review of procedures regarding petitions (Trusteeship Council resolution 1713 (XX))

Appointment of the members of the Standing Committee on Petitions

[Agenda items 10 and 19]

23. Mr. RASGOTRA (India) said that only two or three petitions might be submitted to the Council at its next session. He proposed, therefore, that the Standing Committee on Petitions should be discontinued.

24. Mr. OBEREMKO (Union of Soviet Socialist Republics) recalled that, prior to the establishment of the Standing Committee on Petitions in 1952, the Trusteeship Council, and occasionally the Fourth Committee of the General Assembly, had themselves examined petitions. Since the colonial Powers held a majority in the Council, the latter had always acted in the interests of the Administering Authorities in dealing with petitions from the indigenous inhabitants of Trust Territories. Far from improving that state of affairs, the establishment of the Standing Committee on Petitions had aggravated it. The Committee was not, in fact, a Standing Committee as it did not meet between the sessions of the Council. Its work was therefore considerably delayed and many petitions had awaited examination for several years. The situation had deteriorated further with the establishment of the Committee on Classification of Communications and the examination of petitions had become a mere formality, often consisting of simply drawing the petitioner's attention to the observations of the Administering Authority.

25. He therefore proposed that the Standing Committee on Petitions and the Committee on Classification of Communications should be discontinued.

26. Mr. FORSYTHE (Australia) thought it was somewhat over-optimistic to expect the number of petitions to decline to a level at which they could all be examined directly by the Council itself. He believed that the present procedure, whereby petitions were first examined in the Standing Committee on Petitions and later reviewed by the Trusteeship Council, offered the best safeguards.

27. Mr. SALAMANCA (Bolivia) observed that the Standing Committee on Petitions was divided in the same way as the Trusteeship Council, namely, between representatives of the Administering Authorities and representatives of other countries. That could not be the main argument for the Committee's discontinuance. It was the number of petitions which should determine whether the Committee was retained or discontinued. He thought it might be best to refer the matter to the next session of the Assembly or the Council for a decision.

28. Mr. BINGHAM (United States of America) shared the view of the representative of Bolivia. He saw no reason why the Council should take a hasty decision when it was about to conclude its work. It was true that the Committee had not often met between sessions of the Council, but, if the need arose, it was much easier for the Committee to meet than for the Council as a whole.

29. Sir Hugh FOOT (United Kingdom) agreed with the representative of the United States.

30. Mr. RASGOTRA (India) said that the suggestion he had made had not been prompted by any feeling

that the Standing Committee on Petitions had not performed useful functions. There might be some flaws in the composition of the Committee or in its working methods, but such flaws were inherent in the Trusteeship Council itself.

31. Moreover, the membership of the Council would be reduced the following year; if it had, say, ten members and had to appoint drafting committees or other committees, it would become increasingly difficult to man those committees. The obvious course, therefore, seemed to be to discontinue the Standing Committee on Petitions, on the understanding that, if an unexpectedly large number of petitions came in, a sub-committee of four or six members could be appointed on an *ad hoc* basis to consider them.

32. Mr. SALAMANCA (Bolivia) thought that in addition to the petitions that might come from the Trust Territories of the Pacific Islands, New Guinea and Nauru there might be some from Ruanda-Urundi. Such petitions would obviously be general in character and he shared the Indian representative's view that they might be dealt with by the Council direct. He considered, however, that it would be wiser to wait until the next session before taking a decision on the matter.

33. Mr. OBEREMKO (Union of Soviet Socialist Republics) agreed with the Indian representative that in the event of an emergency the Council would be able to take the necessary steps. He pointed out, moreover, that after 1 January 1962 the Trusteeship Council would have only ten members; it would be absurd for the Committee to have six members at that time.

34. Mr. BINGHAM (United States of America) said that he saw no need for any immediate action. It was apparently thought that the existence of the Committee imposed a burden, but the burden would be very slight in that the number of petitions would be much less in the future. In an emergency, an *ad hoc* committee would have to be set up by the Council before it could meet, whereas if the Standing Committee was still in existence, although inactive, it would be ready to act immediately. Moreover, it would require an amendment to the Council's rules of procedure to discontinue the Standing Committee on Petitions and under those rules no amendment could be adopted until four days after a proposal for amendment had been submitted. He therefore thought it better for the Standing Committee on Petitions to remain in existence until the next session.

35. Mr. RASGOTRA (India) pointed out that the emergency argument had no force, since the Administering Authorities were allowed three months in which to transmit their observations on a petition before the petition could be considered by the Committee. He therefore adhered to his proposal that the Committee should be discontinued, for reasons of economy, and asked for it to be put to the vote.

36. Mr. KOSCZIUSKO-MORIZET (France) thought that the Standing Committee on Petitions had performed a useful function when the Council had been overburdened with work. Now, however, the Council would no longer have much to do and it could itself consider such petitions as it received. To keep the Committee in existence would lead to duplication of effort; in that connexion, it would be advisable, for the sake of economy, to abolish the drafting committees too.

37. He therefore supported the Indian representative's proposal.

38. Mr. RIFAI (United Arab Republic) felt that the matter could perhaps be left as it stood, and no new members elected, until the next session of the Trusteeship Council. At that time the membership of the Council would have changed, the situation in the Trust Territories would have developed further and the members of the Council would be better informed and able to take a decision agreeable to all concerned.

39. Mr. EDMONDS (New Zealand) agreed with the representative of the United Arab Republic that it would be best to defer a decision on the matter until the next session of the Council.

40. Mr. SOLANO LOPEZ (Paraguay) pointed out that the term of office of the present Council would expire on 31 December 1961 and that any decision taken at the present stage would bind those who become members on 1 January 1962. For that reason, his delegation would abstain in the vote on that question, as also in the vote on the appointment of the members of the Committee.

41. Replying to some comments by Mr. OBEREMKO (Union of Soviet Socialist Republics), Mr. SALAMANCA (Bolivia) explained that the representatives of New Zealand, the United Arab Republic and Bolivia had merely said that it would be advisable for the Council not to take a decision at the present session and thus to avoid a number of procedural problems.

42. Mr. RIFAI (United Arab Republic) said that he was prepared to vote in favour of the Indian proposal but he proposed, as a compromise, that consideration of the matter should be postponed until the next session.

43. Mr. KOSCZIUSKO-MORIZET (France) thought that, since the Council had considered itself qualified to take a decision on the membership of the United Nations Visiting Mission to the Trust Territories of Nauru and New Guinea, 1962, it must be equally competent to take a decision on the abolition of the Standing Committee on Petitions.

44. Mr. BINGHAM (United States of America) said that he would prefer the consideration of the matter to be deferred until the opening of the next session of the Council.

45. Mr. OBEREMKO (Union of Soviet Socialist Republics) thought that the Council should vote first on the Indian representative's proposal and then, if that proposal was not adopted, on the proposal put forward by the representative of the United Arab Republic. If neither proposal was adopted, the Council could consider other suggestions. That procedure would enable each delegation to take a stand on the matter.

46. Mr. CLAEYS BOUUAERT (Belgium) pointed out that, according to sub-paragraph (g) of paragraph 1 of rule 56 of the rules of procedure, a motion to postpone discussion of a question had precedence over a motion to amend.

47. Mr. RASGOTRA (India) said that a decision to postpone discussion would be contrary to rule 90, which provided that the Council should appoint at the end of each regular session three members administering Trust Territories and three members having no administering responsibilities to serve on the Standing Committee on Petitions until the close of the following regular session. If four days' notice was required, it should be remembered that the Council still had four working days left.

48. He agreed that the proposal made by the representative of the United Arab Republic should take precedence over his proposal, but he pointed out that it would entail the suspension of rule 90.

49. Mr. OBEREMKO (Union of Soviet Socialist Republics) asked whether the adoption of the proposal made by the representative of the United Arab Republic would mean that consideration of the entire question of the future of the Standing Committee on Petitions would be postponed until the next session of the Council.

50. The PRESIDENT said that that was so.

51. He put the proposal of the representative of the United Arab Republic to the vote.

The proposal was adopted by 8 votes to none, with 5 abstentions.

52. The PRESIDENT suggested that, as there seemed to be no objection to the proposal for the discontinuance of the Committee on Classification of Communications, he should consider that proposal adopted.

It was so decided.

The meeting rose at 6.15 p.m.