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## Ninth Session

AD HOC COMMITTEE ON PETITIONS

## SUMMARY RECORD OF THE TWENTIETH MEETING

Held at Flushing Meadow, New York,  
on Tuesday, 24 July 1951, at 11 a.m.

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petitions (T/AC.41/L.11)

Chairman:

Prince WAN WATTHAYAKON

Thailand

Members:

Mr. LESCURE

Mr. QUESADA ZAPIOLA

Argentina

Mr. WENDELEN

Belgium

Mr. SCOTT

New Zealand

Mr. SOLDATOV

Union of Soviet Socialist  
Republics

Mr. STRONG

United States of America

Also present:

Mr. WATIER

Special Representative of the  
Administering Authority of the  
Trust Territory of the Cameroons  
under French Administration

Mr. ENSOR

Mr. SUTHERLAND

Special Representatives of the  
Administering Authority of the  
Trust Territory of Togoland under  
British Administration

Mr. ANTOR

Representative of the Togoland Congress

EXAMINATION OF PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION:  
DRAFT FIFTH REPORT OF THE AD HOC COMMITTEE ON PETITIONS (T/AC.41/L.10)

At the invitation of the Chairman, Mr. Watier (Special Representative)  
took his place at the Committee table.

Resolution I: Petition from Mr. N. Skoulcukos (T/PET.5/69 and T/PET.5/69/Add.1)

The resolution was adopted by 5 votes to none, with one abstention.

In connexion with the relevant part of the report, Mr. WATIER  
(Special Representative) noted that the petitioner had not been commissioned  
to operate the government transports but had successfully tendered for a contract  
to that effect. He asked the Secretariat to make that clear in the text.

Subject to that alteration, the relevant part of the report was adopted.

Resolution II: Petition from the "Comite Central de l'Union des Populations du  
Cameroun" (T/PET.5/83)

Mr. STRONG (United States of America) suggested that paragraph 4 of  
Alternative B should be amended to read: "Informs the petitioners.....to  
West Africa is expected to visit....". It should further be understood that  
the same wording would be used uniformly in all resolutions when referring to  
the forthcoming visit of the Visiting Mission.

Alternative A of the resolution was rejected by 5 votes to 1.

/Alternative B

Alternative B of the resolution was adopted by 5 votes to 1.

The relevant part of the report was adopted, subject to a minor drafting change in the English text.

Resolution III: Petition from "Le Comité du Village d'Akomnyada (Subdivision de M'Balmayo) de l'Union des Populations du Cameroun" (T/PET.5/85)

To meet a point raised by Mr. STRONG (United States of America) with regard to sub-paragraph (a) of the preamble, Mr. WENDELEN (Belgium) suggested the insertion of the phrase "at the time of the classification" before "gave rise".

After a brief exchange of views, sub-paragraph (d) of the preamble was amended to read: "in their classification of the forest of Akomnyada, the local authorities acted in conformity with the principles of protection of the resources of the Territory as approved by the Trusteeship Council at its sixth session".

In an effort to simplify paragraph 4 of Alternative B, Mr. STRONG (United States of America) and Mr. WENDELEN (Belgium) agreed on a revised text which was acceptable to the Special Representative, reading as follows:

"Expresses the hope that the Administering Authority will endeavour to conciliate the necessities of the legislation on forest reserves with the wish of the indigenous inhabitants to leave at its disposal as much arable land as possible."

Alternative A of the resolution was rejected by 5 votes to 1.

Alternative B, as amended, was adopted by 5 votes to 1.

The relevant part of the report was adopted with minor drafting changes.

Resolution IV: Petition from the "Comité régional du Mounjo de l'Union des Populations du Cameroun" (T/PET.5/86)

Mr. WENDELEN (Belgium) proposed the addition of the phrase: having regard to the terms of the Charter of the United Nations and the Trusteeship Agreement for the Camerouns under French administration, approved by the General Assembly of the United Nations" before "no action" in paragraph 2 of Alternative B.

Alternative A of the resolution was rejected by 5 votes to 1.

Alternative B, as amended, was adopted by 5 votes to 1.

The relevant part of the report was adopted with a slight drafting change.

/Resolution V:

Resolution V: Petition from Mr. Moussa Montie, Propaganda Secretary, "Comité régional du Bamoun de l'Union des Populations du Cameroun" (T/PET.5/87)

Alternative A of the resolution was rejected by 3 votes to 1, with 1 abstention.

Alternative B was adopted by 5 votes to 1.

The relevant part of the report was adopted without comment.

Resolution VI: Petition from Mr. Mathias Mbongue Minyangadou (T/PET.5/88)

Mr. STRONG (United States of America) suggested the addition of a paragraph after paragraph 2 of Alternative B reading: "Recommends that, if the petitioner so decides, the necessary assistance be given him by the Administering Authority".

Mr. WENDELEN (Belgium) considered that the complaint could be met if the Administering Authority dispelled the petitioner's doubts regarding the sum he was required to pay; it applied merely to the delimitation of the boundaries of his land and not to the title to the land itself.

Alternative A of the resolution was rejected by 5 votes to 1.

Alternative B was adopted by 5 votes to 1.

The relevant part of the report was adopted without comment.

Resolution VII: Petition from the "Comité directeur de l'Union des populations du Cameroun" and from the "Bureau de l'Union des Syndicats Confédérés du Cameroun" (T/PET.5/89 and T/PET.5/89/Add.1)

In reply to a question from Mr. STRONG (United States of America), Mr. WATIER (Special Representative) explained that the draft labour code referred to, subject to final approval by the Council of the Republic, would ultimately become the Labour Code of Overseas France (Code du travail de la France d'Outre-Mer).

Alternative A of the resolution was rejected by 5 votes to 1.

Alternative B was adopted by 5 votes to 1.

The relevant part of the report was adopted without comment.

/Resolution VIII:

Resolution VIII: Petition from the "Comité directeur du Kumze" (T/PET.5/90)

Alternative A of the resolution was rejected by 5 votes to 1.

Alternative B was adopted by 5 votes to 1.

The relevant part of the report was adopted without comment.

Resolution IX: Petition from the Kumze, Traditional Assembly of the Bamileke People (T/PET.5/92)

Mr. SOLDATOV (Union of Soviet Socialist Republics) amended paragraph 2 of Alternative A of the resolution, replacing "an autonomous regime" by "a system of self-government", and requested that a corresponding alteration be made in the body of the report.

Mr. WENDELEN (Belgium) proposed that sub-paragraph (b) of the preamble should be amended to read: "Some of the claims... and some others...".

Alternative A of the resolution was rejected by 5 votes to 1.

Alternative B was adopted by 5 votes to 1.

The relevant part of the report was adopted without comment.

Resolution X: Petition from Mr. Jean Maren (T/PET.5/93)

The resolution was adopted by 5 votes to none, with 1 abstention.

The relevant part of the report was adopted without comment.

Resolution XI: Petition from Mr. Djoumessi Mathias, President of the "Comité directeur du Kumze" (T/PET.5/94)

The resolution was adopted by 5 votes to none, with 1 abstention.

The relevant part of the report was adopted without comment.

Resolution XII: Petition from the "Comité régional du Bamoun de l'Union des Populations du Cameroun (T/PET.5/95)

Mr. WENDELEN (Belgium) proposed an alternative text for sub-paragraph (c) of the preamble indicating that the plaintiff might either lodge an appeal with the second-degree court or, if the customary courts took no action, bring the matter directly before the second-degree court.

/Alternative A



Alternative A of the resolution was rejected by 5 votes to 1.

Alternative B was adopted by 5 votes to 1.

The relevant part of the report was adopted without comment.

Resolution XIII: Petition from Mr. Kamsi David (T/PET.5/96)

Mr. STRONG (United States of America) proposed that the word "licence" should be replaced by the words "licence for selling alcoholic and hygienic beverages" in sub-paragraph (a) of the preamble and the word "licences" by "such licences" in sub-paragraphs (b) and (c) of the preamble.

Mr. SOLDATOV (Union of Soviet Socialist Republics) could not vote for the resolution because, in the opinion of his delegation, it was not possible to assert on the basis of the information available that there existed in the Territory equality of commercial opportunity for all. The body of the report should mention the reasons for his negative vote.

The resolution was adopted by 5 votes to 1.

The relevant part of the report was adopted with the alteration proposed by the USSR representative.

The CHAIRMAN called for a vote on the draft report as a whole.

The draft report was adopted by 5 votes to 1.

Mr. SOLDATOV (Union of Soviet Socialist Republics) requested that either the report or the Chairman's statement to the Trusteeship Council should mention that the USSR delegation had voted against the report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the USSR, because those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority should take urgent measures to satisfy the requests of the petitioners and to put an end to the violations of the rights and the interests of the indigenous population.

The CHAIRMAN took note of that request and assured the USSR representative that he would comply with it. He thanked the Special Representative of the Administering Authority for his co-operation and the assistance he had given the Committee.

/Mr. Watier

Mr. Watier (Special Representative) withdrew.

EXAMINATION OF PETITIONS CONCERNING TOGOLAND UNDER BRITISH ADMINISTRATION:

DRAFT SIXTH REPORT OF THE AD HOC COMMITTEE ON PETITIONS (T/AC.41/L.11)

At the invitation of the Chairman, Mr. Sutherland and Mr. Ensor, Special Representatives of the Administering Authority of the Trust Territory of Togoland under British Administration, took their places at the Committee table

At the invitation of the Chairman, Mr. Antor, representative of the Togoland Congress, took his place at the Committee table.

Resolution I: Petition from the Togoland Union (T/PET.6/206, T/PET.6/206/Add.1, T/PET.6/206/Add.2, T/PET.6/206/Add.3), Petition from Nana Buachie (T/PET.6/219, T/PET.6/219/Add.1, T/PET.6/219/Add.2, T/PET.6/219/Add.3) and Petition from Mr. S. G. Antor (T/PET.6/243) concerning Togoland under British Administration.

Mr. SOLDATOV (Union of Soviet Socialist Republics) submitted a corrected version of Alternative B of the resolution and asked that the relevant parts of the report should be amended accordingly.

It was so decided.

Mr. ENSOR (Special Representative) wondered whether the Committee would wish to insert in paragraph 2 of the operative part of Alternative A of the resolution some reference to the fact that the irregularities in the registration for elections to the Gold Coast Legislative Assembly perpetrated by the Chief of Jasikan were not in any way connected with the Administration.

Mr. ANTOR (Togoland Congress) reminded the Committee that he had drawn attention to communications between the District Commissioner and the Chief regarding the registration for the elections in question and that he had produced eighty-six forged registration forms for the consideration of the Trusteeship Council. He did not think that due weight was given in the draft resolution to his statements. Moreover, as there had been correspondence between the Chief and the District Commissioner on the subject he thought the amendment proposed by the Special Representative should be rejected.

/Mr. ENSOR

Mr. ENSOR (Special Representative) pointed out that no letter of the kind suggested by the representative of the Togoland Congress had ever been communicated to the United Nations.

The CHAIRMAN drew the attention of the representative of the Togoland Congress to those parts of the report in which his statements were summarized.

Mr. WENDELEN (Belgium) observed that the Committee's resolution should be confined to a statement of principle and should not attempt to reproduce in toto the arguments which had been put forward.

As he had heard only the evidence on the question which had been submitted to the Committee, if the amendment proposed by the Special Representative to Alternative A of the resolution were accepted, he would be forced to abstain from voting on that paragraph. He thought it would be better to maintain the operative part of that text as it stood.

Mr. ENSOR (Special Representative) withdrew his suggestion.

Mr. ANTOR (Togoland Congress) thought it should be noted that Alternative A of the resolution included the statement of the Special Representative but did not give the views of the petitioner in the case.

In reply to Mr. QUESADA ZAPIOLA (Argentina), Mr. ENSOR (Special Representative) pointed out that the minimum number of registrations required before an election could be held had been handed in. The forged forms had never reached the authorities. Those names had never appeared on the electoral lists and had therefore not affected the outcome of the elections.

Mr. ANTOR (Togoland Congress) thought that the number of forged registrations had affected the elections inasmuch as the total number of registrations influenced the number of the representatives sent from each district to the electoral college. For example, there were 71 persons appointed to the electoral college for Jasikan, who actually did not represent 71,000 voters.

/Mr. SCOTT



Mr. SCOTT (New Zealand) suggested that the last part of paragraph (a) beginning with the words "but even if they had been" should be deleted.

It was so decided.

Alternative A of the resolution was adopted by 5 votes to 1, with no abstentions.

Alternative B of the resolution was rejected by 4 votes to 1, with 1 abstention.

The relevant parts of the report were adopted with minor drafting changes.

Resolution II: Petition from Nana Agya Mensah II (T/PET.6/210) concerning Togoland under British Administration.

The resolution was adopted by 5 votes to none, with 1 abstention.

The relevant parts of the report were adopted without comment.

Resolution III: Petition from the Nkonya State Council (T/PET.6/212) concerning Togoland under British Administration.

Alternative A of the resolution was adopted by 5 votes to 1, with no abstentions.

Alternative B of the resolution was rejected by 4 votes to 1, with 1 abstention.

The relevant parts of the report were adopted without comment.

Resolution IV: Petition from the Akpini State Council (T/PET.6/214) concerning Togoland under British Administration.

Mr. ENSOR (Special Representative) suggested that the phrase "covered by the Akpini State" should be inserted in paragraph (b) of the preamble and that a similar amendment should be introduced in the relevant paragraph of the report.

Mr. ANTOR (Togoland Congress) informed the Committee that the seven divisional chiefs and the Acting President of the State Council had been appointed by the thirty divisional chiefs of the State to act on their behalf and the resolution in question therefore stood in the name of the Akpini State as a whole.

/Mr. ENSOR

Mr. ENSOR (Special Representative) thought that the petition from the Head Chief Nyangasi (T/PET.6/274-7/232) completely refuted that contention.

The amendments submitted by the Special Representative were adopted.

Mr. WENDELEN (Belgium) thought that the importance of the resolution lay in the fact that it stressed that it was extremely important that the people should be encouraged by their leaders to participate in all elections held in the Territory.

The resolution was adopted as amended by 5 votes to 1, with no abstentions.

The relevant parts of the report were adopted as amended.

Resolution V: Petition from the people of Nanjuro and Nawuri in the Kpandai area (T/PET.6/215) concerning Togoland under British Administration.

Alternative A of the resolution was rejected by 4 votes to 1 with 1 abstention.

Alternative B of the resolution was adopted, with one minor drafting change, by 5 votes to 1, with no abstentions.

The relevant parts of the report were adopted with one minor drafting change.

Resolution VI: Petition from Nana Akompi Fiam III (T/PET.6/220) concerning Togoland under British Administration.

The resolution was adopted by 5 votes to none, with 1 abstention.

The relevant parts of the report were adopted without comment.

Resolution VII: Petition from Togbi Alphons Komla Gedge VII and Togbi Konda (T/PET.6/223) concerning Togoland under British Administration.

The resolution was adopted by 5 votes to none, with 1 abstention.

The relevant parts of the report were adopted without comment.

Resolution VIII: Petition from Mr. Agbontor K. Loo (T/PET.6/241) concerning Togoland under British Administration.

The resolution was adopted by 5 votes to 1, with no abstentions.

The relevant parts of the report were adopted without comment.

/Resolution IX:

Resolution IX: Petition from Mr. S. G. Antor (T/PET.6/260) concerning Togoland under British Administration.

Mr. WENDELEN (Belgium) thought that paragraph 3 of Alternative B was somewhat vague and should be redrafted.

Mr. SUTHERLAND (Special Representative) suggested, in order to meet the Belgian representative's objections, that paragraphs 2 and 3 should be combined to read as follows: "profit to the fullest extent from the fellowships and scholarships offered and with regard to fellowships and scholarships designed primarily or specifically for the Trust Territory to ensure that the qualifications of candidates will be examined in co-operation with a representative or representatives of the inhabitants of the Territory."

Mr. ANTOR (Togoland Congress) thought that specific proposals for consultative machinery should be included in the resolution. If the version proposed by the Special Representative were adopted, the Southern Togoland Council would be able to appoint a person entirely unsuited for the post to select Togoland for scholarships and fellowships. The person who was now on the Gold Coast Scholarship Selection Board, unlike the other members of the Board, was not a well-qualified educationist. If a sub-committee of the Board was to be established which would protect <sup>the interests of</sup> the people of Togoland, the resolution should clearly state that Togoland should be appointed to that Sub-Committee and that its primary function should be to safeguard the interests of the Territory. Otherwise any Togoland appointed to such a body would be in the minority and would find themselves outvoted.

Mr. SUTHERLAND (Special Representative) said that the Gold Coast Scholarship Selection Board was composed of persons with wide experience in educational matters and was completely impartial. No one had ever challenged its impartiality. The members of that Board were selected chiefly for their  
/educational

educational qualifications; every care was taken to see that suitable people were appointed to the Board and that they were capable of meeting their responsibilities. It was completely within the competence of the Board, if it wished to do so, to appoint a sub-committee to deal with scholarships intended primarily for the Trust Territory. In view of the importance of its functions, the Administering Authority was not likely to appoint anyone to the Board who would not be fully aware of his responsibilities and he thought therefore that he could assure the Committee that if his proposal were adopted, the interests of the people of the Trust Territory would be fully safeguarded. It would not, however, be satisfactory to establish a special sub-committee of the Scholarship Selection Board to sit in Togoland.

In reply to Mr. QUESADA ZAPIOLA (Argentina), Mr. SUTHERLAND (Special Representative) said that the Board reviewed the qualifications of all candidates and if it could find enough suitable candidates, it would grant all the fellowships. If an adequate number could not be found, the number of fellowships would not be reduced but the unallocated grants would be held in abeyance.

Mr. STRONG (United States of America) thought that the formula proposed by the Special Representative was satisfactory. He suggested, however, that in order to meet the observations of the representative of the Togoland Congress, the following phrase should be added: "and to this end requests the Administering Authority to consider the possibility of establishing a sub-committee of the Scholarship Selection Board to examine these cases." He could understand why such a sub-committee could not function efficiently if it were established in Togoland, far from the seat of the Scholarship Selection Board.

Mr. ANTOR (Togoland Congress) pointed out that under such an arrangement, if the people of the Trust Territory felt that they were being treated unfairly, they would have no body to which they could protest.

/Mr. SUTHERLAND

Mr. SUTHERLAND (Special Representative) thought that a body such as the sub-committee he had proposed should be composed of representatives of the Trust Territory, the Chairman of the Scholarship Selection Board and one or two well-qualified educationists. He did not feel, however, that the members of the sub-committee should all be Togolanders.

Mr. STRONG (United States of America) said that he had proposed the creation<sup>of</sup> such a body on the understanding that it would be primarily concerned with the interests of the inhabitants of the Trust Territory.

Mr. ANTOR (Togoland Congress) thought that the phrase "primarily or specifically for the Trust Territory" would serve no useful purpose unless the Committee also recommended that the proposed sub-committee should be composed of representatives of the Trust Territory.

The CHAIRMAN pointed out that that phrase would indicate the spirit that should guide the Administering Authority in determining the composition of the sub-committee. To his mind it implied that the majority of the members of the sub-committee should be Togolanders.

Mr. WENDELEN (Belgium) thought that the text proposed by the Special Representative as amended by the United States representative fully safeguarded the interests of the indigenous inhabitants of the Territory and should be adopted.

It was so decided.

Alternative A of the resolution was rejected by 4 votes to 1, with 1 abstention.

Alternative B of the resolution, as amended, was adopted by 5 votes to 1, with no abstentions.

The relevant paragraphs of the report were adopted without comment.

The meeting rose at 1.10 p.m.