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Chairman: Mr. Enrique de MARCHENA
(Dominican Republic).

In the absence of the Chairman, Mr. Soward (Canada), Rapporteur, took the Chair.

AGENDA ITEM 37

Question of South West Africa: report of the Committee on South West Africa (A/3151 and Corr.1, A/C.4/338, A/C.4/L.478) (*concluded*)

DRAFT REPORT OF THE FOURTH COMMITTEE
(A/C.4/L.478)

1. The CHAIRMAN recalled that at its 583rd meeting the Committee had decided to suspend the debate on the question of South West Africa to enable one delegation to prepare a draft resolution concerning the composition of the Committee on South West Africa. As the draft resolution (A/C.4/L.475) had been adopted, (633rd meeting) the Committee now had to take a decision on the draft report contained in document A/C.4/L.478. He suggested that, if there were no objections, the Committee should adopt the draft report.

It was so decided.

Mr. de Marchena (Dominican Republic) took the Chair.

AGENDA ITEM 13

Report of the Trusteeship Council (A/3170; A/C.4/350, A/C.4/L.472/Rev.1, A/C.4/L.476, A/C.4/L.477) (*continued*)

CONSIDERATION OF DRAFT RESOLUTIONS
(A/C.4/L.472/REV.1) (*continued*)

2. Mr. CLAEYS BOUUAERT (Belgium) said that Belgium had undertaken to promote the progressive development of the people of Ruanda-Urundi towards self-government or independence, as might be appropriate to the particular circumstances of the Territory and its people and the freely expressed wishes of the people concerned. It respected that undertaking and had no desire whatever to retard the tempo of the Territory's evolution. It felt, however, that no time-limit could be fixed for the termination of trusteeship, as a people's psychological development and the growth of its sense of responsibility could not be measured mathematically.

Furthermore, as the Australian representative had pointed out at the previous meeting, the United Nations would be exceeding its powers in doing so. Contrary to what the representative of Morocco had said at the same meeting, the resolutions of the General Assembly could in no way change, nor unilaterally complete, the provisions of the Trusteeship Agreement and of the Charter. Those provisions were law for the parties concerned, and the Belgian Government felt itself to be bound by them; it was those provisions which it would apply.

3. Mr. LARAKI (Morocco) felt that the Belgian representative had misunderstood his statement, for he had merely said that the resolutions adopted by the General Assembly were as valid as the clauses of the Trusteeship Agreements and should be given the same careful consideration.

4. Mr. SPASOWSKI (Poland) said that all the Trust Territories had admittedly not reached the same stage of development, but some of them had reached a stage where their development might be impeded if no time-limit was fixed for the termination of trusteeship. The Territories concerned were listed in operative paragraph 1 of the draft resolution (A/C.4/L.472/Rev.1). The United Nations must assure itself that the principles of the Trusteeship System were being respected and take the necessary steps to prevent the future and well-being of the peoples in question from being threatened in any way. The more complex situation in the other Trust Territories was dealt with in operative paragraph 2. Under operative paragraphs 3 and 4, the United Nations would be able to follow the situation closely.

5. As the draft resolution raised some fundamental issues, he expressed the hope that the members of the Committee would observe their usual moderation in discussing it. He had not been convinced by the various arguments advanced against the fixing of time-limits. Even if some Territories were backward, there was no reason why the others should have to wait any longer. The draft resolution was constructive, and he would support it.

6. The Polish delegation regarded the amendments suggested at the previous meeting by India and Syria as generally acceptable. It was glad that the USSR, in a spirit of co-operation, had agreed not to mention New Guinea. He did not, however, think it would be advisable to replace the words "within three to five years" by a very vague wording that might make the draft resolution ineffective.

7. Mr. RIVAS (Venezuela) said that he had been able, at the ninth session, to vote for the draft resolution concerning measures for promoting the achievement of self-government or independence (A/C.4/L.373), but he could not support the present draft resolution as it stood. He agreed with the Haitian representative that the legal aspect of the problem must be kept in view.

Not only would it be impossible in practice to set the same hard and fast time-limit for all the Trust Territories, but to do so would be contrary to the principles of the Charter, by which all the Members of the United Nations were bound. Under Article 76, they were bound to promote the progressive development of the peoples towards self-government or independence as might be "appropriate to the particular circumstances of each Territory". Some Administering Authorities, like the sponsor of the draft resolution, had thus far shown themselves to be too unyielding. If the Soviet Union did not accept the Syrian delegation's suggestions, it was to be hoped that Syria would propose them as formal amendments. Otherwise, the Venezuelan delegation would ask for a separate vote on operative paragraphs 1 and 2. It intended to vote against those two paragraphs and against the draft resolution as a whole.

8. Mr. ESPINOSA Y PRIETO (Mexico) welcomed the fact that the Soviet Union had proposed a draft resolution on a problem to which the Fourth Committee had not yet given adequate attention, although it had already been under consideration by the Trusteeship Council for several years. However, the original version of the draft resolution (A/C.4/L.472) had not been satisfactory. The Soviet Union, like the Administering Authorities, had taken an extreme view, and the Mexican delegation would have been obliged to abstain in the vote.

9. He was pleased to note that the Soviet representative had accepted some of the suggestions put forward by India and Syria but unfortunately had not deleted all reference to definite time-limits. He endorsed the hope expressed by the representative of Morocco that the Soviet Union would accept the amendments suggested by Syria; otherwise, the Mexican delegation would be unable to vote for the draft resolution. In its view, the constructive work done by the Administering Authorities, particularly by New Zealand in Western Samoa, Italy in Somaliland and Australia in New Guinea, should not be ignored.

10. Mr. DORSINVILLE (Haiti) expressed regret that the Soviet Union had not taken into account all the suggestions made by Syria and India, particularly with regard to the time-limit of three to five years. He hoped that the Syrian representative would present his suggestions as a formal proposal, as that would enable Mr. Dorsinville to change his position in the vote.

11. Mr. PACHACHI (Iraq) noted that the draft resolution had been criticized on the ground that the General Assembly had no authority to establish time-limits. However, the General Assembly had the right to make recommendations that would enable the Trusteeship System established by the United Nations to function in the most effective manner. The draft resolution in question merely reaffirmed the need for close co-operation between the Administering Authorities and the Organization. The view had also been expressed that to establish time-limits was neither wise nor desirable. Conditions did, of course, vary considerably in the various Territories, even in those mentioned in operative paragraph 1. For that reason he had hoped that the Soviet representative would accept the Syrian representative's suggestions. If the Syrian representative did not intend to propose formal amendments, he himself would propose them on behalf of the Iraqi delegation. If they were adopted he would vote in favor of the draft resolution, but otherwise would be compelled to vote against it.

12. Mr. RIFAI (Syria) thanked the USSR representative for having accepted many of his suggestions.

13. He formally proposed that the words "within three to five years" should be replaced by the words "in the near future" in the last paragraph of the preamble and by "at an early date" in operative paragraph 1. He hoped, however, that the Soviet representative would agree to alter his own text.

14. He also pointed out that the idea of fixing time-limits was not a new one; it had been put forward, for example, when the peace treaty with Italy was being negotiated. He regretted that some delegations had adopted a different attitude since that time.

15. Mr. PACHACHI (Iraq) appealed to the USSR representative to accept the Syrian amendments. He pointed out that in any case it would hardly be logical to refer in operative paragraph 1 to a precise time-limit of "within three to five years", while in paragraph 2, according to the new version, the General Assembly would merely ask the Administering Authorities to estimate the period of time required.

16. Mr. JAIPAL (India), replying to the delegations which had held that it was contrary to the Trusteeship Agreements to establish time-limits for the attainment of self-government or independence, said that the draft resolution was now intended, not to establish, but to "estimate" the period of time required. At the same time, there was nothing in the Trusteeship Agreements to prevent the establishment of time-limits, for those instruments were agreements between the General Assembly and the Administering Authorities and remained in effect until the objectives of the Trusteeship System had been attained. The resolutions previously adopted by the General Assembly had in no way been aimed at a unilateral abrogation of the Trusteeship Agreements, but had merely recommended that consideration should be given by the Administering Authorities to the termination of trusteeship. As the Administering Authorities had not responded, and the General Assembly refused to establish a time-limit by a unilateral decision, the only course was to suggest the termination of trusteeship in the near future and to be content with that vague formula.

17. He appealed to the USSR and Polish delegations not to vote against the Syrian amendments.

18. Mr. TAZHIBAEV (Union of Soviet Socialist Republics) said that he had already made many concessions. The period of "three to five years" was a matter of principle which he could not take it upon himself to forego. He would have to consult his delegation, and therefore asked the Chairman to postpone further debate and the vote at least until the following day.

19. The CHAIRMAN stated that the debate on the draft resolutions before the Committee would be continued on the following day.

HEARING OF PETITIONERS ON QUESTIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION

20. Mr. BARGUES (France) noted that the petitioners to appear before the Committee included Mr. Ntumazah who, according to the telegram reproduced in document A/C.4/330/Add. 6, had been appointed to represent UNIKAMERUN, which was the telegraphic address of the Union des populations du Cameroun (UPC). In the first place, Mr. Ntumazah was a British subject and resided in the Cameroons under British

administration. He accordingly had a perfect right to deal with problems that were common to both Territories, but the French Government refused to acknowledge that he was in any way qualified to discuss or, *a fortiori*, to pass judgment on the situation in the Cameroons under French administration. In the second place, Mr. Ntumazah had been appointed to represent the UPC. For reasons that it had already stated, France opposed the hearing of petitioners who represented prohibited organizations and therefore would not take part in the debate on the hearing granted to Mr. Ntumazah.

21. With regard to the other two petitioners, their group was not illegal. Their opinions were similar to those of the UPC, and their names were on the joint list of the UPC and the Association des notables kamerunais de la zone littorale de Kribi (A/C.4/330/Add. 25). It should be borne in mind that the UPC and other organizations had been prohibited not because they were political associations but because of their subversive activity. As the association which the two petitioners represented had not engaged in subversive activity it was still in existence.

At the invitation of the Chairman, Mr. Bebey-Eyidi and Mr. Kaminyi, representatives of the Association des notables kamerunais, took places at the Committee table.

22. Mr. BEBEY-EYIDI (Association des notables kamerunais) explained that he had not come before the Committee to level accusations against France, but to tell the whole truth, which meant neither systematic disparagement nor unstinting praise, concerning present conditions in the Cameroons.

23. The Association des notables kamerunais, not "notables kamerunais de la zone littorale de Kribi," as the French representative had inaccurately called them, had been established only recently. It had just been founded when the incidents of May 1955 took place. As a result of the incidents its records had been lost, and owing to the atmosphere prevailing in the Cameroons under French administration since that time, several of its members had had to seek asylum in the British zone. Hence it had not yet been possible to extend the activities of the Association, of which only the Douala and Bafang branches had been organized. It was a minority association, which could not be "valid spokesman" in the sense in which the President of the French Council of Ministers had defined the term as equivalent to "elected representative". That definition might be correct in free and sovereign countries, where the vote reflected the actual wishes of the majority, but in dependent countries, where freedom to vote was more theoretical than real, the elected representative was not necessarily the true "valid spokesman", still less the only one.

24. The purpose of the Association was to bring together all the notables in the Cameroons, not to set up a separate caste, but to recreate the traditional system which had been the pillar of the tribal social organization. It wanted to revitalize certain customs and traditions, to adapt them to modern concepts, and to devote itself to the education of youth and the study of the economic, political and social problems of the country. It was not a political party and its members were recruited quite independently of their ideological, philosophical or religious views, provided they satisfied certain moral and material conditions laid down in its statutes. It was at all times free to take a stand on any question remotely or closely affecting the future of the

Cameroons, and although it represented only a minority of the population, it was capable of making a constructive contribution to the solution of such problems. The activities and the social relations of its members brought it into daily contact with all sectors of the population, so that it represented the consensus of opinion of the overwhelming majority of Cameroonians.

25. He went on to deal with the situation in the Cameroons under French administration, which was extremely serious. It was not a mere question of an atmosphere of insecurity fostered by "agitators" and "malcontents". The fact was that the Government had paid no attention to the voice of the Cameroonian people, the only valid spokesman. When the so-called national union movement had been launched in June 1956, the people had publicly indicated what it expected of the Administering Authority in order to restore normal relations between France and the Cameroons, namely, unification and independence; that the *loi-cadre* should not be applied; and above all, that before any electoral consultation was held, full and complete amnesty should be granted to all persons involved in the incidents of May 1955.

26. As evidence of the importance of an amnesty, he described the atmosphere which had prevailed in the country since May 1955 and the suppression of the UPC. Many heads of families were in prison or in the *maquis*, and their wives and children were living in wretched conditions. Others were continually molested, arrested, then released, their houses were searched and they were kept under police supervision, although no one knew exactly what offence they had committed. Whatever the real influence of the UPC, there could be no denying that it had never been so strong as since it was officially dissolved. Accordingly, an amnesty seemed the only way to return to normal life. He paid a tribute to Mr. Messmer, High Commissioner in the Cameroons, who had recommended that idea. The Minister for Overseas France himself, in two statements reproduced in the local Press, had categorically promised an amnesty before the new elections to the Territorial Assembly on 23 December 1956. Unfortunately, the amnesty had not been made law before the elections.

27. The elections had been organized in an atmosphere of insecurity and confusion, when public discontent was at its height. On the occasion of the municipal elections of 18 November, confined to the three largest towns in the Territory, the people had first signified their repudiation of the policy it was desired to impose on them. Ninety per cent of the voters had abstained at Douala and 70 per cent at Yaoundé. The fact that only 25 per cent had abstained at Nkongsamba had been due rather to a conflict of indigenous and non-indigenous local interests than to purely political considerations.

28. The results of the elections of 23 December 1956, to the Territorial Assembly, would seem to endorse the official policy and to indicate that the population had come round to a better frame of mind since the municipal elections, 54 per cent of the electorate throughout the Cameroons having gone to the polls. In explanation of that fact, it must be remembered that the northern part of the country was less advanced politically than the southern part, which represented about 45 per cent of the population, and it was usually receptive to the policy of the Administering Authority. In the centre, south and west of the country, the Administration had done everything in its power to prevent large-scale abstentions and had used all kinds of pressure, including,

in some areas, pressure from the religious authorities, in order to induce the inhabitants to vote in strength. In many cases, soldiers had been rushed into the Territory to vote, while the polling stations, particularly in the Bamiléké region, had been kept open beyond the legal hours until two o'clock in the morning, with certain candidates in sole charge to enable every living soul—and even some who were dead—to vote. In some places, where the population had voted of its own accord, it had been due to the fact that the tribal chiefs had used the tribalist slogan to overcome the opposition of the voters.

29. Despite all those efforts, the opposition of the great majority of the Cameroonians had made itself felt, witness the number of abstentions in Douala, where the people were most advanced politically, and where pressure was least effective. The so-called elected candidates had remained in seclusion for some weeks, not because they were in any personal danger, but because they were afraid that they would have to give some explanations to the majority. He also recalled the disturbances in the Bamiléké region and the arrest of a young chief who was too popular. Finally, mention must be made of the tragic incidents in the Sanaga-Maritime. He condemned murder and massacre, but emphasized a large share of responsibility rested with those who had failed to keep their promise to proclaim an amnesty and restore order. Still more strongly did he condemn the indiscriminating repression for which the massacres had provided a pretext; the executions, arbitrary arrests, police operations, measures of intimidation, seizure of newspapers and prosecution of journalists.

30. During that period, the Assembly, elected in the circumstances he had described, with a large majority of pro-government members, had been called upon to give its opinion on a draft statute presented to it by the Administering Authority. That draft paid no regard to the desire of the Cameroonian people for unification and independence: it was, and it had been so described, a decisive step toward integration or association with France. The debates of the Territorial Assembly had already revealed that the small nationalist minority could do nothing against the plans prepared a long time before in Paris. An opposition draft prepared by a group of the Action National du Cameroun, the first article of which described the Cameroons as having the status of a sovereign State, had been rejected by the Assembly's Legal Committee, and the group had had to break with that committee. It was easy to see what the game was: the operation which had proved so successful in Togoland was to be repeated in the Cameroon. But the Cameroonian people had not been deceived. Furthermore, the present conditions of social unrest and economic stagnation could not continue any longer without seriously affecting the development of the Territory.

31. The Cameroons desired only to forge strong and lasting bonds with France, but it wished to do so itself in full sovereignty after the trusteeship had ended and it had attained true independence. The country had never been a colony—a privilege of which the inhabitants were particularly jealous. A request to the Administering Authority to bear the people's opinion in mind would best serve the interests of Franco-Cameroonian friendship.

32. While the Cameroons under British administration remained calm, the Cameroons under French administration was constantly witnessing disturbances and acts

of oppression. Instead of meeting the challenge of nationalism, the Administration sought to suppress it as Communist-inspired. The only way to avoid the charge of Communism was to applaud those who were attempting to shape the Cameroons without paying heed to the aspirations of the people towards independence. While he himself could not countenance any such fiction, he was nevertheless neither anti-French nor Communist. Moreover, if it was really a question of fighting Communism, why not first destroy it in France?

33. The United Nations must find an effective solution to the Cameroonian problem. The situation in the country was extremely grave and required mature decision on the part of the United Nations. Unlike Algeria and Senegal, the Cameroons was a Trust Territory, and the United Nations was therefore entitled to send a mission of observers. Accompanied by Cameroonians and not by the representatives of the Administration, such a mission could ascertain the truth. The General Assembly should study how the two zones could be reunited, with a view to a proclamation of independence as soon as possible. Such action would prevent the eventual absorption of the Cameroons under British administration by an independent Nigeria.

34. The Cameroonian people had staked all their hopes on the United Nations. If they were disappointed, they might be driven to desperate measures.

35. He called on the French representative to give a public assurance that neither he nor his association nor his kinsfolk or friends would be molested for exercising the right of petition.

36. Mr. BARGUES (France) said that, in mentioning the Association des notables kamerunais de la zone littorale de Kribi, he had merely been quoting the heading of the letter reproduced in document A/C.4/330/Add.25. He had not alleged that the Association des notables kamerunais and the UPC were one and the same, although it seemed to him that the two organizations were closely linked, witness the letter in document A/C.4/330/Add.25, where the author named several members of the UPC among the person she considered qualified to speak on behalf of the Cameroons. Furthermore, the postal address given on the telegram from the Association des notables kamerunais circulated in document A/C.4/330/Add.3 was the same as the address of the UPC at Kumba.

37. As to the assurance sought by the petitioner, Mr. Bebey-Eyidi knew perfectly well that he had nothing to fear. If France had followed a policy of repression, he would not be present at the meeting.

38. Mr. BEBEY-EYIDI (Association des notables kamerunais) explained that the telegram cited by the French representative had probably been sent from Kumba because the Chairman of the Association lived near Kumba. As to the letter sent by the Association des notables kamerunais de la zone littorale de Kribi, he knew nothing about it; he presumed that it had been sent by some notables who had mentioned the Association on their own initiative.

39. Mr. VELANDO (Peru) said that the statements of the petitioners showed that there was real freedom of opinion in the Territory.

40. He asked whether the petitioner was also dissatisfied with the economic situation and whether material, social and cultural conditions were better in the Cameroons under British administration.

41. Mr. BEBEY-EYIDI (Association des notables kamerunais) said that the grievances were mostly political. The Cameroonians wanted their independence, in accordance with the promises made to them. The UPC drew its strength from the very fact that it had based its programme on the aspirations of the inhabitants, which could be summarized in two words: independence and unification. He could not give any details regarding conditions in the Cameroons under British administration, where he had spent only a short time, but as far as he knew there had been no bloodshed there.
42. Mr. VELANDO (Peru) did not doubt that the Cameroons would eventually become independent, but he wondered whether the inhabitants had as yet sufficient political maturity to govern themselves.
43. Mr. BEBEY-EYIDI (Association des notables kamerunais) replied that they had. The country admittedly lacked trained personnel, but with assistance and assurances from the United Nations it could face the responsibilities of independence without fear. In that connection, he pointed out that, to the best of his knowledge, Libya had only one medical practitioner.
44. Mr. MEDANI (Sudan) asked for details concerning the composition of the Cameroonian Assembly, the method of election of its members and the number of parties which had taken part in the electoral campaign.
45. Mr. BEBEY-EYIDI (Association des notables kamerunais) explained that the Territorial Assembly was not yet a legislative body. Its seventy members consisted of sixty-two Cameroonians, seven Frenchmen and one Senegalese. During the electoral campaign, democratic practice had been more strictly observed in some regions than in others. At Douala, the population was enlightened and had voted with an understanding of the issues. In the bush, however, it had been a different story, though he conceded that the French Government was not to blame.
46. Mr. BARGUES (France) said he would like to supplement the petitioner's reply. A great many parties had participated in the elections to the Territorial Assembly. In contrast with the practice in totalitarian countries, where only a single list was permitted, many lists of candidates had been presented both in the North and the South, where the opposition drew most of its support. For example, there had been seven lists in Sanaga-Maritime.
47. Those members of the Territorial Assembly who were of European origin had been elected by a single electoral college.
48. Mr. BEBEY-EYIDI (Association des notables kamerunais) said that the lists of candidates did not correspond to real parties. Immediately after the elections, the elected candidates had divided into groups which were more regional than political. The UPC was the only party in the Territory organized in the European manner. The country had many political organizations, but they were of a local nature and very limited in scope.
49. Mr. BARGUES (France) said that the preparation of lists of candidates and the subsequent alignment of the successful candidates had largely followed the French pattern. The Territorial Assembly was divided into four political groups, namely the Union camerounaise, the Démocrates camerounais, the Indépendants and the Action nationale du Cameroun.
50. Mr. BOZOVIC (Yugoslavia) asked whether the supporters of the opposition had abstained only on the day of the elections or whether they had also refused to have their names entered on the electoral lists.
51. Mr. BEBEY-EYIDI (Association des notables kamerunais) replied that they had abstained only on the day of the ballot. The persons abstaining had wished to prevent any unlawful use of their cards.
52. In reply to a further question from Mr. BOZOVIC (Yugoslavia), Mr. BEBEY-EYIDI (Association des notables kamerunais) said that it was not necessary to be a French citizen in order to represent the Cameroons in the French Parliament. The sixty-two Cameroonian members of the Territorial Assembly were not French citizens.
53. Mr. BOZOVIC (Yugoslavia) said he would welcome detailed statistics, for each district, showing the number of registered voters and the number of votes cast in the elections to the Territorial Assembly.
54. Mr. BARGUES (France) said he would have all the particulars at hand by the opening of the next session of the Trusteeship Council.
55. Mr. BOZOVIC (Yugoslavia) suggested that the text of Mr. Bebey-Eyidi's statement should be circulated in the usual manner.

It was so decided.

The meeting rose at 6 p.m.