

# GENERAL ASSEMBLY

TWELFTH SESSION

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## CONTENTS

	Page
Agenda item 13:	
Report of the Trusteeship Council (continued)	
General debate (continued) . . . . .	383

**Chairman:** Mr. Thanat KHOMAN (Thailand).

## AGENDA ITEM 13

## Report of the Trusteeship Council (A/3595 and Corr.1, A/3718, A/C.4/372) (continued)

## GENERAL DEBATE (continued)

At the invitation of the Chairman, Mr. Charles Assalé, Mr. Paul Soppo Priso and Mr. Jean Ekwabi, representatives of the Groupe d'action nationale du cameroun, Mr. Ndeh Ntumazah, representative of One Kamerun, Mr. Félix Roland Moumié, representative of the Union des populations du Cameroun, Mr. Dika Akwa, representative of the Confédération des syndicats indépendants du Cameroun, and Mr. Jacques Ngom, representative of the Confédération générale kamerunaise du travail, took places at the Committee table.

1. Mr. CHAMANDI (Yemen) said that he concluded from the statements of the petitioners and from the report of the Trusteeship Council (A/3595 and Corr.1) that instead of ensuring the advancement of the populations of the two Trust Territories of the Cameroons towards the objectives prescribed in the Charter, the Administering Authorities for the two Territories were preparing for the absorption of the one into Nigeria and of the other into the French Union. The United Kingdom and France were enforcing that policy by repressive measures, imprisoning, killing or deporting those who advocated unification and independence. It was true that certain reforms had been introduced and could be regarded as progressive steps, but they fell short of the wishes of the inhabitants. In the Cameroons under French administration, in particular, the Statute did not guarantee the sovereignty and independence of the Cameroonian people. Nevertheless he noted the statements of the representatives of France and the United Kingdom at the previous meeting to the effect that neither of the two Trust Territories would be forced to join any other country and he hoped that those words would be translated into deeds and that the Cameroonians would be free to decide their own future.

2. Whatever the administering Authorities might say, he was convinced that the Cameroonian petitioners represented a large part of the population. He concluded from their statements that most of the inhabitants of the Cameroons wanted freedom of speech and of assembly, the right to have a share in

the administration of their affairs, a general amnesty for political prisoners and deportees, and formal recognition of the right of Cameroonians to sovereignty and independence. They wanted France and the United Kingdom to co-operate in securing economic stability for the two Cameroons and facilitating their unification. Finally, they hoped that the next United Nations visiting mission would be nominated not by the Trusteeship Council but by the General Assembly.

3. He thought that those requests were just and he was willing to support them. He would vote in favour of any draft resolution to that effect.

4. Mrs. SINHA (India) reviewed the outstanding features in the development of the various Trust Territories.

5. Taking first the Trust Territory of Somaliland under Italian administration, she paid a tribute to the memory of Mr. Kamal Eddine Salah, the Egyptian member of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, whose assassination had removed from the world a staunch supporter of the cause of the Somali people. She noted that the administration of all regions and districts had been entrusted to Somalis, that the Somalization of the civil service had been accelerated, and that only a few foreign experts and advisers remained in the Territory. It was encouraging to find that public order had continued to be satisfactory and that the Legislative Assembly had approved the programme of the Government. After the election of the constituent assembly in 1958, Somaliland would accordingly have the four basic institutions of a sovereign State: namely, a constitution, a head of State, a government and a parliament. That rapid development was evidence of the political maturity of the population and its leaders and it showed that Italy was resolved to guide Somaliland to independence in 1960. The only disquieting factor was the financial situation. According to the report of the Mission sent to the Territory by the International Bank for Reconstruction and Development (T/1296), after 1960 the Territory would require annual financial assistance to the amount of \$4 million or \$6 million, for some twenty years or so. It was clear from the Bank's report that that assistance would have to be grants rather than loans, in view of the low potential for development in Somaliland. The United Nations should take the initiative in establishing international machinery which would make it possible to provide assistance to territories having such needs.

6. Turning to the Trust Territory of Ruanda-Urundi, she noted with satisfaction that reforms had just been introduced there; with all adult male inhabitants now enjoying the right to vote, new relations would inevitably be established between the people and their rulers. Her delegation hoped that the suffrage would

soon be extended to cover representative organs at all levels. It also hoped that the Administration would shortly be able to set up a separate central legislative body for the Territory, as recommended in General Assembly resolution 326 (IV). The authorities should not lose sight of the fact that Ruanda-Urundi was necessarily influenced by the great movement which was taking shape in Africa and whose most recent manifestation was the independence of Ghana. Moreover, 1961 was to be a significant date in the evolution of the neighbouring Territory of Uganda. Those external factors, however, were not enough. The Africans should participate to a larger extent in all the activities of the Territory; to that end, they must be able to acquire the necessary knowledge and to have access to the resources which now made their material progress possible. The Administering Authority should take steps to ensure that their legitimate wishes in that respect were not disappointed and that they could take part in the economic development of the Territory under the same conditions as non-Africans. Her delegation was convinced that the political advancement of the Territory should not proceed under the pressure of circumstances; a spasmodic and halting development created enmity and was liable to leave the future independent State with serious problems which could be avoided if the course of events was carefully and judiciously prepared. It was in the interests both of the inhabitants of the Territory and of international peace and security that the intermediate targets to be attained should be specified and that dates should be set for the various stages. Her delegation had not attempted to suggest what those targets and dates should be, for it considered that its business was to make known its views and to leave the Administering Authorities to make the necessary arrangements in the light of experience.

7. With regard to Tanganyika, she was glad that the Administering Authority realized that the management of public affairs would shortly have to be transferred to elected representatives of the people. She hoped that the Territory would achieve full self-government in ten to fifteen years, as the petitioners had suggested before the Trusteeship Council during its twentieth session (817th meeting). The existence of a multiracial society in the Territory had given rise to some problems. She recalled that at the twentieth session of the Council (820th meeting) the United Kingdom representative had stated categorically that his Government had undertaken to guide Tanganyika towards self-government or independence by democratic means, and that the petitioners, for their part, had not appeared to contemplate a State based on racial considerations, but rather a democratic State in which all citizens would have equal rights. Moreover, the appearance and development of a nationalist movement in a Trust Territory was a normal occurrence, which the Administering Authority should be able to guide along the right road. The art of leading the Territory towards the ultimate objectives of the Trusteeship System lay first and foremost in the capacity to co-operate with the nationalists. Tanganyika was proceeding in the right direction. The removal of certain anomalies in the existing constitutional system, such as the inadequate representation of Africans, the delimitation of the constituencies, and the electoral system, was only a question of time.

8. Turning next to conditions in the Cameroons under British administration, she noted that political advancement there had been continuous and steady, that the development of political institutions had proceeded freely and in accordance with the wishes of the inhabitants, that the political parties were turning towards Nigeria and that the Territory had reached the stage immediately preceding independence. The time had accordingly come to consider the future of the Territory and in particular the merits and demerits of the idea of unification of the two Cameroons. There was no denying that the artificial division of the Cameroons after the First World War had been carried out against the wishes of the inhabitants. By now, however, it had been in existence for a long time and the two Cameroons had each followed a different course. It must be admitted that unification would raise enormous practical difficulties and that, moreover, the inhabitants of the northern part of the Territory were against it. As for the Administering Authority, its representative had stated at the previous meeting that it would be to the advantage of the Cameroonians to maintain a close association with the Federation of Nigeria. It would undoubtedly inform the Trusteeship Council and the General Assembly in due course of the reasons for that position and would outline the steps that would need to be taken to complete an evolution which was going on steadily and was doubtless bringing the Territory nearer to the objectives of the Trusteeship System. Nevertheless, it must not be forgotten that in the southern part of the Territory there was a section of the population which appeared to favour not so much a joint administration of the two Cameroons as their possible union within a wider framework, an association which might be based on historic and geographical reasons and on ethnological and economic considerations. That should not hinder the progress of the Cameroons under French administration towards early independence.

9. She regretted that the recent history of the Cameroons under French administration had been characterized by violence and political dissatisfaction. Not until ten years after the signing of the Trusteeship Agreement had important political reforms been introduced — universal adult suffrage with a single electoral list and institutions established by virtue of the *loi-cadre* of 23 June 1956. If the inhabitants were dissatisfied, the fault lay with the Administration, which had not restored normal political conditions following the serious disturbances in April and May 1955 and had not complied with the desire of the inhabitants for a general political amnesty. The Cameroonians had for the first time united to demand independence. The present Statute, however, did not fulfil that aspiration. The General Assembly should heed the complaints which had been registered with respect to the elections in certain regions, the lack of freedom in political activities, and the Statute, which was liable to prevent the subsequent attainment of independence. The Indian delegation thought that the reforms adopted had been inadequate and belated. It hoped that the Administering Authority and the General Assembly would be able to comply with the reasonable requests of the petitioners, as summarized by Mr. Soppo Priso (716th meeting). It saw no need for a special General Assembly commission to be sent to the Territory, since a regular Trusteeship Council mission was to go there in 1958. The General Assembly should

instruct that visiting mission to make a special study of the situation. She would point out that the present relations between the Territory and France were defined by the Trusteeship Agreement and were limited to an administrative association which could not be altered unilaterally without the approval of the General Assembly. The reason some of the Cameroonians were opposed to the application of the new Statute was that they feared it would make independence impossible; a careful examination of the proposed new system would show that their fears were not altogether unjustified. It was important to recognize that there was a general feeling in the Territory in favour of independence and continued association with France on an equal footing. The Trusteeship System did not admit of a system which was contrary to its objectives: namely, self-government or independence.

10. New Zealand was to be congratulated on its intelligent administration of Western Samoa and its steady application of the constitutional plans which would enable the Territory to arrive by 1960 at the penultimate stage on the road to self-government.

11. The Indian delegation noted the substantial financial aid that the United States had given the Trust Territory of the Pacific Islands, but it hoped that the economic and political self-government of the Territory could be developed more rapidly. It also wished to reaffirm that the use of the islands as bases for testing nuclear weapons was at variance with the concept of the sacred trust the Administering Authority had assumed. At the Trusteeship Council fourteenth session (554th meeting the Indian delegation had suggested that the International Court of Justice should be asked to give an advisory opinion on the matter but that idea had not received the approval of the Council. It was concerned about the continued use the United States made of the islands for nuclear testing but it was glad to note that the islands were still the property of the inhabitants and that the status of the Territory was unchanged.

12. With respect to Nauru, she noted that the phosphate deposits, the only source of wealth in the Territory, were being exploited in such a manner that they would be exhausted by the time independence had been achieved and the inhabitants would have to seek a new home. It was true that the inhabitants benefited from the royalties paid for the mining of the phosphates but it would undoubtedly be better to allow the Nauruans to participate directly in the development of their own natural resources.

13. With regard to the Trust Territory of New Guinea, the Indian delegation urged Australia to complete its exploration of the Territory and to set up a greater number of local councils in the areas which had been under the control of the Administration for a considerable time. Since the Territory was administered in accordance with the Trusteeship Agreement concluded between the General Assembly and Australia, the Indian delegation would like the Australian representative to report to the Assembly on the effects which the joint statement issued by the Governments of Australia and the Netherlands on 6 November 1957 might have on the Trust Territory.

14. Mr. EILAN (Israel) expressed the view that the committee should consider the question of the Trust Territories on an empirical basis. Each of the Ter-

ritories had its own difficulties; what they had in common, namely their status, was due to historical accident. The varying character of the Trust Territories was further emphasized by the fact that the Administering Authorities had introduced a variety of political concepts in those areas. In that connexion he was inclined to think that the criticism directed against one or another Administering Authority was sometimes due to the fact that the speakers were judging constitutional arrangements that differed from their own and with which they were ill acquainted. The important thing was not the propagation of a particular political doctrine but the protection of the interests of the population concerned.

15. He proposed to confine his remarks to two particular Territories, Tanganyika and the Cameroons under French administration. The principal difference between those two Territories lay in the number of European settlers, which was large in the former and small in the latter.

16. In Tanganyika, the presence of the settlers had given rise to land problems, but he was confident that the Administering Authority would be able to solve those problems to the satisfaction of the Trusteeship Council and the Committee. With respect to the reform contemplated by the Royal Commission on Land and Population in East Africa, which consisted of abandoning the traditional system of tribal ownership in favour of a system of individual ownership, he was not certain that such a change would necessarily result in increased productivity. In Israel, communal ownership of land was the system in widest use: it allowed of more rational methods of cultivation, the modernization of farming and reclamation projects, things which would be impossible under a system of small holdings. Moreover, the contemplated reform would entail a break with tradition and the inevitable social complications. In the Cameroons under French administration, the Administering Authority was faced with different problems: it was protecting the planters against fluctuations in world prices by means of stabilization funds and it was spreading the knowledge of modern methods of cultivation with a view to improving the quality of the produce.

17. With respect to the political aspect, he congratulated the Administering Authority and the opposition parties of Tanganyika on their modern approach to the problem of multiracial representation. On the other hand, it was a matter of regret that in the Cameroons, where the people were not confronted with the difficulties of a multiracial society and enjoyed the principal political rights, the political parties were embroiled in internal disputes.

18. In conclusion, he drew attention to the importance of technical education and noted with satisfaction that school attendance had reached a level of 86 per cent in the Southern Cameroons and that the Administering Authority was endeavouring to reduce the educational backwardness of the North.

19. Mr. MENCER (Czechoslovakia) observed that the petitioners from all the Trust Territories, whether they addressed themselves to the United Nations orally or in writing, were unanimous in calling for complete independence. Moreover, that independence was the principal purpose and meaning of Chapter XII of the Charter. The Trusteeship Council devoted

one of the three parts of its report to the establishment of intermediate target dates and final time-limits for the attainment of self-government or independence by the Territories and the matter was referred to in nearly every chapter of the other two parts. It was regrettable that the Administering Authorities took a negative attitude towards the question and that they did not always comply with the many resolutions which the General Assembly had adopted on the subject.

20. The attitude of the Administering Authorities was probably due to their interpretation of Chapter XII, according to which the United Nations was entitled to exercise only a posteriori supervision over the Territories. In the opinion of the Czechoslovak delegation, that concept was at variance with the Charter and could threaten the very idea of international supervision, since it reduced the role of the United Nations to that of an observer. The supervision provided for in Article 75 was, in accordance with Article 85, paragraph 1, exercised by the General Assembly. The Questionnaire to which the annual reports of the Administering Authorities provided answers, as also the words "measures taken or contemplated" for the purpose of leading the Territories to self-government or independence as used by the General Assembly in a number of resolutions,<sup>1/</sup> were evidence that the General Assembly wished to exercise a dual control, a priori and a posteriori.

21. Since that was its interpretation of the idea of international supervision, the Czechoslovak delegation was of the opinion that every consultation of the people in the Trust Territories, whether in the form of elections, plebiscites or referendums, should take place under the direct control and supervision of the United Nations. For those reasons it was also in agreement with the delegations which had expressed a desire that the Council should have its say on the future constitution of Somaliland and should be able to express its views before 1960 on the constitutional reforms in Western Samoa. It was therefore unable to accept the arguments of certain delegations to the effect that the United Nations could be informed only a posteriori on the question of the association of the Territories with the European Common Market, on the compatibility of that association with the Charter and on its effects on the Territories themselves.

22. The Czechoslovak delegation was not altogether in agreement with the requests made by the Trusteeship Council that the Administering Authorities should inform it of the application of the Rome Agreements to the Territories and the effects those Agreements might have on the economy of the Territories. It considered that the word "economy" was inadequate, since the Agreements could also exert a great effect on political development. The Council had not taken account of the fact that the Treaty establishing the European Economic Community had been signed without its agreement, without that of the General Assembly and without the indigenous populations having been able to give their views on the matter. All the petitioners from the Cameroons who had spoken before the Committee had expressed their opposition to the European Common Market, because there had been

no consultation of the Cameroonian people or of the Territorial Assembly, to which articles 9 to 17 of the Statute gave the name of Legislative Assembly, or of the Cameroonian Government, established pursuant to articles 18 to 30 of the Statute. It was legitimate to ask why the name of "State" had been bestowed upon the Cameroons under the Decree of 16 April 1957 if the so-called legislative Assembly had the right neither to legislate nor to discuss the association of the Cameroons with the European Common Market. His delegation therefore considered that the Trusteeship Council's recommendations must be more specific and that it was the Committee's duty to make it so.

23. He pointed out that the Treaty establishing the European Economic Community contained no provision which would permit Trust Territories to terminate the association contemplated at some future date, and that was contrary to the right of peoples to self-determination, and to the Charter. He wished to add to the arguments which he had advanced at the 672nd meeting. The Treaty discriminated between the Members of the Organization, and that also was contrary to the interests of the indigenous population, and to the Charter. Article 76 d of the Charter required Administering Authorities "to ensure equal treatment in social, economic, and commercial matters for all Members". The Treaty not only excluded the possibility of equal treatment, it even conferred a privileged position on the six signatory countries; it was therefore in opposition to Article 76 d and came under Article 103 of the Charter regarding conflicts between the obligations of Members under the Charter and their obligations under any other international agreement.

24. The Treaty was at variance not only with Chapter XI of the Charter, regarding Non-Self-Governing Territories, but also, and to a greater degree, with Chapter XII, regarding Trust Territories, in that it grouped both of those together under the single heading of "overseas territories". It should be noted that paragraph 1 (e) of General Assembly resolution 326 (IV) specifically requested Administering Authorities to consult the inhabitants of the Trust Territories before any customs union was established. That resolution had not been carried out, nor had resolution 224 (III), which specified that the approval of the Trusteeship Council or the General Assembly was needed to constitute a Territory into a customs, fiscal or administrative union with an adjacent territory. In the present case, it was a question of associating Territories not just with neighbouring countries, but with countries on other continents. There was therefore no basis in a law to justify the Trust Territories being associated with the Common Market. Moreover, such association had political, economic and social implications which could not be ignored. It should be noted that sub-paragraph (c) of resolution 224 (III) recommended that the Trusteeship Council should request an advisory opinion of the International Court of Justice whenever there was any doubt regarding the legal application of so-called administrative unions.

25. His delegation therefore considered that the Trusteeship Council had not given the question sufficient consideration and that the Committee could hardly accept the recommendations submitted by the Council. His delegation agreed with the Australian

<sup>1/</sup> See General Assembly resolutions 558 (VI), 752 (VIII), 858 (IX) and 946 (X).

delegation that the Fourth Committee was fully competent to give an opinion in matters concerning the Common Market.

26. Turning to the situation in the Cameroons under French administration, he said that the Territory's accession to independence raised questions calling for immediate action, because the population was living in an atmosphere of constant agitation and was dissatisfied with the trusteeship administration. During the eleventh session (643rd meeting), the Czechoslovak delegation had proposed that the Administering Authority should be invited to take steps to restore the free exercise of political freedom in the Territory and that the Council should be recommended to give the matter special attention. It was gratifying to note that the Council had devoted a large part of its report to the Cameroons. His delegation approved the Council's conclusions and recommendations, but regretted that the Administering Authority had not taken sufficient measures to restore normal political activity in the Cameroons. The petitioners' statements and the petitions from the Territory showed that the people's struggle for independence had assumed the dimensions of a national movement and was closely allied with the demand for the unification of the two Cameroons. The peoples of the Cameroons obviously would make the decision, but they would not be able to do so until the Territory was independent, and the role of the United Nations should be to aid the Territory without bringing any pressure to bear on it. The peoples of the Cameroons had specified their immediate demands— independence, unification, amnesty and the repeal of the decree banning certain political organizations. He wished to congratulate the petitioners and expressed regret that the French representative had thought it necessary to cast doubt on the good faith of some of those organizations, in an attempt to diminish the sympathy which the legitimacy of their cause inspired.

27. With regard to the question of Tanganyika under British administration, he concluded from the Trusteeship Council's report that the racial question played a very important part in the increasing political activity of the masses and that the so-called multiracial solution aroused justifiable fears among the indigenous population. He regarded the attempts to establish a multiracial government as a will-o'-the-wisp which would merely make the situation worse. The right of peoples to self-determination could not permit more than 8 million indigenous inhabitants to have only approximately the same rights as 3,000 European residents. The indigenous population was therefore justified in its fear that a multiracial policy would only guarantee a predominant position to the minority in the future independent State.

28. With regard to the question of petitions, the Trusteeship Council had adopted a provisional solution consisting in the establishment of the Committee on Classification of Communications. The question called for a solution involving a basic principle, for the right of petition was sacred. He would be in favour of appointing a mission or special commission to make on-the-spot inquiries on petitions and interview petitioners in Territories whose population was beginning to send a large number of petitions.

29. Education was the one question in all the Territories to which his delegation attached particular importance for a satisfactory solution was essential

in order to prepare the indigenous inhabitants for their independence. Czechoslovakia was one of the countries which had offered scholarships in accordance with General Assembly resolution 845 (IX). During the eleventh session, it had been a sponsor, with other delegations, of the draft which had later become resolution 1063 (XI), the purpose of which was to ensure that the Administering Authorities would place no obstacles, especially in connexion with travel documents, in the way of students wishing to use the scholarships offered. Unfortunately, experience showed that Administering Authorities were continuing to follow their usual policy. For example, in some Territories, considerable sums had to be deposited as security in order to obtain a passport. In other Territories, the parties concerned had been threatened that they would not be able to find any employment when they had finished their studies in Czechoslovakia. The linguistic argument advanced by some administering Authorities was not valid. After the representative of Czechoslovakia had offered fifteen scholarships during the eleventh session, his Government had in the course of a few weeks received twenty-eight applications for scholarships from a variety of Trust and Non-Self-Governing Territories, which proved that the young people in those Territories did not attach great importance to language barriers. Since the number of applicants had been greater than the number of scholarships which the Government of Czechoslovakia had offered in 1957, the Government was now increasing the number of scholarships from fifteen to twenty; the requirements for the granting of scholarships were the same.

30. He pointed out that although he had paid particular attention to political questions, it should not be concluded that he underestimated the importance of the Territories' economic, social and cultural development. For example, in the case of Somaliland under Italian administration, concomitant solutions must be found for both political and economic problems if the new State was to be established on a sound basis.

31. Mr. SALOMON (Haiti) said that he would not make a detailed statement on the situation in the various Trust Territories, since he had already stated his views in the Trusteeship Council, but would limit his remarks to certain new facts.

32. In resolution 1064 (XI), the Assembly had recommended that the Administering Authorities should take the necessary measures to ensure that Tanganyika, both Cameroons, Togoland under French administration and Ruanda-Urundi should achieve self-government or independence at an early date. He was confident that, in the case of Togoland, a satisfactory solution would be found in the near future, but on the other hand, he doubted that the necessary measures had been taken in Tanganyika and Ruanda-Urundi. The Trusteeship Council should therefore make a closer study of the situation in those two Territories. With regard to the Cameroons under French administration, he expressed regret that the petitioners had not adopted the policy of uniting in order to build as outlined by the French representative at the previous meeting. They were obviously preoccupied with the political atmosphere in the Territory because the amnesty announced by the Administering Authority had not yet been granted. He was therefore gratified to note that the amnesty law would be adopted very soon



and was convinced that that measure of clemency would clear the atmosphere. Moreover, the petitioners all appeared to be in favour of the unification of the two Cameroons; that was one of the questions which the next visiting mission might examine closely. He was convinced that the Legislative Assembly of the Cameroons would know how to solve the problem of the date of accession to independence in the best interests of the population.

33. The question of the association of certain Territories in the European Common Market had been decided upon without consulting the peoples concerned.

With regard to the objection that the question was too recent to warrant discussion, he pointed out that in order to achieve useful results, the Trusteeship Council must discuss present and future development plans in a realistic manner.

34. Lastly, he pointed out that in Somaliland under Italian administration, the Administering Authority and the Government had not succeeded in reducing the budgetary deficit, in spite of their energetic efforts.

The meeting rose at 4.50 p.m.