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STANDING COMMITTEE ON PETITIONS

SUMMARY RECORD OF THE THREE HUNDRED AND THIRTY-FIRST MEETING

Held at Headquarters, New York,
on Thursday, 23 February 1956, at 10.55 a.m.

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Cameroons under French administration: draft report of the
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PRESENT:

Chairman:

Mr. JAIPAL

India

Members:

Mr. HAMILTON

Australia

Mr. SCHEYVEN

Belgium

Mr. de CAMARET

France

Mr. SERAPHIN

Haiti

Mr. BENDRYSHEV

Union of Soviet Socialist
Republics

Also present:

Mr. LEFEVRE

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

Secretariat:

Mr. BERENDSEN

Secretary of the Committee

EXAMINATION OF PETITIONS CONCERNING THE TRUST TERRITORY OF THE CAMEROONS
UNDER FRENCH ADMINISTRATION: DRAFT REPORT OF THE STANDING COMMITTEE ON
PETITIONS (T/C.2/L.215 and Add.1) (continued)

IV. Petition from Mr. Antoine Koundji (T/PET.5/631) (continued)

Mr. BERENDSEN (Secretary of the Committee) read out the amendments proposed by the representatives of Australia, Belgium and India to draft resolution IV.

The Australian amendment would replace paragraphs 2 and 3 by the following:

"Notes the assurance given by the Special Representative that if a formal complaint is submitted to the Administering Authority by the petitioner, and if his co-operation is forthcoming, the Administering Authority would be prepared to undertake an inquiry into his personal situation."

The Belgian amendment suggested that paragraph 2 should be deleted and that the following additional sub-paragraph (d) should be added to paragraph 1:

"That the Administering Authority is prepared, on the petitioner's lodging a complaint, to investigate the petitioner's complaint and, in collaboration with the petitioner, to make inquiries concerning the present residence of his wife and children."

The Indian amendment proposed that paragraphs 2 and 3 should be replaced by the following:

"Informs the petitioner that he is free to return to the Territory;

"Requests the petitioner to get in touch with the local authorities, who will inquire into his complaints and assist him to find his wife and children."

Mr. HAMILTON (Australia) suggested that the words "who will inquire into his complaints and assist him to find", in the second paragraph of the Indian amendment, should be replaced by the words "to facilitate inquiries into his complaints and the whereabouts of".

The CHAIRMAN, speaking as the representative of India, said that if the representatives of Australia and Belgium wished to press their amendments he would withdraw his own.

Mr. HAMILTON (Australia) said that if his modification of the Indian amendment were accepted, he would be glad to withdraw the Australian amendment.

Mr. SCHEYVEN (Belgium) said that he would have liked the reference to the Special Representative's statement to be included in paragraph 1 of the draft resolution but he had no objection to the Indian amendment.

Mr. de CAMARET (France) said he would vote in favour of the Indian amendment.

The CHAIRMAN accepted the Australian modification of the Indian amendment. He accordingly put the Indian amendment, as thus amended, to the vote.

The Indian amendment was adopted by 4 votes to 1, with 1 abstention.

Draft resolution IV, as amended, was approved by 4 votes to 1, with 1 abstention.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said he had voted against the amended draft resolution because he considered that the original text, which requested the Administering Authority to carry out an inquiry, was more likely to give the petitioner satisfaction. The draft resolution as amended did not place the Administering Authority under any obligation to investigate the petitioner's complaints. It merely urged the petitioner to return to the Territory but no guarantee was provided that on his return the petitioner would be free from arrest or disciplinary action by the local authorities.

The CHAIRMAN, speaking as the representative of India, said his delegation had voted in favour of the draft resolution because it felt that if the petitioner had any concern at all for his wife and children he should return to the Territory.

Mr. HAMILTON (Australia) said it was illogical to object to an amendment on the grounds that it did not commit the Administering Authority to any particular course of action, for the Council had no power to commit the Administering Authorities at all. In the present case, the Administering Authority obviously felt that a further inquiry would lead to no positive results.

The CHAIRMAN asked whether it was not true that, by voting in favour of the draft resolution as amended, the Administering Authority had virtually undertaken to carry out inquiries, though it was not bound to do so.

Mr. de CAMARET (France) said that that was correct.

- V. Petition from Messrs. Etienne Masso, Zachée Ntem and Jacques Mallet (T/PET.5/696 and 699)

Draft resolution V was approved by 4 votes to none, with 2 abstentions.

- VI. Petition from Mr. André Victor Pohla (T/PET.5/733)

Mr. BERENDSEN (Secretary of the Committee) pointed out that the observations of the Administering Authority had not been received.

The CHAIRMAN suggested that it might be better to postpone consideration of the draft resolution until additional information was available.

Mr. de CAMARET (France) expressed the view that it would be wiser to defer consideration of the petition until the next session of the Standing Committee.

The CHAIRMAN suggested that the draft resolution should be deleted from the report and resubmitted when additional information was available.

It was so decided.

- VII. Petition from Mr. Joseph N'doumé (T/PET.5/667)

Draft resolution VII was adopted by 4 votes to none, with 2 abstentions.

- VIII. Petitions from "Association des Notables Camerounais" (T/PET.5/766 and 815)

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) observed that, though two petitions were mentioned in the title, the draft resolution dealt only with the complaint in T/PET.5/815, making no reference to the complaints in T/PET.5/766 that the offices of certain social organizations had been destroyed or burnt, that people had been deported, houses destroyed, etc. So far as he remembered, the Special Representative had denied the truth of those complaints; if so, some reference to the denial should be made in the draft resolution, because it prevented the Committee from considering further those complaints.

Mr. BERENDSEN (Secretary of the Committee) said that, as pointed out in the report (T/C.2/L.215), the Special Representative had denied the petitioners' statements that the French authorities had destroyed or burnt some one and a half million houses or concessions in the Cameroons and had deported more than a million Cameroonians.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said that petition T/PET.5/766 contained at least two definite complaints: firstly, that in May 1955 the Police Commissioner of the N'kongsamba Region had had four men shot in the petitioners' presence; secondly, that the French colonial authorities had destroyed or burnt the offices of the Association des notables démocratiques du Cameroun and of the Jeunesse démocratique camerounaise.

Mr. LEFEVRE (Special Representative) repeated his statement that at no time had the Police Commissioner at N'kongsamba fired on anyone. With regard to the alleged destruction of the offices of the Association des notables démocratiques du Cameroun, he was able to say that not only did the Administering Authority deny that the offices of that organization had been destroyed but it denied the very existence of the organization. As for the Jeunesse démocratique camerounaise, it had never had any offices but had usually met on UPC premises, especially at Douala.

The CHAIRMAN suggested that the following paragraph might be added to cover the first of the complaints referred to by the USSR representative:

"Notes the statement of the Special Representative that the Police Commissioner of N'kongsamba did not shoot down any indigenous inhabitants."

In view of the Special Representative's statement, he assumed that no reference was necessary to the second complaint.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) thought that some reference to the Special Representative's denial of the petitioners' allegations should be made in the draft resolution.

The CHAIRMAN asked whether the report (T/C.2/L.215) contained a reference to the Special Representative's statements.

Mr. BERENDSEN (Secretary of the Committee) said that reference was made in section VIII, paragraph 33, to his statement regarding the alleged destruction of houses and deportation of people.

The CHAIRMAN suggested that the Secretary should go through the records to ensure that the Special Representative's statements regarding the petitions in question were adequately reported.

Mr. HAMILTON (Australia) suggested that, to meet the objections of the USSR representative, the following paragraph might be added to the draft resolution:

"Notes the statement of the Special Representative that there is no truth in the allegations of the petitioners".

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked whether the Australian proposal implied that the Special Representative denied the truth of the whole contents of the petitions.

Mr. HAMILTON (Australia) pointed out that the paragraph he had suggested merely noted the statement of the Special Representative. Perhaps the Special Representative himself would comment on it.

Mr. LEFEVRE (Special Representative) said he had denied the allegations to which reference had been made but, that did not mean that every statement made by the petitioners was necessarily completely false.

The CHAIRMAN proposed that in the interests of clarity the Australian amendment should be redrafted to read:

"Notes the statement of the Special Representative that there is no truth in the petitioners' allegation relating to the shooting of four persons at N'Kongsamba and the destruction by the Administering Authority of the premises of any political organization."

Mr. HAMILTON (Australia) accepted the amended version.

The Australian amendment, as amended, was adopted by 4 votes to none, with 2 abstentions.

Draft resolution VIII as a whole, as amended, was adopted by 4 votes to none with 2 abstentions.

IX. Petition from Mr. Jean Baouti (T/PET.5/666)

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) noted that the petition complained that hundreds of shops belonging to indigenous inhabitants had been destroyed and their merchandise burned. As far as he remembered, the Special Representative had denied those allegations. If that were so, the denial should be mentioned in the draft resolution.

Mr. LEFEVRE (Special Representative) confirmed that there had been no destruction or pillage of indigenous property in the localities mentioned in the petition, with the exception of N'kongsamba, where vehicles had been destroyed by UPC demonstrators and Songmbengue, where a shop had been burned down by members of the UPC.

Mr. BERENDSEN (Secretary of the Committee) pointed out that the petition contained many charges in connexion with the events of May 1955. The present draft resolution was not intended to cover the general complaints, which were analysed at great length in the general draft resolution and in the draft report.

The CHAIRMAN thought it might be useful to include a paragraph drawing the petitioner's attention to the Special Representative's declaration that there had been no destruction of indigenous property except at N'kongsamba and Songmbengue.

Mr. LEFEVRE (Special Representative) suggested that it would be preferable for the draft resolution to deal only with specific allegations, and not with the incidents in general. Any member of the Committee who felt that the general analysis of the incidents was not complete could propose amendments to the report. He was quite willing to supply any information that might be required, but he feared a great deal of time would be lost if the general discussion of the incidents was resumed at each step.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) pointed out that he had asked for reference to be made to a specific point, namely the allegation that hundreds of shops belonging to indigenous inhabitants had been destroyed.

The CHAIRMAN thought the wishes of the USSR representative might be met if the following wording were adopted:

"Notes the denial by the Special Representative of the petitioner's allegation that hundreds of shops and merchandise had been destroyed at Songbengué, Loum, Nkongsamba, Manjo, Bafang, Bafoussam and Mounjo."

There being no objection, the Chairman's proposal was adopted.

Draft resolution IX, as amended, was adopted by 4 votes to none, with two abstentions.

X. Petition from the Association of the Cultivators and Peasants of the Villages of Messondo, Mbengué and Sodbanga Station (T/PET.5/701)

Draft resolution X was adopted by 4 votes to none, with 2 abstentions.

XI. Petition from Ngwamba Difo (T/PET.5/732)

Draft resolution XI was adopted by 4 votes to 1, with 1 abstention.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) explained that he had voted against the resolution because it contained no satisfactory answer to the petitioner's complaint; it even confirmed the fact that no proper investigation had been made. Yet the complaint was quite specific, involving the destruction of property and the killing of people. Moreover, the petitioner had supplied his name and address and had cited a witness.

XII. Petition from the Baham Local Committee on the UPC (T/PET.5/752)

Mr. HAMILTON (Australia) proposed that the words "Draws the attention of the petitioner to" in paragraph 1 should be replaced by "Notes". He also pointed out that paragraph 2 made a suggestion to people who were not signatories of the petition. To deal with that somewhat unusual situation he proposed that paragraph 2 should be redrafted to read:

"Notes further that the persons said to have been ill-treated by the Chief in question should, if they wish to pursue the matter further, lodge a complaint with the competent courts of the Territory."

Mr. de CAMARET (France) thought the words "but had not been conclusive" in paragraph 1 (a) were redundant, since paragraph 1 (b) explained why the Administration had been unable to undertake a detailed inquiry. He therefore proposed that those words in paragraph 1 (a) and the word "more" in paragraph 1 (b) should be deleted.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) expressed surprise that the French representative should take it upon himself to amend a declaration by the Special Representative. The question involved was one of substance, which could not be decided by a vote, and he asked the Special Representative to say whether there had been a full inquiry and whether the persons referred to in the petition had been ill-treated by the Chief in question.

The CHAIRMAN thought the difficulty had arisen because the Secretariat, in drafting the resolution, had tried to give a very condensed version of the Special Representative's statement as summarized in paragraph 45 of the draft report (T/C.2/L.215). If the Special Representative could confirm that his statement was accurately summarized in the draft report, it might be advisable to redraft paragraphs 1 (a) and (b) to adhere more closely to the wording of the draft report.

Mr. LEFEVRE (Special Representative) agreed that the report faithfully reflected his statement.

The CHAIRMAN, speaking as the representative of India, proposed that sub-paragraphs (a) and (b) of paragraph 1 should be redrafted to read:

"(a) A general investigation had been undertaken by the Chief Subdivisional Officer and the Regional Officers, but they had heard no complaints;

"(b) The Administration could not take action or undertake full scale official investigation until a formal complaint was lodged".

Mr. SERAPHIN (Haiti) supported the French amendment, because it seemed to him to remove an ambiguity.

Mr. de CAMARET (France) said that he was willing to withdraw his amendment in favour of the text proposed by the Chairman.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed the addition of a paragraph 3, to read:

"Expresses the hope that the Administering Authority will carry out a complete investigation of the petitioners' complaints and punish the guilty."

Mr. de CAMARET (France) said that he was unable to support the USSR amendment, because no formal complaint had been made.

The CHAIRMAN, speaking as the representative of India, pointed out that while the Administering Authority could perhaps carry out a second investigation, it was not in a position to punish the guilty. That was a matter for the courts.

Mr. LETEVRE (Special Representative) stressed that a resolution requesting the Administering Authority to carry out a second inquiry would be redundant. On the other hand, if the victims of the alleged activities of the Bamiléké chiefs were to lodge an official complaint with the judicial authorities, the examining magistrate would make proper inquiries and they would have better prospects of having their grievances put right.

Mr. HAMILTON (Australia) said that he could not accept the additional paragraph proposed by the USSR representative.

The CHAIRMAN, speaking as the representative of India, suggested that the USSR text might be altered to read:

"Expresses the hope that the Administering Authority will carry out a complete investigation into the allegations, if complaints are lodged with it, and that it will refer the matter to the competent courts for legal action."

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) failed to see why an inquiry by the local authorities should be less effective than one carried out by the courts: if witnesses intended to deny allegations they could deny them equally well in the courts.

(Mr. Bendryshev, USSR)

The disadvantage of the Indian version of his amendment was that it would make the inquiry conditional upon complaints being lodged, whereas he considered that the fact that the petitioner had submitted a petition to the United Nations justified a full investigation by the Administering Authority.

The CHAIRMAN, speaking as the representative of India, said that he would withdraw his text if the USSR representative found it unacceptable, but he would be unable to vote for the original USSR amendment.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) submitted the following revised version of his amendment:

"Expresses the hope that the Administering Authority will carry out a complete investigation of the petitioner's complaint and will take the necessary measures for the punishment of the guilty."

Mr. SCHEYVEN (Belgium) agreed with the Special Representative that, as the Administering Authority had already made an inquiry, there was little point in its making another.

He favoured the retention of paragraph 2, which suggested that the persons concerned should lodge a complaint with the competent courts. It should be remembered that parties to a dispute who appeared in court were under oath.

The CHAIRMAN, speaking as the representative of India, said that, so far as the proposed additional paragraph was concerned, the important point to be stressed was that complaints should be lodged with the Administering Authority, not necessarily with the law courts.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) felt that the Administering Authority could continue and complete its investigation without a request from the petitioners; it was sufficient that they had appealed to the United Nations.

Mr. SCHEYVEN (Belgium) said that it would be in the petitioners' own interest to initiate an inquiry by seizing the courts of their complaint.

The CHAIRMAN put the Australian amendment to paragraph 1 to the vote. The amendment was adopted by 4 votes to 2.

The CHAIRMAN put the Indian amendment to paragraph 1 to the vote.
The amendment was adopted by 4 votes to none, with 2 abstentions.

The CHAIRMAN put to the vote the text of paragraph 2 as amended
by the Australian representative.

The amended text was adopted by 3 votes to 1, with 2 abstentions.

The USSR proposal of an additional paragraph was rejected by 3 votes to 1,
with 2 abstentions.

Draft resolution XII, as amended, was approved by 3 votes to none,
with 3 abstentions.

XIII. Petition from Mr. Pierre Guékop (T/PET.5/767)

Mr. HAMILTON (Australia) proposed that the draft resolution should be
redrafted identically with draft resolution XII, except that the introductory
words of paragraph 1 should be retained.

The revised text of draft resolution XIII was approved by 4 votes to none,
with 2 abstentions.

XIV. Petition from the "Etude de la Région de N'kam (T/PET.5/663)

Draft resolution XIV was approved by 4 votes to none, with 2 abstentions.

XV. Petition from Mr. Moïse Lontchi (T/PET.5/796)

Draft resolution XV was approved by 4 votes to none, with 2 abstentions.

The CHAIRMAN asked the Committee to take up its draft report
(T/C.2/L.215).

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed the
deletion of paragraph 3, which seemed to him to embody an expression of opinion
by the Secretariat.

The CHAIRMAN, speaking as the representative of India, supported the
proposal.

Mr. BERENDSEN (Secretary of the Committee) explained that the Secretariat had felt that some introduction to the general subject should be included but had carefully avoided ascribing responsibility for the events to any particular party. The words "affecting the leaders and active members of the UPC and" might be deleted.

The CHAIRMAN, speaking as the representative of India, suggested that paragraph 3 might be amended to read:

"3. The present report deals with petitions relating to a series of incidents in certain parts of the Cameroons in April and May 1955."

Mr. de CAMARET (France) proposed the inclusion of the words "from the Union des populations du Cameroun" after the word "petitions".

A vote was taken on the French amendment.

There were 3 votes in favour and 3 against.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

There were 3 votes in favour and 3 against. The amendment was not adopted.

Mr. HAMILTON (Australia) proposed the addition of the words "and which involved bloodshed in certain localities between 22 and 30 May 1955" to the Indian amendment.

The CHAIRMAN, speaking as the representative of India, said that he had withdrawn his amendment but that he would consider the Australian suggestion as a new amendment incorporating the Indian text.

A vote was taken on the Australian amendment.

There were 3 votes in favour and 3 against.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

There were 3 votes in favour and 3 against. The amendment was not adopted.

A vote was taken on paragraph 3 of the draft report (T/C.2/L.215).

There were 3 votes in favour and 3 against.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

There were 3 votes in favour and 3 against. The paragraph was not adopted.

Mr. HAMILTON (Australia) moved the adjournment of the meeting.

The motion was adopted.

The meeting rose at 12.55 p.m.