

TRUSTEESHIP
COUNCIL

GENERAL

T/C.2/SR.37

28 July 1952

ENGLISH

ORIGINAL: FRENCH

DOCUMENTS
INDEX UNIT

MASTER

30 JUL 1952

STANDING COMMITTEE ON PETITIONS

First Session

SUMMARY RECORD OF THE THIRTY-SEVENTH MEETING

Held at Headquarters, New York,
on Friday, 11 July 1952, at 10.30 a.m.

CONTENTS:

1. Examination of petitions concerning Togoland under British Administration: draft seventeenth report of the Standing Committee on Petitions (Conference room paper No. 12)
2. Examination of petitions concerning Togoland under French Administration: draft eighteenth report of the Standing Committee on Petitions (T/C.2/L.25)
3. Examination of petitions concerning the Cameroons under French Administration (T/C.2/L.24)

<u>Chairman:</u>	Mr. PEACHEY	Australia
<u>Members:</u>	Mr. LIU	China
	Mr. QUIROS	El Salvador
	Mr. DAVIN	New Zealand
	Mr. SOLDATOV	Union of Soviet Socialist Republics
	Mr. STRONG	United States of America

In reply to Mr. ENSOR (Special Representative), who pointed out that his corrections to the summary record of the 33rd meeting did not appear in the draft report, the CHAIRMAN explained that the report was often prepared on the basis of the provisional summary record and that it rested thereafter with the representative of the Administering Authority to agree with the Secretariat on any corrections he thought necessary.

Mr. ENSOR (Special Representative) observed that paragraph (b) of the resolution should read that the statement of the Gold Coast Minister of Defence and Foreign Affairs contained nothing to show that the Gold Coast Government had any improper desire over Togoland.

Mr. STRONG (United States of America) proposed the addition of the clause "pursuant to the above-mentioned resolution" after the word "that" in paragraph 4 of alternative B.

Mr. SOLDATOV (Union of Soviet Socialist Republics) asked for the substitution of the word "union" for the word "unification" in paragraph 1 of alternative A. A similar amendment was needed in draft resolutions (2) and (3), and in paragraphs 9, 17 and 25 of the report.

The CHAIRMAN put draft resolution (1) to the vote.

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

The draft resolution, as amended, and with amended alternative B incorporated, was adopted by 5 votes to 1.

The CHAIRMAN put draft resolution (2) to the vote.

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

The draft resolution, with alternative B incorporated, was adopted by 5 votes to 1.

/The CHAIRMAN

The CHAIRMAN invited the Committee to examine draft resolution (3).

Mr. ENSOR (Special Representative) asked that mention should be included in his observations of the fact that the Togoland Congress did not in any way represent the northern sections of Togoland.

The CHAIRMAN put draft resolution (3) to the vote.

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

The draft resolution, as amended, and with alternative B incorporated, was adopted by 5 votes to 1.

The CHAIRMAN suggested that the numbers of the three resolutions just adopted should be inserted in paragraph 3 of the draft report.

It was so decided.

The CHAIRMAN put the draft report as a whole, as amended, to the vote.

The report as a whole was adopted by 5 votes to 1.

Mr. QUIROS (El Salvador) explained that he had abstained from voting on the A alternatives because, although not opposed to the idea they contained, he felt that the moment had not yet come to institute the proposed reforms.

2. CONSIDERATION OF PETITIONS CONCERNING TOGOLAND UNDER FRENCH ADMINISTRATION:
DRAFT EIGHTEENTH REPORT OF THE STANDING COMMITTEE ON PETITIONS (T/C.2/L.25)

At the invitation of the Chairman, Mr. Doise (Special Representative of the Administering Authority for the Trust Territory of Togoland under French administration) took a place at the Committee table.

The CHAIRMAN proposed that the Committee should examine the draft eighteenth report on petitions concerning Togoland under French administration.

/Mr. STRONG

Mr. STRONG (United States of America) made some observations which would relate equally to most of the draft resolutions (alternative B) to be examined by the Committee. The observations of the Administering Authority were satisfactory, as were also the explanations given by the Special Representative on the specific incidents referred to in the petitions. In that connexion, he asked that operative paragraph 2 (alternative B) of the resolutions should mention, where necessary, the specific incident to which the petition in question related.

However, the specific incidents referred to by petitioners were related to a much more general problem: the Ewe and Togoland unification problem. References recalling General Assembly resolution 555 (VI) and statements to show that the Trusteeship Council was not losing sight of that important question should therefore be included.

He accordingly proposed the addition of three new operative paragraphs to most of the draft resolutions, recalling General Assembly resolution 555 (VI) concerning the Ewe and Togoland unification problem, taking note that the Council had been informed that the Administering Authorities were taking steps to implement that resolution, and drawing the petitioners' attention to the fact that the Visiting Mission to the Territory in September would be instructed to make a detailed study of the Ewe and Togoland unification problem.

Draft resolution I

Mr. STRONG (United States of America) asked for a specific reference to the Agbetiko incident to be made in operative paragraph 2 (alternative B), the paragraph to be followed by the three new paragraphs referred to above.

Mr. SOLDATOV (Union of Soviet Socialist Republics) proposed to substitute "transfer" for "passage" and "autonomy" for "independence" in paragraph 1 of alternative A.

The CHAIRMAN put the draft resolution as amended to the vote.

Alternative A was rejected by 5 votes to 1.

Alternative B was adopted by 5 votes to 1.

/Draft

Draft resolution II

Mr. DOISE (Special Representative) pointed out that the English text of paragraph (a) needed to be revised in accordance with the explanation he had previously given (T/C.2/SR.33, page 13), the "local District Officer" in fact being the "Commissaire de la République".

Mr. SOLDATOV (Union of Soviet Socialist Republics) asked for the substitution of the words "indigenous inhabitants" for the word "natives" in the English text of alternative A, paragraph 2.

Mr. STRONG (United States of America) proposed the substitution of the three new paragraphs already mentioned for operative paragraph 2 (alternative B).

The CHAIRMAN put the draft resolution, as amended, to the vote.

Alternative A was rejected by 5 votes to 1.

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

Draft resolution III

Mr. STRONG (United States of America) proposed an addition to operative paragraph 2 to the effect that the petitioners were also seeking the establishment of a single electoral college, and pointing out that the Togoland Representative Assembly was now called the Territorial Assembly. The paragraph should come after the three new paragraphs already mentioned and, in paragraph 4, the petitioners should be referred to the resolution adopted on relations between Togoland and the French Union.

The CHAIRMAN put the draft resolution, as amended, to the vote.

Draft resolution III was adopted by 5 votes to 1.

Draft resolution IV

Mr. STRONG (United States of America) asked for specific reference to the local incidents to be made in paragraph 2 and that the words "Territorial Assembly" should be substituted for the words "Representative Assembly" in paragraph 3.

The CHAIRMAN put draft resolution IV, as amended, to the vote.
The draft resolution was adopted by 5 votes to 1.

Draft resolution V

Mr. STRONG (United States of America) asked that the Palimé incident, to which the petitions related, should be mentioned in paragraph 2 of alternative B.

The CHAIRMAN put draft resolution V to the vote.
Alternative A was rejected by 5 votes to 1.
Alternative B, as amended, was adopted by 5 votes to 1.

Draft resolution VI

Mr. STRONG (United States of America) proposed that the word "confiscated" in sub-paragraph (b) should be replaced by the word "sequestered" and that the words "on the specific matters raised in these petitions" should be added to paragraph 2 of alternative B.

The CHAIRMAN put the draft resolution, as amended, to the vote.
Alternative A was rejected by 5 votes to 1.
Alternative B, as amended, was adopted by 5 votes to 1.

Draft resolution VII

Mr. STRONG (United States of America) proposed that alternative B should be amended in the same way as draft resolution VI. /Alternative A

Alternative A was rejected by 5 votes to 1.

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

Draft resolution VIII

The CHAIRMAN put draft resolution VIII to the vote.

Alternative A was rejected by 5 votes to 1.

Alternative B was adopted by 5 votes to 1.

Draft resolution IX

Mr. STRONG (United States of America) proposed that paragraph 1 of the operative part of alternative B should be replaced by the three paragraphs already mentioned.

The CHAIRMAN put the draft resolution, as amended, to the vote.

Alternative A was rejected by 5 votes to 1.

Alternative B was adopted by 5 votes to 1.

The CHAIRMAN invited the members of the Committee to vote on the draft eighteenth report as a whole. The resolutions to be referred to in paragraph 3, page 2, were resolutions I, III - VII and IX.

The report as a whole was adopted by 5 votes to 1.

At the Chairman's invitation, Mr. Watier (Special Representative of the Administering Authority for the Trust Territory of the Cameroons under French Administration) took a place at the Committee table.

EXAMINATION OF PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION
(T/C.2/L.24)

1. Petition from the "Union des populations du Cameroun" (T/PET.5/97 and Add.1)

The CHAIRMAN invited the Committee to examine the summary of the petition and the Administering Authority's observations paragraph by paragraph. The petition was very long and the Administering Authority had replied in detail.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) asked whether it would not be possible to give members of the Committee the complete text of the petition, together with translations into English and Russian.

The CHAIRMAN agreed that it would be helpful to have the translations, but recalled that the Trusteeship Council had already taken a decision on the publication of long petitions.

Mr. SOLDATOV (Union of Soviet Socialist Republics) considered that the Committee should refrain from taking any decision on the draft in view of the fact that documents must be published on the request of a Member State.

The CHAIRMAN demurred. In the case of petitions the Trusteeship Council would have to reverse its previous decision.

Mr. SOLDATOV (Union of Soviet Socialist Republics) said that he had not made a formal request that the petition should be published in toto. He only wished to be able to study it.

The CHAIRMAN suggested that the Committee should defer examination of the petition in order to enable members to acquaint themselves with the text.

It was so decided.

2. Petition from the "Union des populations du Cameroun", Central Office of M'Balmayo (T/PET.5/99)

The CHAIRMAN invited the Committee to begin by considering paragraphs 6 and 13, referring to indigenous representatives in the French National Assembly.

Mr. SOLDATOV (Union of Soviet Socialist Republics) asked what was the present situation regarding representation of the Cameroons in the National Assembly.

Mr. WATIER (Special representative) explained that the composition of the electoral college had been considerably modified by an act promulgated

in May 1951. The indigenous electorate had been extended and had increased from 120,000 to 543,000. The principle of the dual college had, however, been retained.

Mr. LIU (China) asked for further information about the status of the indigenous representatives in the National Assembly.

Mr. WATIER (Special representative) replied that Cameroonian deputies had the same rights and prerogatives as deputies from Metropolitan France.

Mr. SOLDATOV (Union of Soviet Socialist Republics) thought that the Committee should submit to the Council a resolution recommending the Administering Authority to establish legislative and executive bodies in the Territory which would be independent of the organs set up under the union between the Territory and French Colonies, to take the necessary steps to ensure indigenous representation in the executive, legislative and judicial bodies in the Territory and to establish a single electoral college based on direct universal suffrage, the equality of electors and the secret ballot.

Mr. STRONG (United States of America) asked whether the Cameroons was represented in the National Assembly as an Associated Territory within the framework of the French Union.

Mr. WATIER (Special representative) replied that under the Trusteeship Agreement the Cameroons was an integral part of the French Republic. The administrés sous tutelle had been given a measure of control over the French Government through their participation in the work of the legislative assemblies which controlled the executive authorities and drafted the laws. The French Government had considered that persons administered under French law should be entitled to some control over the government applying the law.

/Mr. STRONG

Mr. STRONG (United States of America) recalled that the Standing Committee on Administrative Unions was also considering the question; the petitioners' attention might be drawn to that Committee's conclusions.

Mr. WATIER (Special representative) agreed with that suggestion. Some countries which formed part of the French Union, such as the Associated States of Indo-China, were not represented in the National Assembly, whereas the Cameroons was, it being only fair that a territory subject to French legislation by virtue of the Trusteeship Agreement should be associated in drafting that legislation.

Mr. STRONG (United States of America) felt that the draft resolution might mention the special representative's observations.

Mr. DAVIN (New Zealand) thought that, so long as the powers of the Territorial Assembly were limited, it was only fair that the Territory should send representatives to the French National Assembly. He asked for further information on the number of representatives and how they were elected.

Mr. WATIER (Special representative) replied that, before 1951, the Cameroons had had three representatives, of whom two had represented the second college. The Territory had been divided into two constituencies to elect those two representatives. The electors of the second college now had to elect three representatives and the number of constituencies had been modified accordingly. He pointed out that the petitioners were not opposed to the principle of representation, but rather to the division of the Territory into three constituencies. The Administration was not quite clear about the reasons for their complaint.

Mr. DAVIN (New Zealand) considered that the Administering Authority's decision was reasonable. The Committee could not do more than draw the petitioners' attention to the Administering Authority's observations.

/The CHAIRMAN

The CHAIRMAN also felt that the division of the Territory into constituencies was in accordance with the universal practice and that the petitioners had no ground for complaint.

Mr. STRONG (United States of America) recalled that in Togoland under French administration there was now only a single electoral college. He would like to know whether the Administering Authority proposed to introduce the same reform in the Cameroons under French administration.

Mr. WATIER (Special representative) reminded the Committee that he had already explained that the 13,000 Europeans in the Cameroons played a considerable part in the economic and social life of the Territory. That factor must be taken into account in comparing the relative number of European and indigenous representatives. The economic and industrial development of the Territory could not possibly have proceeded so rapidly had it not been for the contribution of the Europeans; the indigenous inhabitants alone would never have been able to achieve such results. It was therefore only fair that the dual college electoral system should be maintained.

The Cameroonian Assembly, composed of fifty members, would find it difficult to administer the rapidly developing country without the guidance of Europeans. In Togoland under French administration, however, the situation was entirely different. Togoland was an essentially agricultural country. Furthermore, the Togoland Assembly numbered only thirty members and, should the need arise, the Administering Authority could more easily approach the various members of the Assembly if they appeared to be embarking on a mistaken course of action.

He added that the Cameroonian Territorial Assembly had expressed the wish that the two-college electoral system should be retained, since it led to useful co-operation between European and African representatives. The results of the elections to the new Territorial Assembly proved that the population of the Territory was not opposed to the dual college system. The opposition expressed by the Union des populations du Cameroun represented the views of only 1 per cent of the electorate.

/Mr. STRONG

Mr. STRONG (United States of America) asked whether the dual electoral college represented a provisional system which the Administering Authority thought might eventually be abolished.

Mr. WATIER (Special Representative) replied that, if the experiment with a single electoral college proved successful in Togoland, the French Government would carry out the same reform in the Cameroons. The system was therefore provisional and the existing dual electoral college might be replaced by a single college as soon as the Territory was politically mature.

Mr. DAVIN (New Zealand) recalled that at its ninth session the Trusteeship Council had recommended the replacement of the existing dual electoral college by a single college.

He also noted that under the Act of 11 May 1951 the indigenous college of the Cameroons had been granted three representatives in the French National Assembly, while the European college had been given one representative. However, it appeared that Europeans could stand for indigenous seats and it was that arrangement which gave rise to some criticism.

Mr. WATIER (Special Representative) observed that the division into two electoral colleges did not in any way affect the civil rights of voters; they could be candidates for seats in either college, regardless of their status.

Mr. STRONG (United States of America) felt that the resolution should take note of the Special Representative's oral statement, recall the Council's recommendations at its ninth session on the question of the electoral colleges and expressed the hope that the success of the experiment now being tried in Togoland under French Administration would make it possible to bring about the same reform in the Cameroons under French Administration.

The CHAIRMAN thought that the Committee should plan to include a paragraph in the resolution, drawing attention to whatever conclusions or recommendations the Council might adopt during its present session on the question of the electoral colleges. If no such conclusion or recommendation were adopted, the paragraph might simply recall the Trusteeship Council's earlier recommendation.

/Mr. STRONG

Mr. STRONG (United States of America) said that the Committee should plan to include a similar paragraph with regard to the establishment of a legislative and constituent assembly in the Cameroons, drawing attention to whatever conclusions and recommendations the Council might adopt on the subject during its present session.

It would be better to take up the question of the unification of the two Cameroons when the Committee had petitions dealing expressly with that problem before it.

Mr. WATIER (Special Representative) said that the Administering Authority had not thought it necessary to make any observations on the points listed in paragraph 8 of document T/C.2/L.24.

The questions of revising the Trusteeship Agreement and of establishing a legislative and constituent assembly in the Cameroons had been considered by the Trusteeship Council at its previous session. The question of unification of the two Cameroons was to be examined by the Council separately. Finally, with regard to alleged discriminatory measures, the Administering Authority declared that there was no racial discrimination in the Territory. The charge was refuted by the facts and devoid of all foundation. Racial discrimination would be contrary to French legislation as well as to the spirit in which the Territory was administered.

Mr. DAVIN (New Zealand), referring to paragraph 9 of document T/C.2/L.24, felt that the petitioners' attention should be drawn to the recommendations which the Trusteeship Council might make concerning the question of indigenous participation in the work of the United Nations.

Mr. WATIER (Special Representative) remarked that the petitioners were not qualified to speak on behalf of all the people of the Cameroons, nor even on behalf of the majority. The great majority of Cameroonians were entirely satisfied with the existing situation.

Petition from the Union des populations du Cameroun, comité régional de Foumban"
(T/PET.5/101)

Mr. WATIER (Special Representative) pointed out that the petition was confused. Actually, it represented a phase of the struggle between those who upheld tradition and those favouring speedy progress, and the U.P.C. was the leader
/of the latter

of the latter group. The struggle took the form of constant opposition by some elements to the traditional chiefs. The Administering Authority was trying to ensure progressive political development without disrupting traditions to which the population was very deeply attached. Such factors must be taken into account, especially in an area like Bamoun, where the traditional hierarchy was very strong.

In the circumstances, it was not surprising that professional agitators should try to stir up trouble instead of assisting the Administering Authority to ensure the progressive political development.

Finally, he wished to recall that in a letter to the High Commissioner dated 20 February 1952 the petitioners had stated that they were satisfied with the administrative settlements brought about through the intervention of local authorities. There was therefore no longer any point to the petition.

Mr. SOLDATOV (Union of Soviet Socialist Republics) proposed that the Trusteeship Council, after stating that the present tribal organization in the Trust Territory was incompatible with the provisions of the Charter concerning the progressive development of the indigenous peoples of the Territory towards self-government or independence, should recommend that the Administering Authority take steps to ensure transition from the tribal system to a system of self-government based upon democratic principles.

Mr. DAVIN (New Zealand) asked whether the chiefs mentioned in the petition were helped by councils of notables.

Mr. WATIER (Special Representative) replied that they were, but that, in accordance with custom, their decisions were final in matters concerning the distribution of land.

Hitherto the sovereign authority of the chiefs had been fully respected, but the Administering Authority was trying by every means to promote the evolution of the traditional system towards a really democratic system.

Mr. STRONG (United States of America) felt that the Council should note with satisfaction that the questions raised by the petitioners had been settled.

Further, in view of the Special Representative's statement about the progressive democratization of the political system in the Territory, he felt that the petitioners' attention should be drawn to the chapter of the Council's report on political advancement in the Trust Territory of the Cameroons under French

/Mr. WATIER

Mr. WATIER (Special Representative) pointed out that on every occasion the Administering Authority had tried to diminish the traditional powers of the chiefs and proportionately to increase the powers and right of the individual. Admittedly it was rather difficult to effect such reforms in areas like Bamoun, but the Administering Authority was sparing no effort to uphold French legal principles.

In reply to a question from the CHAIRMAN, Mr. BERENDSEN (Secretary of the Committee) said that the petitions contained in documents T/PET.5/110, T/PET.5/111 and T/PET.5/112 and summarized in document T/C.2/L.24 had reached the Secretariat after the time-limit set by rule 86 of the Council's rules of procedure.

Mr. WATIER (Special Representative) said that he was nevertheless prepared to take part in the examination of the petitions at the present session of the Council if the Administering Authority's observations reached him before the end of the session.

The meeting rose at 12.50 p.m.