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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

(covering its work during 1967)

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CHAPTER XI

SWAZILAND

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* This document contains chapter XI of the Special Committee's report to the General Assembly. Parts I and II were previously reproduced under the symbol A/AC.109/L.371/Rev.1. The general introductory chapter will be issued subsequently under the symbol A/6700 (Part I). Other chapters of the report are being reproduced as addenda.

I. ACTION PREVIOUSLY TAKEN BY THE GENERAL ASSEMBLY
AND THE SPECIAL COMMITTEE

1. Until Botswana and Lesotho attained independence towards the end of 1966, it was the practice of the Special Committee and the General Assembly to consider Swaziland together with the two other former High Commission Territories, then known respectively as Bechuanaland and Basutoland. Among the various reasons for so doing were the administrative links formerly existing between them and the fact that certain problems, including problems arising from their land-locked position in southern Africa, were common to all three. Chief among the problems with which the Special Committee and the General Assembly were concerned were their great need for external assistance in the development of their economies and social services, their economic dependence on South Africa and the threat to their territorial integrity and sovereignty resulting from this dependence and from the racial policies of South Africa. In regard to the third problem, the General Assembly, in resolutions adopted in 1962, 1963 and 1965^{1/} solemnly warned that any attempt by South Africa to annex or encroach upon the territorial integrity of the Territories would be considered as an act of aggression. In the same resolutions, the General Assembly also drew attention to the unsatisfactory economic and social situation in the Territories and requested that additional economic, financial and technical assistance commensurate with their needs should be furnished to them through United Nations programmes of technical co-operation and the specialized agencies. In 1965, following the receipt of a report of an economic mission to the Territories, the General Assembly, in resolution 2065 (XX) decided to establish a Fund for the Economic Development of Basutoland, Bechuanaland and Swaziland, to be made up of voluntary contributions. It also requested the Special Committee to consider what measures were necessary for securing the territorial integrity and sovereignty of the three Territories and, in addition, requested the administering Power to return to the indigenous inhabitants all land taken from them.

2. At its meetings in 1966, the Special Committee again considered the three Territories together, bearing in mind the forthcoming independence of Basutoland and Bechuanaland, which attained independence on 30 September and 4 October respectively. On 9 June 1966, the Special Committee adopted a resolution^{2/} by

^{1/} General Assembly resolutions 1817 (XVII) of 18 December 1962, 1954 (XVIII) of 11 December 1963 and 2063 (XX) of 16 December 1965.

^{2/} A/63CO/Add.5, paragraph 237.

which, after drawing attention to the urgent need of the three Territories for United Nations technical and economic assistance and expressing grave concern at the threat to their territorial integrity and economic stability created by the racist régime in South Africa, it inter alia appealed to all States to contribute to the Fund established by the General Assembly, considered that continued efforts should be made to provide economic, financial and technical assistance through United Nations programmes and specialized agencies, and decided to establish a sub-committee with a view to studying and suggesting all necessary measures for securing the territorial integrity and sovereignty of the three Territories as requested by the General Assembly in its resolution 2063 (XX).

3. On 9 September 1966, the Sub-Committee, composed of representatives of Afghanistan, Bulgaria, Iran, Italy, Mali, Madagascar and Uruguay, unanimously approved its report, which the Special Committee adopted by consensus on 15 September, following its consideration of that report.

4. At its twenty-first session, the General Assembly had before it a report of the Special Committee which included the text of its resolution of 9 June 1966 and the Sub-Committee's report,^{3/} as well as a report submitted by the Secretary-General pursuant to General Assembly resolution 2063 (XX) concerning the Fund for the Economic Development of Basutoland, Bechuanaland and Swaziland (A/6439).

5. Having examined these reports, the General Assembly adopted resolution 2134 (XXI) of 29 September 1966. In preambular paragraphs of this resolution, the General Assembly, after reaffirming its previous resolutions and recommendations, noted with deep concern the economic and social situation prevailing in the three Territories and their imperative and urgent need for United Nations assistance. The Assembly further noted that the contributions so far pledged had not been sufficient for the Fund for the Economic Development of Basutoland, Bechuanaland and Swaziland, established in accordance with paragraph 7 of its resolution 2063 (XX), to be brought into operation. The operative paragraphs of resolution 2134 (XXI) read as follows:

"1. Reiterates its grave concern at the serious threat to the territorial integrity and sovereignty of Basutoland, Bechuanaland and Swaziland constituted by the aggressive policies of the present régime in the Republic of South Africa;

^{3/} Ibid., and appendix III.

"2. Approves the chapter of 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 relating to Basutoland, Bechuanaland and Swaziland and endorses the recommendations contained therein;

"3. Appeals to all States which have not done so to contribute to the Fund established by the General Assembly in paragraph 7 of its resolution 2063 (XX)."

II. INFORMATION ON THE TERRITORY^{4/}

General

6. Swaziland covers an area of about 6,700 square miles and is bordered on three sides by South Africa and on the fourth by Mozambique. The population at the date of the last census, taken in May 1966, was 374,697, comprising 362,463 Africans, 8,006 Europeans and 4,223 other non-Africans.
7. Under new constitutional arrangements which came into force on 25 April 1967, Swaziland is internally self-governing under United Kingdom protection, although certain powers are reserved to Her Majesty's Commissioner pending the attainment of full independence. The Territory is a constitutional monarchy, with a Prime Minister and a cabinet and a bicameral Parliament, the lower House of Assembly being elected by universal suffrage. In elections held on 19 and 20 April 1967 all the seats in the lower House were won by the Imbokodvo, the party which represents the Swazi Nation under the Ngwenyama, who is the King of Swaziland. The opposition parties are the Ngwane National Liberatory Congress (NNLC), the Swaziland Progressive Party (SPP) and the Swaziland United Front (SUF), the last having been formed at the time of the elections. The United Swaziland Association, which is largely composed of Europeans, did not contest the 1967 elections. Details of the present constitutional arrangements and proposals for independence are set forth in the following section.^{5/}
8. The economy of the Territory is predominantly agricultural, the principal industries being sugar, wood pulp and forest products, citrus, pineapples, rice and livestock. Iron ore and asbestos deposits are mined by two companies. The Territory is economically linked with South Africa with which it shares a common currency and customs union. Apart from secondary industries concerned with processing the Territory's agricultural products, industrial development is limited to a few light manufacturing and service industries.

^{4/} The information presented in this section has been derived from published reports. Also used in the preparation of this section has been the information transmitted to the Secretary-General by the United Kingdom of Great Britain and Northern Ireland under Article 73 e of the Charter on 29 September 1966 for the year ending 31 December 1965.

^{5/} For information on the constitutional provisions prior to April 1967 see Official Records of the General Assembly, Annexes, annex No. 8 (A/5800/Rev.1), chapter VIII, paras. 146-153.

Relations with South Africa

9. For various reasons, including its close economic ties with the land-locked Territory, South Africa in the past sought unsuccessfully to incorporate Swaziland together with the two other former High Commission Territories. Since 1963, however, this claim has been abandoned and replaced by an offer of "guardianship" and economic assistance. The offer has, however, been regarded by many as suspect because of South Africa's racial policies.

10. The position of the majority Imbokodvo Party in Swaziland towards South Africa has been one of good-neighbourliness and independence. In May 1966, the leader of the Imbokodvo, now the Prime Minister, explained that his party's foreign policy after independence would be based on a "healthy, good understanding with neighbouring States and non-interference in the internal affairs of other countries". He added that his party accepted the economic and geographical facts of Swaziland's position in southern Africa. It would maintain close economic ties with South Africa and, to a lesser extent, Mozambique and it would also seek membership of both the Organization of African Unity (OAU) and the United Nations. Commenting on South Africa's racial policies, he said that although the Swazis would not interfere in the internal affairs of another country, they would eliminate racial discrimination in their own country. In a statement to the Press of South Africa on 27 November 1966 he is reported to have said that he hoped to have talks with the South African premier upon Swaziland's independence so that he could explain plainly his country's policy towards South Africa. In the meantime, in preparation for independence, Swaziland is reported to have enlisted the aid of South Africans in training its administrative personnel.

White Paper of October 1966

11. Until 25 April 1967, Swaziland was governed according to a Constitution adopted in 1964. As previously noted, in the elections to the Legislative Council held in 1964, the Imbokodvo (the party which represents the Swazi Nation under the Ngwenyama) won all the elected seats except for six of the eight seats which, under the 1964 Constitution were reserved for Europeans. Following the election, the Imbokodvo called for the early emergence of Swaziland as an independent State with the Ngwenyama as its King.

12. In August 1965, the Swaziland Constitutional Committee, comprised entirely of members of the Legislative Council under the chairmanship of Her Majesty's Commissioner was appointed to make detailed recommendations for a new constitution after hearing the views of political parties and groups not represented in the Council. The Committee's report was submitted to the Secretary of State for the Colonies and was tabled in the Legislative Council for discussion in March 1966. The report, which largely reflected the views of the majority Imbokodvo, proposed a new constitution under which Swaziland would attain internal self-government. It envisaged that Swaziland should become a constitutional monarchy, with the Paramount Chief as Head of State and a bicameral Parliament, the lower house, or House of Assembly consisting of twenty-four members elected by universal suffrage from eight three-member constituencies, six appointed by the King and the Attorney General as an official member; the upper house would consist of a Speaker and twelve members, half chosen by the House of Assembly and half appointed by the King. The Swazi National Council, a traditional body, would continue to advise the King on all matters regulated by Swazi law and custom, including questions relating to land belonging to the Swazi Nation and to mineral rights, control over both of which would be vested in the King in trust for the Swazi Nation. Details of the finally agreed constitutional proposals are given in paragraphs 24 to 43 below.

13. The Legislative Council unanimously endorsed the majority recommendations in April. Representations about various matters were made by members of the public and interested bodies, including the two opposition parties, the Ngwane National Liberatory Congress and the Swaziland Progressive Party, which protested their non-representation on the Constitutional Committee and rejected the Committee's recommendations on the ground that they were designed to entrench the conservative elements represented by the Imbokodvo. These parties, which had not gained a seat in the Legislative Council in the 1964 elections, called for the holding of a fully representative constitutional conference.

14. In a White Paper^{6/}, published in October 1966, the Secretary of State for the Colonies stated that the United Kingdom Government had taken full account of

6/ Swaziland Constitutional Proposals, Cmd. 3119, H.M.S.O. 1966.

these representations in considering the report. After further consultations held between him and the Swaziland Government, final agreement had been reached, without the necessity of convening a constitutional conference, both on the draft of the Swaziland (Protected State) Agreement and on the form of the internal self-government (Protected State) Agreement and on the form of the internal self-government constitution (except on the question of minerals).

15. According to the White Paper, the main issue on which it had not proved possible to reconcile the views of the Government of Swaziland and the United Kingdom related to the central control of the grant or refusal of mineral rights. Under the 1964 Constitution, the ownership of minerals in Swaziland was vested, subject to existing rights, in the Ngwenyama in trust for the Swazi Nation. The power to grant or refuse mineral rights was, however, vested in Her Majesty's Commissioner acting after consultation with the Ngwenyama and the Executive Council. The Legislative Council had power to legislate on minerals as on all other matters except those which the Constitution specified shall continue to be regulated by Swazi law and custom.

16. The Swaziland Constitutional Committee recommended that the power to grant mineral rights should be vested in the Ngwenyama and that for the purpose of advising him in the exercise of this power there should be a committee appointed by him after consultation with the Swazi National Council. The position of the Swaziland Government was that not only ownership but also control of Swazi Nation land was vested in the Ngwenyama. Therefore, the grant or refusal of mineral rights was similarly an inseparable function of the ownership of minerals. The Swaziland Government conceded that it would be possible to review the arrangements proposed by the Committee when the independence constitution was being considered.

17. The Secretary of State, while agreeing that under the new Constitution, the power to grant mineral rights should be vested in the Ngwenyama, held that since the Government would already be in the hands of a cabinet drawn from a Parliament mainly elected on the basis of universal suffrage, the Ngwenyama should exercise that power on ministerial advice. The Constitution could also provide that before giving its advice, the cabinet would be required to consult the Swazi National Council or a committee thereof. In the Secretary of State's opinion, the central Government which was responsible for other aspects of the

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economic development of Swaziland should also control mineral development. In the absence of agreement on the question under consideration, the United Kingdom Government decided to include in the Constitution provisions on the lines indicated by the Secretary of State.

18. The White Paper recorded that representations had been made, urging that the Territory should be divided into single-member constituencies. The Secretary of State, however, accepted the Committee's proposal that under the new Constitution, Swaziland should be divided into eight constituencies, each returning three members to the House of Assembly, and that this should be done by dividing each of the four existing constituencies into two, each containing as nearly as practicable the same number of adult inhabitants. This proposal was a compromise between those who wanted to retain the existing number of constituencies and those who wanted single-member constituencies. The principal objection to the latter suggestion was that, with a total electorate of about 120,000 and twenty-four elected members, the number of voters in each constituency would be so small as to make the members subject to disruptive local pressures and to open the way to intimidation and corruption. The alternative would have been to reduce the number of elected members, but this was not considered desirable.

19. Finally, reference was made in the White Paper to the provisions relating to the amendment of the Constitution. Under the draft Swaziland (Protected State) Agreement, Her Majesty would retain the power to amend or replace the Constitution, but before exercising this power there would normally be consultation with the Swaziland Government. The Constitution would set out the procedure to be followed by that Government before a request could be made to Her Majesty to exercise the power of amendment. The Swaziland Government had expressed the hope that except in abnormal circumstances Her Majesty would not exercise that power until the specified local procedure had been complied with, and that Her Majesty would favourably consider amending the Constitution at the request of that Government once the specified procedure had been carried out.

20. Following the publication of the White Paper, one of the opposition parties, the Ngwane National Liberatory Congress, issued a statement in Dar es Salaam on 26 October 1966. The party strongly condemned what it described as a

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unilateral action by the United Kingdom Government, done without consulting the people and the political movements of Swaziland in order to safeguard British interests and entrench reactionary and tribal forces. It repeated a demand, which it had previously made in August, for the holding of a constitutional conference representative of the broad masses of the Swazi people.

21. The following two sections summarize the proposals contained in the White Paper which came into force on 25 April 1967.

Swaziland (Protected State) Agreement

22. The fundamental problem with which the Swaziland Constitutional Committee was concerned was the restoration of what the Swazis regarded as the original treaty relationship between Swaziland and the United Kingdom established in the nineteenth century and the recognition of the kingship of the Ngwenyama. To meet the general wishes of the Swazis in these matters, the Secretary of State informed the Committee in the course of its deliberations that the United Kingdom Government proposed to grant Swaziland internal self-government in 1966 and that, subject to Her Majesty's approval, the United Kingdom Government would be willing to arrange for the conclusions of an Agreement with the Ngwenyama which would have the effect of turning Swaziland into a Protected State with the Ngwenyama recognized as King of Swaziland. The Secretary of State also made it clear that the United Kingdom Government wished Swaziland to attain independence by not later than the end of 1969.

23. The Agreement, which came into force on 25 April (see below), stipulates that Her Majesty will reserve to herself the power to amend or replace the Constitution, and powers and jurisdiction in respect of the United Kingdom's continued responsibility for external relations, defence and other matters specified in the Constitution. All powers and jurisdiction except those specified in the Agreement will be renounced. Provided that the United Kingdom is satisfied that conditions then prevailing in the Territory do not preclude the grant of independence at that time, Swaziland will become independent by not later than the end of 1969.

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Internal self-government constitution

24. Under the new Constitution as outlined in the White Paper and embodied in the Swaziland Constitution Order, 1967, the Ngwenyama is recognized as King of Swaziland and Head of State. The succession is governed by Swazi law and custom. The King appoints the Prime Minister and other ministers and has the right to be informed and consulted by his ministers on all matters of government. He acts on ministerial advice except where the constitution or any other law specifically provides otherwise. However, he has the right to require the Prime Minister to reconsider in the cabinet any matter submitted to him.

25. Provision is made for the office of Her Majesty's Commissioner. Assisted by a deputy, Her Majesty's Commissioner retains responsibility for external affairs, defence and internal security. He is empowered, however, to delegate any part of these responsibilities to a minister designated by the Prime Minister; such delegation may be made subject to conditions and may be revoked.

26. Her Majesty's Commissioner will retain, until a date to be appointed by him, responsibility for the Public Service, in consultation with the Public Service Commission or the Judicial Service Commission; after that date, the two commissions will become executive and he will cease to have this function. The Public Service Commission is appointed by Her Majesty's Commissioner in his discretion, and after that date by the King in accordance with the advice of the Judicial Service Commission.

27. Her Majesty's Commissioner retains certain powers of financial control for the purpose of ensuring proper financial administration or securing compliance with a condition attached to a financial grant made by the United Kingdom Government to the Swaziland Government.

28. Her Majesty's Commissioner is also empowered to require the Swaziland Government to introduce and secure the passage of legislation which he considers necessary or expedient in the interests of any of his responsibilities. If the Government fails to do so, he has power to make an order which has the force of law. He also has the power to require the Government to take executive action which he considers necessary or expedient for the discharge of his responsibilities, or, if it fails to do so, he has the power to exercise any lawful function of the Government for that purpose.

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29. The Constitution provides for the establishment of a Consultative Council, consisting of Her Majesty's Commissioner, the Deputy Commissioner, the Prime Minister and the Deputy Prime Minister, for the purpose of consultation between Her Majesty's Government and the Swaziland Government on the exercise of the reserved powers by Her Majesty's Commissioner.

30. The Swaziland Parliament has two houses: a House of Assembly and a Senate. The House of Assembly consists of a Speaker, twenty-four elected members, six nominated members, who are appointed by the King to represent interests not otherwise adequately represented, and the Attorney-General, who has no vote.

31. The Senate consists of a Speaker and twelve members, half elected by the members of the House of Assembly and the other half appointed by the King to represent interests not otherwise adequately represented.

32. All persons of the age of twenty-one years, except criminals and the insane, are qualified to register as voters, if they are citizens of Swaziland or citizens of the United Kingdom and colonies fulfilling a three-year residence qualification, or if their husband or parent possesses Swazi citizenship.

33. Swaziland is divided into eight three-member constituencies, delimited and kept under review by a Delimitation Commission consisting of a judge of the High Court of Swaziland as chairman and two other members appointed by the Judicial Service Commission.

34. Subject to the provisions of the Constitution, the Parliament has full power to make laws for the peace, order and good government of Swaziland, exercisable by bills passed through both houses and assented to by the King. The House of Assembly has exclusive power to initiate legislation on taxation and financial matters and is generally responsible for initiating legislation on other matters, but has no power to legislate in respect of Swazi law and custom, unless authorized by the Swazi National Council. The senate has power to initiate legislation on matters other than taxation and finance and Swazi law and custom.

35. Each house is empowered to refer a bill back to the other house for further consideration, but the Senate may not delay the passage of an appropriation bill. In the case of a "money bill" other than an appropriation bill, if the Senate fails to pass the bill within thirty days from the date it

leaves the House of Assembly, the House of Assembly may submit the bill to the King for his assent.

36. Each Parliament will last for five years, unless dissolved earlier. The power to prorogue or dissolve Parliament is vested in the King who will normally act on ministerial advice, but who may act in his discretion if the House of Assembly passes a vote of no confidence in the Government or if, in the event of the office of Prime Minister falling vacant, there is no reasonable prospect of finding a person for appointment who can command a majority in the House of Assembly.

37. Subject to the powers conferred on Her Majesty's Commissioner, executive authority is vested in the King. There is a cabinet consisting of the Prime Minister, the Deputy Prime Minister and up to six other ministers. There may also be assistant ministers. The function of the cabinet is to advise the King in the Government of Swaziland, and it is collectively responsible to Parliament for any advice given to him. The King appoints as Prime Minister the leader of the political party, or coalition of parties, enjoying the support of the majority of the members of the House of Assembly. The Deputy Prime Minister, other ministers and the assistant ministers are appointed by the King in accordance with the advice of the Prime Minister.

38. The prerogative of mercy is vested in the King acting in accordance with the advice of a committee consisting of the Attorney-General and three ministers appointed by the King in his discretion to advise him on the exercise of this prerogative.

39. The Swazi National Council will continue to advise the King on all matters regulated by Swazi law and custom, and connected with Swazi traditions and culture. Swazi Nation land will be vested in the King in trust for the Swazi Nation. Provisions relating to minerals will be made on the lines of those indicated in paragraph 17 above.

40. The Constitution provides for an independent judiciary and an integrated judicial system for the Territory. It contains a code of fundamental rights and freedoms, enforceable by the High Court.

41. Provisions relating to the position of the King, the code of fundamental rights, the judicature, the Public Service and Judicial Service Commissions and the procedure for amending the Constitution are entrenched and alterable only

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if supported by 75 per cent of the members present and voting at a joint sitting of both houses of the Parliament and thereafter supported by two thirds of all votes validly cast at a referendum.

42. Certain other important provisions are also entrenched and cannot be altered unless supported by 75 per cent of the members present and voting at a joint sitting of both houses of the Parliament. These include, inter alia, the composition and powers of the Parliament and the maintenance of the existing status and powers of the Swazi National Council.

43. According to the information transmitted by the United Kingdom, the position regarding the revision of the Constitution is that, so long as Swaziland remains a protected State, the Swaziland Government cannot submit to the United Kingdom Government any proposal for altering these provisions referred to above unless the specified degree of support has been obtained. However, the Constitution can still be amended by Her Majesty in Council irrespective of whether the local procedures have been carried out, though there will normally be consultation with the Swaziland Government before any amendment is made. It is, of course, the intention that the local procedures described will be the necessary prerequisite for any amendment of the Constitution after independence.

Entry into force of new constitutional arrangements

44. On 24 April 1967, four days after a general election had been won by the Imbokodvo Party, the Ngwenyama signed an Agreement with the United Kingdom conferring on Swaziland the status of Protected State. The Agreement, the draft of which was contained in the White Paper of October 1966 (see paragraphs 22-23 above), came into operation on 25 April 1967. The internal self-government constitution, as outlined in the White Paper (see paragraphs 24-43 above), is set out in the Swaziland Constitution Order 1967, which was brought into force also on 25 April.

45. Having become the King of Swaziland and Head of State under the new Constitution, the Ngwenyama named Prince Makhosini Dlamini, leader of the Imbokodvo, to be the Territory's first Prime Minister. He also nominated six members of the House of Assembly to represent interests not otherwise adequately

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represented (one Swazi and five Europeans). The remaining member of the House is the Attorney-General, an official, who has no vote.

46. On 1 May, when it met for the first time, the House of Assembly elected a Speaker as well as six members of the Senate (five Swazis and one European). The remaining six members of the Senate were appointed by the King (four Swazis and two Europeans) to represent interests not otherwise adequately represented.

47. On 16 May, in accordance with the advice of the Prime Minister, the King appointed the remaining members of the cabinet (including the Deputy Prime Minister and six other ministers) and four assistant ministers.

1967 elections

48. In October 1966, the Government began to make preparations for the holding of elections to the new House of Assembly which was to be set up in accordance with the proposed Constitution. The elections took place on 19 and 20 April 1967, and the Imbokodvo won all twenty-four elected seats (representing eight three-member constituencies), gaining over 79 per cent of the votes cast. The Ngwane National Liberatory Congress (NNLC) received 20 per cent and the few remaining votes were shared between the Swaziland Progressive Party (SPP) and the Swaziland United Front (SUF). [These three parties and the Swaziland Democratic Party (SDP) - which subsequently merged with the Imbokodvo - likewise failed to win any seats in the 1964 elections when the Imbokodvo won all the elected seats except for six which were won by the United Swaziland Association (USA). The latter did not put forward candidates in the 1967 elections.]

49. The Imbokodvo, which describes itself as the political arm of the Swazi Nation and therefore a national movement, stated in a manifesto prepared for the latest election that its objectives were independence in 1968 with the Ngwenyama as King and Head of State; a free democracy based on the best Swazi traditions and modern constitutional law with an independent judiciary; a non-racial state with foundations of absolute equality and non-discrimination; internal peace and harmony; maximum progress and development in all fields in the shortest possible time; rapid expansion of free enterprise economy to enable

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as many citizens as possible to become economically active. The party further stated that its external policy would be based on the principles of neutrality and non-interference in the internal affairs of other States. It would cultivate friendly and mutually beneficial relations with other States and seek membership of the United Nations, the Commonwealth and the Organization of African Unity.

50. In their election manifestos, the three opposition parties, like the Imbokodvo, promised their supporters a modern non-racial and independent Swaziland with a democratically elected Parliament under the constitutional monarchy of the Ngwenyama. However, they called for major constitutional changes, to end the three-member constituencies and reduce the power of Swaziland's traditional forces, especially the King.

51. The NNLC further promised the Swazis to modify the present electoral system immediately after winning the election by introducing sixty single-member constituencies; to expand educational and medical services in order to meet the needs of the Territory; to embark on a policy of Africanization of the public services; to achieve full employment within five years through the extension of industrialization and mechanization of agriculture; and to continue to encourage the trade union movement. The NNLC also claimed that the Imbokodvo intended to turn Swaziland into a "Bantustan" satellite of South Africa.

52. At a pre-election rally held at Manzini early in April 1967, the NNLC adopted two resolutions which, among other things, accused the Imbokodvo of launching "a vicious campaign which encouraged chiefs to refuse permission for meetings of the opposition parties" and demanded freedom of speech and assembly.

53. Following the defeat of his party, Mr. Ambrose Zwane, leader of the NNLC, sent a cable to the Prime Minister of the United Kingdom, demanding suspension of the "fraudulent constitution" and fair elections. Mr. Zwane said that his party should have representation in the new legislature proportionate to the number of votes obtained. Subsequently, the Prime Minister of Swaziland made it clear that he would not recommend Mr. Zwane to the King for nomination to the House of Assembly, in spite of the fact that the NNLC's 20 per cent poll

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represented a proportionate increase of 8 per cent on a doubled electorate, since the 1964 election. The NNLC later reiterated its demand for a constitutional conference and further elections before independence.

Question of independence

54. On 2 May 1967, the Minister of State for Commonwealth Relations stated in a written answer to a question in the United Kingdom House of Commons that it remained the intention of the United Kingdom Government, as stated in the White Paper of October 1966 (see paragraphs 22-23 above) that Swaziland should become independent by not later than the end of 1969.

55. On 11 May, Mr. Ambrose Zwane, leader of the NNLC, was reported to have renewed demands for a revision of the present Constitution before full independence. With no response from the United Kingdom Government to these demands, Mr. Zwane on 1 June called a Territory-wide strike to begin on 5 June.

56. Faced with his first potential crisis, the Prime Minister of Swaziland was reported to have warned civil servants that they would be dismissed instantly and lose all their retirement benefits if they joined the strike. He also warned strike organizers that intimidation would be regarded as a serious criminal offence. He said that there were constitutional channels through which people could agitate for a change in the Constitution.

57. On 2 June, Mr. Zwane announced that he would cancel the strike because he believed that the United Kingdom Government was ready to talk with the leaders of the NNLC about the revision of the Constitution. But he was told on 6 June by Her Majesty's Commissioner that his constitutional objections should be raised with the Swaziland Government.

58. On 7 July after he had formally opened the new Swaziland Parliament, the King announced that his Government was asking the United Kingdom to grant independence to the Territory in September 1968 instead of before the end of 1969.

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Localization of the public service

59. On 17 May 1966, the Swaziland Government released the report^{7/} of a special commission, headed by Mr. T.C. Luke of Sierra Leone, which had been appointed to inquire into the localization of the civil service. At the same time the Government issued a statement announcing its acceptance of most of the commission's recommendations.

60. The main recommendations of the commission stressed the urgent need to find large sums of money for the expansion of education at all levels in order to meet the needs of a national public service. In the meantime, it recommended that in view of forthcoming independence, at least some of the higher policy-making posts and many more lower posts should be filled by Swazis. In 1965, out of 2,400 posts, 600 were occupied by European or African expatriates.

61. In its statement, the Government said, inter alia that it fully recognized the need to provide extra posts whereby local officers could gain experience and training and that such posts would be created without delay. First steps had also been taken to improve secondary education.

62. In its first report on public service training programmes, which was published in April 1967, the Government stated that in 1966, sixty-seven local officers had been appointed to supernumerary training posts in the civil service. It had also sponsored 107 new trainees on courses abroad, financed by way of scholarships, and twenty-two others on correspondence courses. Nearly 2,800 persons had been enrolled in courses held by government training institutions in Swaziland.

In addition, twelve private trainees had begun courses overseas. The Government also stated that the main difficulty had been the shortage of persons qualified to enter training institutions, and that financial stringency would apparently make it impossible to continue to expand certain training programmes in 1967, notably the supernumerary training grades scheme.

^{7/} Swaziland: Report of the Localization Commission, Mbabane, January 1966.

Economic conditions

63. General. Despite its small size, Swaziland is relatively well endowed with natural resources, possessing good soil, a favourable climate, a fairly abundant water supply and rich mineral deposits. Slightly more than half of the total land area is held by Swazis under communal ownership and nearly half is owned on individual tenure, mainly by Europeans.

64. The economy is predominantly agricultural, the principal cash crops being sugar, rice, citrus and pineapples, tobacco, and cotton. The first four are grown mainly in the European farming areas under irrigation. Apart from tobacco and cotton, other dry-land crops are maize, the staple diet of the Swazis, kaffir corn, millet, potatoes, vegetables and groundnuts. Cattle-raising is traditional among the Swazis, the cattle being either exported alive or slaughtered at a recently established abattoir and cannery at Mbabane. There is also a large wood pulp industry based on three major forestry enterprises and two large mining undertakings engaged in the extraction of asbestos and iron ore. The iron mine, a joint project started in 1961 by the Anglo-American Corporation of South Africa, a British company and the Commonwealth Development Corporation, operates under a contract calling for the supply of 12 million tons of ore to Japanese iron and steel companies over a period of ten years beginning in 1964. The iron ore is exported through Mozambique. Apart from secondary industries processing the Territory's agricultural products, such as two sugar mills, fruit and meat canning and cotton ginning, there are a number of light manufacturing or service industries. A government-financed industrial estate exists near Mbabane and other measures have been taken to encourage industrial investment.

65. As already stated, the Territory shares in a common customs union and currency area with South Africa, Botswana and Lesotho, and much of its trade is by necessity with South Africa. Because of the free exchange, data on imports are not exact, but it is estimated that in 1965 Swaziland's imports, including cereals and other foodstuffs which are imported to supplement the Territory's own production, amounted to about £13.2 million. Exports, which can be ascertained more accurately, were valued at £15.1 million, an increase of 33 per cent over 1964 due mainly to increased mineral production. It may be noted that, of the total exports by value, 17 per cent went to South Africa, 37 per cent to the United Kingdom and 46 per cent

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to other countries. Statistics recently released by the Government show that exports in 1966 were worth £19 million, an increase of 27 per cent over the previous year resulting chiefly from the further expansion of the sugar, livestock and mining industries. As a result of the opening in 1964 of a railway line to the port of Lourenço Marques in Mozambique for the export of iron ore, the Territory's dependence on South Africa for its transit trade has decreased. A £2.15 million bulk sugar terminal and wharf at that port was opened on 3 December 1966, a project which was partly financed by loans from the Swaziland Sugar Association.

66. One of the two principal economic problems which face the Swaziland Government is the need to reduce the imbalance between the European farming sector, which is relatively heavily capitalized and oriented towards cash crops, and the Swazi agricultural sector, which is predominantly concerned with subsistence farming and has remained generally static despite substantial injections of development capital in recent years. Allied to this is the second problem, namely, a very substantial annual budgetary deficit amounting to an estimated £1.2 million or nearly one third of expected territorial revenue in 1966/67, which was covered by grants-in-aid from the United Kingdom. According to a speech delivered by the then Secretary for Finance and Development to the Legislative Council on 20 February 1967, the financial position of the Government has shown improvement as indicated by the fact that a smaller budgetary deficit, totalling about £960,000, is expected to occur in the current financial year. This deficit will again be met by the United Kingdom. Apart from these grants-in-aid, Swaziland also received financial assistance for its development expenditure in the form of funds made available by the United Kingdom under the Overseas Development and Service Act and its predecessors. In February 1966, the United Kingdom Government announced that development allocations under the Act had been made totalling £3.9 million for 1965/68, representing an increase of £1,238,000 over the previous three years.

67. In recognition of the extensive need of Swaziland for development financing and technical assistance to improve the economic and social condition of its people, the Special Committee and the General Assembly, (see paragraphs 2 and 3 above), have in several resolutions recommended that the Territory should receive special consideration from the United Nations and its specialized agencies in the allocation of economic, financial and technical assistance under their programmes

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of technical co-operation. Details of such assistance rendered to Swaziland are given separately below. In addition, the General Assembly in 1965 decided to establish a fund for the economic development of Swaziland, together with the now independent States of Botswana and Lesotho, to be made up of voluntary contributions. So far, however, the contributions pledged have not been sufficient to enable the fund to be brought into operation.

68. Swaziland's developmental needs were also studied by an economic mission of the United Kingdom Ministry of Overseas Development in late 1965, the report of which is not yet available. Replying to a question in the House of Commons on 5 May 1966, the Parliamentary Under-Secretary of State for the Colonies, Mr. John Stonehouse, said that pending consideration of the mission's recommendations, the Swaziland Government had prepared proposals for the use of the development funds made available for the period up to 31 March 1968 and that these were under consideration.

69. On 16 November 1966, the question of increasing the scale of economic aid to Swaziland was again raised in the House of Commons. Replying, the Minister of Overseas Development said that development aid from the Colonial Development and Welfare Fund for 1965/68 was at a considerably higher level than for the three previous years. No proposals for further economic aid were then under consideration, but the amount of budgetary assistance for 1967 would be considered shortly, and allocations of development aid for the period beginning on 1 April 1968 would be considered later.

70. According to a speech delivered by Her Majesty's Commissioner to the Legislative Council in October 1965, the development plan for 1965-68 proposed by the Swaziland Government is concentrated on raising living standards, particularly of the rural Swazi population, and on reducing the annual budgetary deficit. The steps being taken to achieve these objectives are set out in the following sections.

71. Development of agricultural production. The Swaziland Government has been seeking to raise the living standard of the rural Swazi population partly by promoting the rapid expansion of agricultural production in the Swazi areas. The main feature of the development programme for this sector is the establishment of rural development areas in which it is proposed to concentrate and co-ordinate intensive development projects based on self-help, and the introduction of pilot

settlement schemes for selected Swazi farmers, which are designed for the production of high-value cash crops on a basis of leasehold tenure. The programmes also include: a major cotton-growing campaign for the coming season; encouragement of Swazi farmers to grow sugar-cane and pineapple; promotion of new forestry development and assistance to the declining tobacco industry in Southern Swaziland; creation of a statutory livestock producers' trust with the object of acquiring shares in the Swaziland Meat Corporation which operates an abattoir and cannery constructed in 1965; the possible establishment of a dairy control board; and enlargement of the Swaziland Credit and Savings Bank's resources.

72. By August 1966, the Government had already established eight rural development areas and hoped to set up one additional area in each district per year. In announcing this, the Director of Agriculture said that there were possibilities of great improvement in agricultural production in view of the Swazis' desire for economic advancement and as a result of developments in other sectors, notably the improvement of communications, hydroelectric power, the expansion of local industries, improved credit facilities and the establishment of the Swaziland Agricultural College and University Centre (SACUC).

73. Improvement of agricultural skills. The Swaziland Agricultural College and University Centre, affiliated to the University of Botswana, Lesotho and Swaziland (the former UBBS) was opened on 4 November 1966, as an expansion of the Malkerns Agricultural College and Short Course Centre. It was expected to cater for 154 full-time students and up to thirty-two short-term students. Three government certificate courses in agriculture, forestry and home economics, each with the duration of two years, had been offered at the Malkerns College since June 1966, and a full programme of short courses launched throughout the year. Moreover, the University of Botswana, Lesotho and Swaziland had already decided to offer in 1967 a three-year diploma course in agriculture. By November, fourteen full scholarships had been awarded to agricultural students by non-governmental organizations in Swaziland and one by the International Women's League for Peace and Freedom. In addition, two commercial firms in the Territory, Usutu Pulp Company and Peak Timbers Limited, had provided twelve all-embracing scholarships for forestry students.

74. On 12 May 1967, the Principal of the SACUC was reported to have stated that since its establishment in late 1966, the institution had developed beyond expectations. It opened with an enrolment of forty-three students, but within less than a year had acted as host to more than 1,200 people attending courses, seminars and meetings of all kinds. It had been involved not only in the teaching of agriculture and forestry but also in teaching other subjects ranging from geography to business management. In order to meet the increasing demands made upon it, the institution had acquired additional land and buildings. The Principal said that many of his students suffered from lack of basic education which, if they had received it, would have enabled them to understand more easily the seventeen different agricultural and related subjects offered at the institution.

75. Provision of agricultural credit. The Swaziland Credit and Savings Bank was opened at Mbabane on 14 August 1965, at a time when the agricultural industry was suffering the effects of severe drought and stock disease. By the end of November 1966, the Bank had received nearly 200 applications for loans totalling about £150,000. Of these, only about seventy applications totalling approximately £35,000 were either withdrawn or rejected for various reasons.

76. According to a statement by its Manager in November 1966, the Bank's capital resources consisted of a grant of £170,000 from the Commonwealth Development and Welfare Fund, £300,000 borrowed from the commercial bank and about £35,000 transferred from the Agricultural Revolving Loans Fund, a fund established to assist small farmers. These, with savings bank balances of £51,000, made a total of over £550,000, all of which, except for a loss on operations amounting to £20,000 and half of the savings bank deposits, was available for lending. Loans sanctioned so far, less repayments, totalled £60,400. Steps were taken in 1966 to establish two branches of the bank and two weekly agencies.

77. Development of water supplies. Swaziland is well watered compared with other parts of southern Africa, and water is therefore regarded as one of the Territory's more valuable economic assets. Five rivers, rising in South Africa, flow through the Territory and have been used for irrigated farming, especially of

sugar and rice, and for hydro-electric power production. Due to the rainfall pattern, however, the possibilities of further increasing the irrigated area are limited without the use of water storage and the study of water potential.

78. The Government is seeking to develop Swaziland's water resources on a large scale and is undertaking a comprehensive hydrological survey of the whole Territory. With the information already available, it is also investigating possible sites for storage dams on the main rivers. The Government is moreover studying the international implications involving the large-scale development of river resources and is considering the recommendations submitted to it by a commission established to review the existing law relating to the control and use of water throughout the Territory. An application for assistance in the preparation of a comprehensive water development plan for Swaziland was submitted to the United Nations Special Fund for consideration.

79. Early in October 1966, the Sand River dam, with a storage capacity of 33,000 acre-feet, was opened at Tshaneni. It was constructed by the Commonwealth Development Corporation at a cost of £1 million. The dam will expand the total area under irrigation in the Komati area from 20,000 to some 35,000 acres.

80. United Nations assistance to the Territory. In June 1966, the Special Fund sector of the United Nations Development Programme (UNDP) provided \$US462,000 to meet part of the cost of an aerial geophysical survey of the Territory; this project, which will cost a total of \$US834,000, the difference to be paid by the Government, will be completed within four years.

81. In early 1967, the International Bank for Reconstruction and Development (IBRD) approved a loan to Swaziland to assist in financing the expansion programme of the Swaziland Electricity Board. The programme is scheduled for completion in 1971 at a total estimated cost of \$5.45 million, of which the IBRD loan will cover \$2.75 million. Additional loans of \$750,000 will come from other sources and \$1.95 million will be provided by the Board. The programme will more than double the present capacity of the public power supply system in the Territory.

82. The representative of the UNDP in Swaziland announced in June 1967 that the UNDP had earmarked £400,000 for a two-year study in Swaziland's Usutu River basin (which covers a large portion of the Territory), while the Swaziland

Government would make a contribution of some £200,000. The object of the project was the appraisal of the land and water resources of the Usutu River basin and the preparation of a detailed plan for the development of its irrigation and power potential. In drawing up the plan, account would be taken of the effect of irrigation agriculture on the Territory's traditional pattern of land tenure and the settlement of Swazi farmers on irrigated allotments.

83. Details of projects approved for 1967-68 under the technical assistance component of the UNDP are as follows:

<u>Approved category I programme</u>	<u>Cost (\$US)</u>	<u>Experts</u>		<u>Fellowships</u>		<u>Equipment, services and supplies (\$US)</u>
		<u>No.</u>	<u>Months</u>	<u>No.</u>	<u>Months</u>	
UNTA economic programming and projections <u>a/</u>	44,000	1	24			
UNTA statistics <u>a/</u>	44,000	1	24			
UNTA public administration	3,600			1	6	
ILO human resources development	20,600	1	6	1	24	
FAO economic analysis <u>a/</u>	47,600	1	24	1	6	
FAO rural institutions and services <u>a/</u>	40,200	1	24	1	12	3,000
UNESCO teacher training	91,600	2	48	1	6	
WHO tuberculosis control <u>a/</u>	<u>63,055</u>	4	48			500
Total	354,655 <u>b/</u>					

a/ Projects continuing from the 1965-66 biennium.

b/ Representing an increase of \$76,119 over the previous two years.

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84. In January 1967, the Administrator of the UNDP authorized an allocation of \$US45,000 from the Revolving Fund for two additional experts in the fields of nutrition education and home economics and agricultural extension.

85. Under the 1966 Regular Programme of Technical Assistance, an expert was sent to the Territory, on a two-year appointment, to advise the Government concerning community development. In 1966, the United Nations Bureau of Technical Assistance Operations also sent to Swaziland a Dutch associate economics experts and a Danish associate statistician, each on an initial assignment of one year, under the associate expert scheme. This scheme results from agreement between the United Nations and the donor Governments whereby experts with adequate educational qualifications but limited experience are supplied as assistants to senior United Nations experts at no cost to the United Nations or to the receiving Government.

Social conditions

86. Elimination of racial discrimination. In March 1967, on the basis of a proposal by one of its members, the Legislative Council unanimously adopted a motion, stating that "in view of the fact that it is common knowledge that forms of subtle discrimination still exist in Swaziland, the Government should investigate its extent and take what action it considers necessary to remedy matters". It is also provided that a race relations board be created by the Government as a permanent body comprising "three reputable citizens of Swaziland who will have the task of investigating reports of discrimination which are redressed to them or investigating discrimination where they think it might exist".

87. Labour. The principal occupations in Swaziland are agricultural, forestry, mining, construction and public service. Apart from a few small secondary or light industries, the chief industrial employers are the sugar mills, a wood-pulp factory and a fruit cannery. Since many Swazis are whole or part-time farmers, the number seeking paid employment varies, depending especially on agricultural conditions. In 1965, which was a year of severe drought, about half the male Swazis of working age were in paid employment. Of these, 24,426 were registered as being employed in Swaziland and about 6,460 were working in the mines of South Africa. In addition, 4,555 foreign Africans were employed in Swaziland. Whereas there is a marked shortage of skilled and semi-skilled workers, there is growing

unemployment among unskilled workers. This is due partly to a decline in the number of Swazis who can obtain employment in South Africa, but mainly to a progressive increase in the number of unskilled Swazis seeking employment (averaging about 2,000 per year) which results from a movement into the urban areas. Another factor is the increasing mechanization of production which leads employers to seek skilled rather than unskilled workers.

88. In combatting the problem of emerging unemployment, the Government has also stressed the urgent need for a comprehensive and intensified industrial training programme to enable the Swazis to play their full part in the Territory's industrial development. At the Government's request, Professor T.N. Tolani, a technical training expert from the International Labour Organisation (ILO) was sent to Swaziland in 1965 to prepare such a programme.

89. Early in 1966, the Government was reported to have accepted Professor Tolani's recommendations, under which a national council would be set up to advise the Government on all industrial training matters. The council would consist of representatives of Government, employers and workers, and would absorb or replace existing bodies. The Council's first task would be to determine priorities for a national training programme. The council's day-to-day work would be carried out by an industrial, vocational training and trade testing branch, which would be created in the Department of External Affairs and Labour.

90. Professor Tolani recommended that the Swaziland Trade Training Centre which at present provides a three-year course for artisans, be up-graded into an Industrial Training Institute, with modern facilities for the training of all classes of industrial workers, from the apprentice to the supervisor. He also recommended the expansion of clerical training facilities, mainly at the Swaziland Staff Training Institute, as well as at the Mbuluzi Home Economics Teacher Training and Housecraft Centre. He emphasized the need to train instructors before the main training programme was initiated. Professor Tolani has since been invited to return to Swaziland to assist in the implementation of his proposals.

91. Apart from three brief disputes, involving 388 workers and resulting in a loss of 310 man-days in 1965, labour-employer relations were undisturbed according to the information transmitted for that year. Because of a reported lack of support for the National Joint Consultative Council, particularly on the part of the trade union representatives, it was decided to replace it by a statutory Labour

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Advisory Board. A law establishing a Labour Advisory Board consisting of the Labour Commissioner (Chairman), four employers' representatives, four employees' representatives and two other unofficials, was enacted in August 1966. Following an inquiry in 1964 which recommended that statutory wage regulation should be introduced in certain industries in which trade unions were not well established, wages councils have been appointed for the wholesale and retail distributive trade, the sugar milling industry and the building industry.

Educational conditions

92. The development of education poses a special problem for Swaziland because of the difficulty of reconciling two apparently conflicting requirements. On the one hand there is an urgently felt need to expand and improve educational facilities in order to increase the participation of Swazis both in the public service and in the economy, and on the other hand there is the desire to reduce the budgetary deficit which makes Swaziland dependent on foreign aid. To achieve the first objective within the severe financial limitations, the policy of the Swaziland Government is to expand secondary education while maintaining the existing primary system at the highest possible standard of efficiency; only under extraordinary circumstances, such as a localized increase in population, it is felt, can new primary schools be established or existing ones enlarged in the immediate future.

93. According to the report of the Director of Education, public expenditure on education amounted to £783,213 in the fiscal year 1964/65 (an increase of £61,641 over the preceding year), of which £437,618 was budget expenditure and £159,730 a Colonial Development and Welfare grant. In addition, expenditure by religious missions totalled £163,268. The budget estimates for 1966/67 show the allocation for expenditure on education under the ordinary budget, amounting to £630,368. On the basis of the information transmitted by the United Kingdom, budget expenditure on education, taken as a proportion of total territorial revenue excluding grant-in-aid, has remained constant at about 20 per cent, and the actual amount of such expenditure has increased substantially. Expenditure on education from the Colonial Development and Welfare Fund has also increased substantially, but a reliable estimate of such expenditure in 1966/67 is not available.

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94. The following table shows the situation in regard to schools and pupil enrolments during 1965:

	<u>Schools</u>	<u>Enrolment</u>	<u>Teachers</u>
Primary education ^{a/}	332	49,513	1,376
Secondary education ^{b/}	32	2,930	182
Teacher training ^{c/}	3	159	19
Technical and vocational training ^{c/}	3	106	19

^{a/} Including 316 African schools with 47,631 students and 1,290 teachers.

^{b/} Including 25 African schools with 2,383 students and 138 teachers.

^{c/} For Africans only.

95. Examination results obtained by students in the primary, secondary and teacher-training schools in 1965 were as follows:

	<u>Entries</u>	<u>Passes</u>
Standard VI	2,117	1,275
Junior Certificate	491	256
Standard for entry to University of Botswana, Lesotho and Swaziland	99	74
Overseas Cambridge School Certificate	99	96 ^{a/}
Primary Lower Certificate	24	22 ^{b/}
Primary Higher Certificate	49	40 ^{c/}

^{a/} Of these, 9 passed in the first class, 32 in the second, 53 in the third and the rest obtained G.C.E. "O" level.

^{b/} Including 13 passes, 8 partial passes and 1 supplementary pass.

^{c/} Including 21 passes, 10 partial passes and 9 supplementary passes.

96. In 1965, three primary schools were rebuilt or enlarged and several new ones constructed, mostly by private concerns. Capital improvements were completed at four secondary schools and plans were made for extensions at these and ten other schools. Facilities for primary teacher training at two colleges were expected to be considerably expanded in 1966.

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97. The policy of progressive integration of the various races at the primary level introduced in 1962 has continued. The introduction of a common syllabus for all races was expected to reach Standards II-IV in 1966 and Standard V in 1967. It was decided that limited integration should begin in the secondary schools in 1966.

98. University education. Swaziland shares with Botswana and Lesotho in a jointly owned university located in Lesotho. Established in 1964 by the acquisition of the premises of a Roman Catholic College, it is financed partly by the three Governments, partly by the United Kingdom and partly by funds from other sources, notably the United States of America. Apart from its courses for resident students which are designed specifically to meet the needs of the three countries, the University has an extensive extra-mural programme and provides courses in Swaziland at the Swaziland Agricultural College and University Centre, which is affiliated to it.

99. In 1965, the number of students in residence at the University was 220, of whom thirty were from Swaziland. For the first time, students who had completed their first two years of the four-year degree course, sat for the Part I examinations. Out of the total entry of 74, 54 passed and 6 were allowed to repeat.

100. As the result of the emergence of Botswana and Lesotho, a commission was established in 1966 to review the role of the university and the arrangements concerning its financing. The commission is composed of Sir Roger Stevens, Vice-Chancellor of the University of Leeds, as its chairman, one ministerial representative from each of the three participating countries and five other members, mostly drawn from the United Kingdom Ministry of Overseas Development. The commission's terms of reference were as follows:

(a) To review the higher education needs of Botswana, Lesotho and Swaziland;

(b) To recommend arrangements which would meet those needs, and in particular to advise on the role which could be played by the University;

(c) To recommend to the three Governments and the United Kingdom Government the arrangements which they should adopt to provide the capital and recurrent financing required by the University during the period ending 31 March 1970.

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The commission began its work on 1 August 1966, but its report is not yet available.

101. Apart from the necessity of changing the name of the University in view of the independence of Botswana and Lesotho, other changes were made in its charter and statutes eliminating the restriction whereby the University could previously award only bachelors degrees, and providing for the inclusion of the principal of the Swaziland Agricultural College and University Centre as an ex officio member of the University Council.

102. During the year, the University Grants Committee, on which Swaziland is represented, recommended a recurrent budget of £270,000 for the provision of grants in 1966/67, to which Swaziland was expected to contribute £81,000.

103. On 2 November 1966, the University was reported to have appointed a commission of inquiry into the causes of a one-day strike by almost all the 285 African students on 14 September. The Students' Representative Council had demanded the immediate resignation of the Dean of Students Affairs, Mr. Christopher von Nispen, who, it had been claimed, had done nothing to improve food and dining-room conditions.

104. The University closed for approximately six weeks on 15 September after a severe water shortage which had preceded the students' strike. When the University resumed lectures on 1 November, thirteen students including all members of the Students' Representative Council were barred from entering the campus. The Vice-Chancellor, said that he had decided that they must be temporarily excluded from the University as their return would not be conducive to the peaceful resumption of academic activities. On 25 November, it was reported that the water supply of the University had improved but that strict economy would be necessary until a new water storage dam could be completed.

III. CONSIDERATION BY THE SPECIAL COMMITTEE^{8/}

Introduction

105. The Special Committee considered Swaziland at its 561st, 568th and 569th meetings held in New York between 15 September and 23 October 1967. The Special Committee had before it the report of the Secretary-General concerning the Fund for the Economic Development of Basutoland, Bechuanaland and Swaziland (A/AC.109/273).

106. In his report, the Secretary-General stated that the total amount of contributions to the Fund as of 10 September 1967 was approximately \$18,560 made up of the following contributions: Cyprus, £100 (\$280); Democratic Republic of the Congo, \$2,500; Jamaica, \$980; Kuwait, \$2,000; Liberia, \$6,000; Libya, \$4,000; and Pakistan, \$2,800. Furthermore, two Governments (Denmark and India) had indicated that they would contribute to the Fund when it became operational. Finally the Secretary-General reported that as the contributions pledged had been insufficient, it had not been possible to bring the Fund into operation.

A. Written petitions

107. The Special Committee had before it the following written petitions:

<u>Petitioner</u>	<u>Document No.</u>
Mr. S.J. Zwane, Chief External Representative, Ngwane National Liberatory Congress (NNLC)	A/AC.109/PET.601 and Add.2
Mr. Ambrose Zwane, President, NNLC	A/AC.109/PET.601/Add.1
Prince Mafahlefehle Dlamini, Chairman, Swaziland Immigrant's Association	A/AC.109/PET.623

B. General statements

108. The representative of the United Kingdom recalled that, in the past, the Special Committee had always considered the question of Swaziland in conjunction with that of two former Non-Self-Governing Territories, Basutoland and Bechuanaland.

^{8/} This section includes those portions of the statements made on Swaziland in the Special Committee which relate to the question in general; those portions which refer specifically to the consensus adopted by the Special Committee are given in section IV.

Since those two Territories had achieved independence in 1966, under the names of Botswana and Lesotho, the Special Committee would now consider the situation in Swaziland separately for the first time.

109. Swaziland, which had recently become a Protected State, was bound on the north, south and west by the Republic of South Africa and on the east by Mozambique, to which it had access by road and rail. According to the census taken the previous year, Swaziland had 375,000 inhabitants, of whom all but 12,000 were Africans. The country was marked by a strong sense of ethnic unity and by vigorous national traditions and institutions, which had their focus in the King, until recently known as the Ngwenyama.

110. In the past twelve months there had been some very important political developments in the Territory, which augured well for Swaziland's future. Those twelve months had seen the introduction of internal self-government, the holding of general elections under a new constitution, the signature of a bilateral agreement between the United Kingdom and Swaziland whereby Swaziland became a Protected State and the Ngwenyama was recognized as King, and lastly, a declaration by the newly elected Government of its intention to seek independence for Swaziland in September 1968.

111. Those constitutional developments had been the outcome of discussions held by a constitutional committee that had met in 1965 and 1966 and represented all shades of opinion; the Committee's majority recommendations had been unanimously approved by the Legislative Council in being under the 1964 Constitution. In the course of the Constitutional Committee's deliberations, the United Kingdom Government had made it clear that it was ready to give Swaziland internal self-government and also wished to see Swaziland attain independence by 1969 at the latest. The United Kingdom Government had thus no difficulty in accepting the Constitutional Committee's proposals. Only one point had proved controversial, and that was the exercise of control over minerals in the Territory. Whereas the Constitutional Conference had recommended that the King should exercise that power in consultation with the traditional authority in the Territory - the Swazi National Council - the United Kingdom Government had taken the view that it would be proper for the Cabinet, which was the executive organ under the new Constitution, to tender advice in the matter to the King.

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112. The only other question on which the two main political parties in the Territory had failed to agree was that of electoral constituencies. Under the 1964 Constitution, the Legislative Council was composed of twenty-four members, of whom twelve were elected on a national roll and returned from four constituencies. Each of the constituencies elected three members, one of whom had to be a European. One suggestion made to the Constitutional Committee was that the Territory should be divided into single-member constituencies, but the proposal had been rejected on the grounds that, if a constituency was too small, the candidate would be exposed to pressures and that that would encourage corruption and intimidation. The compromise solution proposed by the Constitutional Committee to the United Kingdom Government and accepted by the latter was that the number of constituencies should be increased from four to eight, and that each should return three members. That was the system embodied in the new Constitution, which had come into effect on 25 April 1967. It should also be mentioned that the 1967 Constitution abolished the earlier electoral system whereby the Swazi and European members had been elected from separate rolls and certain seats in the Legislative Assembly had been reserved for Europeans. The new House of Assembly, elected during 1967, had twenty-four members elected by universal adult suffrage, regardless of race. The voting had been restricted to Swaziland citizens and to the limited number of United Kingdom citizens who could establish a qualifying residential period in the Territory. In addition to the twenty-four elected members, the House of Assembly had six members appointed by the King of Swaziland, in his discretion.

113. Under the 1967 Constitution Swaziland also had a Senate, half of whose members were appointed by the House of Assembly, and an Executive Cabinet whose ministers were appointed by the King on the advice of the Prime Minister. The latter was appointed by the King as the elected member in the House of Assembly most likely to command a majority.

114. Although the Kingdom of Swaziland had become a Protected State on 25 April 1967, when the Constitution as a whole had come into effect, the constitutional provisions regarding general elections had been applied earlier, so that the elections for the new House of Assembly had been able to take place on 19 and 20 April. Two main parties had submitted candidates: the Imbokodvo and the Ngwane National Liberatory Congress (NNLC). Eighty per cent of the electorate had participated in the ballot.

The Imbokodvo, all of whose candidates were Swazis, had obtained 79.4 per cent of all votes cast, and won all the seats. The NNLC, which was the main opposition party, had polled only 20.2 per cent of the votes. It was impossible to tell whether, as its leaders claimed, the party would have gained seats in the House of Assembly under a single-member constituency system. In any case it was apparent that the Imbokodvo commanded the support of the overwhelming majority of the people and that the establishment of an Imbokodvo Government, under the leadership of Prince Makhosini Dlamini, reflected the wishes of the population. During recent weeks the NNLC had apparently exchanged views on the subject with the Prime Minister of Swaziland and his colleagues. It might be that those direct contacts would lead to some agreement on the outstanding points at issue. At the present stage of Swaziland's development, it was clear that any change in the electoral system before independence could not be a matter for unilateral decision by the administering Power but must be a matter for the Swazi people.

115. On the subject of independence, it should be recalled that even before the Constitutional Committee had completed its work, the United Kingdom Government had made known its wish to see Swaziland independent by the end of 1969 at the latest. The Government that had taken office in April 1967 had declared its intention of seeking independence in September 1968. It had been part of the election programme of the Government party to apply, upon independence, for membership in the United Nations. According to the latest information available, it was very possible that the question of independence might be placed before the Parliament of Swaziland at its forthcoming session.

116. Until recently, the economic situation in Swaziland had been a source of concern, as reflected in General Assembly resolution 2063 (XX). However, Swaziland had a more broadly based economy than the other former dependent territories covered in that resolution. Swaziland had important deposits of asbestos and iron ore. An iron extraction plant opened in 1964 was due to supply 12 million tons of ore to Japan over the next ten years. Asbestos had for some time been an important source of government revenue. The demand for power had led to an increase in the hydro-electric power plant's capacity. Secondary industries had been developed in recent years, and included a meat cannery and a cotton ginnery. Sugar and forest products

represented the most important export commodities for Swaziland, which had an assured quota under the Commonwealth Sugar Agreement of over 130,000 tons a year. Most exports showed a steady rate of expansion.

117. The expansion and diversification of the economy, which had been most notable in the past two or three years, had been stimulated by the provision of basic infra-structures in communications and power. Despite that economic expansion the United Kingdom Government had to continue to subsidize Swaziland with grants to enable it to balance its budget but in a few years Swaziland should be able to do so. Besides that budgetary aid (£1.5 million in 1966 alone) the United Kingdom Government furnished Swaziland aid in the form of grants, loans and technical assistance amounting in all to two-and-a-third million pounds sterling in 1966, of which £1 million was in grants and technical assistance. His Government expected to maintain its aid at that level until the end of the 1968-1969 financial year. After that, the amount and form of aid would be negotiated at the time of the Territories independence.

118. That encouraging information showed that Swaziland had a very promising future. It had strong national traditions and unity, as the homeland of the Swazi nation. Those traditions and that unity would be great assets for the newly independent State. The new constitutional arrangements, which reflected the various shades of opinion in the country, represented an impressive attempt to blend with the traditional institutions of the Swazi people the requirements of modern democratic government based on universal adult franchise and responsible cabinet administration. It was now for the elected Prime Minister, Prince Makhosini Dlamini, and the members of the Swaziland Parliament to recommend a precise date for independence. Of course, economic independence should wherever possible go hand in hand with political independence. The expansion and diversification of Swaziland's economy augured well for the future of that Territory as an independent member of the world community.

119. The representative of Venezuela was happy to see that Swaziland had arrived at a turning point in its development and that it was on the road to independence. He thanked the United Kingdom representative for the valuable information he had supplied.

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120. The representative of Tunisia requested details on the economic relations existing between Swaziland and its neighbours, South Africa and Mozambique. Difficulties might well arise in Swaziland's relations with those two countries when it became independent. He asked in particular whether South African capital was invested in Swaziland.

121. The representative of the United Kingdom said that the problems arising from Swaziland's geographical position were similar to those of Botswana and Lesotho. One difference was that Swaziland had access to the sea by the railway which connected the Territory to the port of Lourenço Marques in Mozambique. The relations between Swaziland and South Africa paralleled those which South Africa had with Lesotho and Botswana. Some 6,000 Swazis were employed in South Africa.

122. The question of relations between South Africa on the one hand and Swaziland and the former Non-Self-Governing Territories of Basutoland and Bechuanaland on the other hand had been dealt with in the report of the Mission which had visited the three Territories in 1965 (A/5958, annex). He drew particular attention to chapter I, paragraph 2, of that report. Investments by South Africa in Swaziland were considerable but there was no exact statistical information available, partly because Swaziland belonged to the same currency and banking area as South Africa. Membership of the same currency area gave Swaziland the advantage of access to a source of international capital quite apart from capital of domestic South African origin. Moreover, private investment in Swaziland had been stimulated by large scale public investment and development aid, which had built up the infra-structure of the Swaziland economy to a point where the Territory had been able to attract private investment on a productive scale. The great bulk of the aid had come from the United Kingdom. He had given full information on that matter in an earlier statement and would only add that such aid had increased steadily in recent years; investments by the Commonwealth Development Corporation had totalled £2,109,000 in 1964 and £2,634,000 in 1965. The Commonwealth Development and Welfare grants allocation for the triennium 1965-1968 had been £3.9 million. In per capita terms, United Kingdom bilateral aid to Swaziland in 1965 had amounted to £18.49 per head of the population.

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123. Swaziland had also received considerable aid from the International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA). For example, in 1964 the Bank had granted a loan of about £1.5 million towards the establishment of hydroelectric plants and it had approved a further loan of nearly £1 million from the IDA during the period 1960-1963 for road construction purposes.

124. Thus the basic expansion of Swaziland's economy in recent years had been financed mainly by funds from the United Kingdom and from international institutions rather than from South Africa. The investment of recent years, however, had had the effect of attracting private investment, much of which came from or through South Africa. In many cases, private investment was undertaken in partnership with public investment.

125. Again, there could be no precise figures for the volume of Swaziland's trade with South Africa. The great bulk of Swaziland's imports came from or through South Africa, a fact which was inevitable in view of Swaziland's geographical position. With regard to exports, whereas in 1961 more than half the total exports of the Territory had gone to South Africa, less than one fifth of its total exports had gone to South Africa in 1966; although Swaziland's exports had more than tripled in value, the level of exports to South Africa had remained steady.

126. The existence of the currency union also meant that Swaziland had virtually no foreign exchange problems. It was thus able to service external debts without regard to the balance of payments, and that had facilitated the raising of foreign loans for development purposes from places other than South Africa. Swaziland also benefited from being part of the South African customs union in that it received a fixed proportion of South African customs and excise duties. Available evidence suggested that income received by Swaziland from that source was no less than it would be if it levied duties itself. The customs union relieved Swaziland of the burden of administering its own customs and excise system. Moreover, the fact that there was no balance-of-payments problem did not affect the fairly large surplus which Swaziland earned in its trade balance.

127. Thus the economic relations between Swaziland and South Africa were such as were inevitable between two closely adjacent countries at different stages of economic development. In certain fields, Swaziland had a special relationship with South Africa which appeared to be of benefit to both parties. There was no evidence to support the view that the relationship between the two countries made Swaziland the victim of exploitation by South African or other foreign firms. The Government of Swaziland regarded outside investment as an indispensable aid to further development.

IV. ACTION TAKEN BY THE SPECIAL COMMITTEE

128. At the 568th meeting, the Chairman informed the Special Committee that, following informal consultations with a number of delegations, he had prepared a draft consensus on the question of Swaziland, which read as follows:

"Recalling General Assembly resolution 1514 (XV) of 14 December 1960 and the previous General Assembly resolutions relating to Swaziland, and having examined the petitions submitted to it, the Special Committee reaffirms its previous resolutions and recommendations and calls upon the administering Power to grant independence to the Territory without delay and in accordance with the freely expressed wishes of the peoples.

"The Special Committee also requests the administering Power to take immediate steps for the return to the indigenous inhabitants of all the land taken from them.

"Further, the Special Committee requests the administering Power to take all appropriate actions to enable the Territory to enjoy genuine and complete independence and to protect its territorial integrity and sovereignty in the face of the interventionist policy of the racist régime in South Africa.

"Moreover, the Special Committee urges the administering Power to take the necessary steps to bring about the economic independence of the Territory vis-à-vis South Africa, and in particular to implement fully, with the co-operation of the United Nations bodies concerned, the recommendations of the Secretary-General as endorsed in paragraph 6 of General Assembly resolution 2063 (XX) of 16 December 1965.

"Finally, noting from the report of the Secretary-General contained in document A/AC.109/273 that the total amount of contributions to the Fund established by General Assembly resolution 2063 (XX) has been insufficient to enable the Fund to become operative, the Special Committee recommends to the General Assembly that the Fund be dissolved, and that, subject to consent of the donor Governments, the funds outstanding be made available to the UNDP for expenditure in Botswana, Lesotho and Swaziland."

129. At the 569th meeting, the Chairman said that a revised text of the consensus he had previously introduced had been circulated to members. The last sentence of the text would now read:

"Finally, noting from the report of the Secretary-General (A/AC.109/275) that the total amount of contributions to the Fund established by General Assembly resolution 2063 (XX) has been insufficient to enable the Fund to become operative, the Special Committee recommends that subject to the consent of the donor Governments, the General Assembly should decide to transfer these contributions to the General Fund of the UNDP in the light of the latter's expectation and desire to provide increased assistance to Botswana, Lesotho and Swaziland."

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130. The representative of the United Kingdom stated, with regard to the draft consensus before the Special Committee, that his delegation was somewhat surprised not to have been asked to participate in the consultations which had taken place. Perhaps as a result, the consensus did not seem to him adequately to reflect the view expressed by his delegation. In particular, the recommendation that the United Kingdom Government should grant independence without delay ignored the fact that the question of independence had already been decided. Moreover, the consensus made no mention of the recent achievement by Swaziland of full internal self-government and its attainment of the status of a protected State.

131. With regard to the reference in the second sentence to land taken from the indigenous inhabitants, his delegation had commented in the past on similar points in earlier resolutions and did not need to repeat those comments. He would point out, however, that the question of land ownership was now entirely within the competence of the elected Government of Swaziland and, under the agreed Constitution, the United Kingdom Government no longer had the power to carry out the request contained in that sentence even if it wished to do so. He understood that it was generally accepted in Swaziland that existing occupiers of land should not have their security disturbed, whatever the history of the acquisition of the land. The Constitution, moreover, included provisions for protection from deprivation of property. It also included provisions for protection from discrimination which might be equally relevant to the request in the draft consensus.

132. With regard to the request for action to protect the territorial integrity and sovereignty of the Territory, that was the responsibility of his Government until independence was reached, but his delegation had no reason to believe that the territorial integrity of Swaziland was threatened. With regard to the fourth sentence, he thought that the information which he had given showed that the whole tendency of the United Kingdom's aid and development policy recently had been in the direction advocated in the draft.

133. In the light of those comments, his delegation could not but dissociate itself from the consensus. Moreover, the procedure of consensus hardly seemed suitable in such a case, and the right course might be for delegations which supported the draft to submit a draft resolution which could be put to the vote.

134. The Chairman, replying to the United Kingdom representative, said that he had yet to see either a resolution or a consensus of the Special Committee accepted by the United Kingdom delegation as representing its views. As for the question of whether the Special Committee should proceed by consensus or by a resolution, he pointed out that on several occasions in the past, decisions had been adopted by consensus with the Special Committee taking note of any reservations expressed. If, however, the United Kingdom representative insisted that the Special Committee should adopt a resolution in the present instance, and if he was supported by the majority of members, then the Special Committee would, of course, proceed accordingly. When he had originally submitted the draft consensus, after consultation with certain members, he had known that some delegations would express reservations concerning it.

135. The representative of Finland, without entering a formal reservation, said that his delegation had doubts concerning some points in the revised draft consensus, particularly the request to the administering Power to protect the territorial integrity and sovereignty of Swaziland and to take appropriate action to enable the Territory to enjoy genuine and complete independence. He pointed out that his delegation had abstained from voting on General Assembly resolution 2134 (XXI).

136. The representative of Italy, also without entering a formal reservation, said that his delegation, too, had some doubts concerning the validity of the request to the administering Power to protect the territorial integrity of Swaziland in the face of the interventionist policies of South Africa. That was largely a problem for Swaziland after independence.

137. The representative of Venezuela said that, in general, he shared the views which had been expressed. He proposed that the order of the requests to the administering Power in the third sentence, after the words "to take all appropriate action", should be reversed.

138. The representative of the United States of America said that his country continued to support the right of the people of Swaziland freely to express their desires and, unhampered by outside influences, to govern themselves in accordance with those desires. He welcomed the fact that Lesotho and Botswana had already attained independence and had Governments elected on the basis of universal adult suffrage and full racial equality, and he hoped that, in contrast with South Africa, they and Swaziland would provide enduring examples of multiracial

co-operate.

achieving economic, social and political progress. The serious economic and political difficulties which would face Swaziland should not be minimized, but the future Government of Swaziland would be in the best position to determine how they should be overcome. The revised draft consensus did not take a full and realistic account of all the elements of the situation and his delegation did not agree with its conclusions. It therefore asked that its reservations should be recorded.

139. The representative of Australia said that, in view of the brief debate that had been held on the question of Swaziland, it would probably be better to proceed by a draft resolution rather than by consensus. The revised draft consensus raised considerable difficulties for his delegation since it did not take sufficient account of the great progress made towards independence during the previous year or give due weight to the geographical situation of Swaziland, which raised great economic and political problems. He failed to see how the administering Power could implement the substantive measures recommended. His delegation therefore wished to reserve its position.

140. The representative of India expressed his delegation's appreciation of the revised draft consensus and supported the amendment proposed by Venezuela. His delegation had no reservations concerning the revised draft consensus but would have preferred it to include an indication that the people of Swaziland had expressed the wish to become independent by September 1968, and not before the end of 1969.

141. The representative of the United Kingdom said that, although his delegation had frequently found it difficult to accept a consensus or resolution without reservations, it believed that, given the favourable omens and prospects in relation to Swaziland and its early achievement of independence, a form of consensus acceptable to all delegations including his own could have been achieved if there had been an opportunity for consultation with the administering Power. If it was the general wish of members to proceed by consensus instead of by a resolution, and to adopt the formulation under consideration, his delegation would not raise any formal objection, provided that it was made clear in the records that the United Kingdom felt obliged to dissociate itself from it.

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142. The representative of Uruguay said that it was the responsibility of the Special Committee to seek international guarantees to ensure that Swaziland and the former Territories of Basutoland and Bechuanaland might achieve independence free from all pressure from or intervention by neighbouring States or Territories, especially those ruled by non-African minorities or majorities. That was an insuperable problem in the case of Territories entirely surrounded by enemies. It had been accepted that the responsibility of the administering Power extended only up to the time when the Territories achieved independence and it had been hoped that international guarantees would then be forthcoming. The Special Committee would like to ask the administering Power to do everything possible to protect those Territories. It had been argued, however, that it would be an insult to the newly independent States if undue emphasis was placed on the need for international assistance in solving their legal, political and economic problems and in defending them against their neighbours. The Venezuelan amendment clarified that point and made it possible for his delegation to support the revised draft consensus, on the understanding that it was not a demand imposed upon the administering Power but simply a request to it to protect the people until they achieved independence. After that, it would be the responsibility of the international community to provide the necessary guarantees.

143. At its 569th meeting, the Special Committee adopted the revised draft consensus, as amended by Venezuela, it being understood that the reservations expressed by some members would be reflected in the record of the meeting.

144. The text of the consensus concerning the question of Swaziland adopted by the Special Committee at its 569th meeting on 23 October 1967 reads as follows:

"Recalling General Assembly resolution 1514 (XV) of 14 December 1960 and the previous General Assembly resolutions relating to Swaziland, and having examined the petitions submitted to it, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples reaffirms its previous resolutions and recommendations and calls upon the administering Power to grant independence to the Territory without delay and in accordance with the freely expressed wishes of the people.

"The Special Committee also requests the administering Power to take immediate steps for the return to the indigenous inhabitants of all the land taken from them.

"Further, the Special Committee requests the administering Power to take all appropriate action to protect the territorial integrity and sovereignty of Swaziland in the face of the interventionist policy of the racist régime in South Africa and to enable the Territory to enjoy genuine and complete independence.

"Moreover, the Special Committee urges the administering Power to take the necessary steps to bring about the economic independence of the Territory vis-à-vis South Africa, and in particular to implement fully, with the co-operation of the United Nations bodies concerned, the recommendations of the Secretary-General as endorsed in paragraph 6 of General Assembly resolution 2063 (XX) of 16 December 1965.

"Finally, noting from the report of the Secretary-General (A/AC.109/273) that the total amount of contributions to the Fund established by General Assembly resolution 2063 (XX) has been insufficient to enable the Fund to become operative, the Special Committee recommends that subject to the consent of the donor Governments the General Assembly should decide to transfer these contributions to the General Fund of the United Nations Development Programme (UNDP) in the light of the latter's expectation and desire to provide increased assistance to Botswana, Lesotho and Swaziland."
