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President: Mr. Max H. DORSINVILLE (Haiti).

Present:

The representatives of the following States: Australia, Belgium, Burma, China, France, Haiti, India, Italy, New Zealand, Paraguay, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, World Health Organization.

Examination of petitions (T/L.903-906) (concluded)

[Agenda item 5]

TWO HUNDRED AND TWENTY-NINTH REPORT OF THE STANDING COMMITTEE ON PETITIONS: PETITIONS CONCERNING THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION (T/L.903)

1. The PRESIDENT said he would put to the vote separately draft resolutions I to XII in the annex to the two hundred and twenty-ninth report of the Standing Committee on Petitions (T/L.903).

2. Mr. TIMERBAEV (Union of Soviet Socialist Republics) pointed out that, according to several of the petitioners, certain fundamental freedoms were not

respected in the Cameroons under United Kingdom administration. He therefore proposed that draft resolution I should be completed by the addition of the two paragraphs to be found in paragraph 6 of section I of the report.

3. Mr. MUFTI (United Arab Republic) said he would vote in favour of the text proposed by the USSR representative, since in the view of his delegation it was intolerable that an organization such as "One Kamerun" should be subjected to repressive measures.

The Soviet Union amendment was rejected by 6 votes to 2, with 5 abstentions.

Draft resolution I was adopted by 12 votes to none, with 2 abstentions.

Draft resolution II was adopted by 12 votes to none, with 2 abstentions.

4. Mr. TIMERBAEV (Union of Soviet Socialist Republics) proposed the addition to draft resolution III of the paragraph to be found in paragraph 14 of section III of the report. Thousands of people had been obliged to leave their villages on the pretext that the land they occupied belonged to the Cameroons Development Corporation.

5. Mr. MUFTI (United Arab Republic) supported the USSR proposal. The Administering Authority could not disclaim all responsibility for the re-establishment of justice, since the company in question was to a certain extent under its aegis.

The Soviet Union amendment was rejected by 7 votes to 2, with 5 abstentions.

Draft resolution III was adopted by 12 votes to none, with 2 abstentions.

Draft resolution IV was adopted by 12 votes to none, with 2 abstentions.

6. Mr. KELLY (Australia) explained that his delegation regarded the affirmative vote in favour of draft resolution IV as a commendation of the Administering Authority for its efforts to encourage the growth of national consciousness and to adapt the indigenous court system to changing circumstances.

Draft resolution V was adopted by 12 votes to none, with 2 abstentions.

7. Mr. TIMERBAEV (Union of Soviet Socialist Republics), supported by Mr. MUFTI (United Arab Republic), asked that a vote be taken on the text to be found in paragraph 6 of section VI of the report. The purpose of the paragraph was to ensure respect for fundamental freedoms in the Cameroons under United Kingdom administration, in accordance with the Trusteeship Agreement.

8. Mr. RASGOTRA (India) said he would abstain in the vote on that proposal because there was no ground for assuming that fundamental freedoms were not, on the whole, respected. The Indian delegation had never

refrained from criticizing the Administering Authority when it had fallen short of its obligations. It considered, however, that the wording of the proposed paragraph went too far.

The Soviet Union amendment was rejected by 7 votes to 2, with 5 abstentions.

Draft resolution VI was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VII was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VIII was adopted by 12 votes to none, with 2 abstentions.

9. Mr. TIMERBAEV (Union of Soviet Socialist Republics) asked for a separate vote on the words "continue to" in operative paragraph 2 of draft resolution IX. The inclusion of those words would be tantamount to a recognition that the Administering Authority had in the past adopted the necessary measures for the improvement of sanitary and educational facilities in the area of Tiko. It was, however, clear from the petition and from the observations of the Administering Authority that up to the present those questions had not been given the proper attention.

10. Mr. RASGOTRA (India) said he was at a loss to see how anybody could affirm in good faith, after having studied the reports of the Administering Authority and the Visiting Missions and the information given by the special representative, that no progress had been made since 1947 in the field of health and education.

11. Mr. MUFTI (United Arab Republic) proposed that the words "continue to adopt" should be replaced by the word "intensify".

12. Mr. TIMERBAEV (Union of Soviet Socialist Republics) withdrew his request and supported the amendment proposed by the representative of the United Arab Republic.

13. Mr. KELLY (Australia) said he would be unable to vote in favour of the amendment proposed by the representative of the United Arab Republic, since the meaning of the words "intensify the necessary measures" was not clear.

The United Arab Republic amendment was rejected by 7 votes to 6, with 1 abstention.

14. Mr. MUFTI (United Arab Republic) requested a separate vote on the words "continue to" and said that he would vote against them.

The words were adopted by 10 votes to 2, with 2 abstentions.

Draft resolution IX, as a whole, was adopted by 12 votes to none, with 2 abstentions.

Draft resolution X was adopted by 11 votes to none, with 3 abstentions.

Draft resolution XI was adopted by 12 votes to none, with 2 abstentions.

Draft resolution XII was adopted by 12 votes to none, with 2 abstentions.

15. The PRESIDENT put to the vote the recommendation in paragraph 3 of the introduction to the report.

The recommendation was adopted by 12 votes to none, with 2 abstentions.

TWO HUNDRED AND THIRTIETH REPORT OF THE STANDING COMMITTEE ON PETITIONS: PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION AND THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION (T/L.904)

16. The PRESIDENT put to the vote draft resolutions I to III annexed to the two hundred and thirtieth report of the Standing Committee on Petitions (T/L.904).

Draft resolution I was adopted by 12 votes to none, with 2 abstentions.

Draft resolution II was adopted by 12 votes to none, with 2 abstentions.

17. Mr. TIMERBAEV (Union of Soviet Socialist Republics) thought that the Council should express regret at the forcible repatriation by the Administering Authority for the Cameroons under United Kingdom administration of political refugees in that Territory to the Cameroons under French administration. He therefore proposed that the Council should adopt the text to be found in paragraph 13 of section III of the report.

The Soviet Union amendment was rejected by 7 votes to 2, with 5 abstentions.

Draft resolution III was adopted by 12 votes to none, with 2 abstentions.

18. The PRESIDENT put to the vote the recommendation in paragraph 3 of the introduction to the report.

The recommendation was adopted by 12 votes to none, with 2 abstentions.

TWO HUNDRED AND THIRTY-FIRST REPORT OF THE STANDING COMMITTEE ON PETITIONS: PETITIONS CIRCULATED UNDER RULE 85, AND COMMUNICATIONS CIRCULATED UNDER RULE 24, OF THE RULES OF PROCEDURE OF THE TRUSTEESHIP COUNCIL (T/L.905)

19. The PRESIDENT put to the vote the recommendations in paragraphs 6 and 7 of the two hundred and thirty-first report of the Standing Committee on Petitions (T/L.905).

The recommendations were adopted unanimously.

TWO HUNDRED AND THIRTY-SECOND REPORT OF THE STANDING COMMITTEE ON PETITIONS (T/L.906)

20. Mr. RASGOTRA (India), speaking as Chairman of the Standing Committee on Petitions, submitted the Committee's two hundred and thirty-second report. The Committee had not examined the petitions from Ruanda-Urundi, Togoland and Somaliland, since no special representatives for those Territories had been present at the current session of the Council. Nor had the Committee examined the 621 petitions concerning the Cameroons under French administration, first, because the Administering Authority had presented written observations on only twenty-five of them and, secondly, because the special representatives for that Territory had not attended the meetings of the Committee. It would be for the Council to decide what steps it should take in similar cases in the future.

21. He paid a tribute to the members of the Committee and to the Secretary and other Secretariat officials for the valuable assistance they had given him despite the somewhat unusual times at which the Committee had had to meet. He also thanked the members of the Committee on Classification of Communications.

22. Mr. MUFTI (United Arab Republic) asked whether the French delegation considered the question of sending a special representative to be one that fell within the competence of the Cameroonian Government.

23. Mr. DE CAMARET (France) observed that, at the meetings of the Trusteeship Council and of the General Assembly, two special representatives, the one French and the other Cameroonian, had answered a number of questions in connexion with petitions. He would say that nine-tenths of the matters raised by petitioners were now within the competence of the local Cameroonian authorities. Consequently the question of sending a special representative to deal with such matters was one for the Cameroonian Government. On the other hand, when problems still within the province of the Administering Authority were raised, it was for that Authority to send a special representative. In order to describe the existing state of affairs more accurately, he would propose that the words "bearing in mind the new conditions created by the adoption of General Assembly resolution 1349 (XIII)" should be inserted after the words "stated that his Government" in paragraph 5 of the report.

24. The PRESIDENT pointed out that the Council could not change the text of the report of the Standing Committee on Petitions.

25. Mr. MUFTI (United Arab Republic) said that, by the terms of the Trusteeship Agreement, the Administering Authority alone was responsible to the Council. He wondered whether the Administering Authority could repudiate its responsibility if the local Government refused to send a special representative.

26. Mr. RASGOTRA (India) recalled that the Cameroons had been granted self-government in January 1959. It was surely reasonable for the Administering Authority to be asked to do everything in its power to assist the Standing Committee on Petitions and the Trusteeship Council to take action, before the Cameroons under French administration achieved independence, on petitions received when the Territory had not been self-governing. It should be possible to arrange for two special representatives to be present, one sent by the Government of the Territory and the other by the Administering Authority.

27. Mr. DE CAMARET (France) replied that such was the intention of the Administering Authority. Indeed, two special representatives had been sent to the resumed thirteenth session of the General Assembly. His delegation would draw the attention of its Government and of the Cameroonian Government to the opinion which some members of the Council had expressed with regard to the obligations incumbent upon the Administering Authority under the terms of the Trusteeship Agreement.

28. Mr. MUFTI (United Arab Republic) and Mr. RASGOTRA (India) thanked the French representative for the assurances which he had given.

29. Mr. TIMERBAEV (Union of Soviet Socialist Republics) said that the attitude of the Administering

Authority was regrettable. Contrary to the terms of the Charter of the United Nations and to the rules of procedure of the Trusteeship Council, it had neither sent written observations nor despatched a special representative to the Standing Committee on Petitions. As a result, a most unfortunate state of affairs had come about, for the Standing Committee had considered only 105 of the 739 petitions on its agenda. In the circumstances, his delegation would not be able to vote in favour of the Committee's two hundred and thirty-second report.

30. It was perfectly clear that, so long as the Trusteeship Agreement remained in force, a special representative should be sent to the Council and that that matter was the responsibility of the Administering Authority. He hoped that France and the other Administering Authorities would in future co-operate fully in order to enable the Standing Committee on Petitions to discharge the important responsibilities entrusted to it under the Charter and the various resolutions and provisions in force.

31. Mr. DE CAMARET (France) said that his country had always complied with its undertakings. After ten years of administration it had led the Cameroons under French administration to independence, as provided in the Trusteeship Agreement. The reason why no special representative had been present at the meetings of the Standing Committee on Petitions during the current session was that the two special representatives had been busy in the General Assembly, where they had been dealing with more important tasks incumbent upon them under the Trusteeship Agreement. Replies could, of course, have been given to the 580 petitioners; but that would have been at the expense of the 3 million Cameroonians who had been awaiting the independence they would be granted as a result of decisions to be reached in the Council and in the General Assembly.

32. Mr. KELLY (Australia) reminded the Council that the substance of many of the petitions which had not been formally examined by the Standing Committee on Petitions had in fact been examined by the General Assembly. It might well be that the Standing Committee and the Trusteeship Council would have to consider whether either body should proceed to duplicate work already done by the Assembly.

33. Mr. TIMERBAEV (Union of Soviet Socialist Republics) said that his delegation was only referring to facts. Those facts made it abundantly clear that the Administering Authority had not wished the important petitions from the Cameroons under French administration to be considered.

34. The PRESIDENT proposed that the Council should take note of the two hundred and thirty-second report of the Standing Committee on Petitions (T/L.906).

It was so decided.

The meeting was suspended at 3.55 p.m. and resumed at 4.15 p.m.

Administrative unions affecting Trust Territories: report of the Standing Committee on Administrative Unions (T/L.907) (concluded)

[Agenda item 7]

35. U KYAW MIN (Burma), speaking as Chairman of the Standing Committee on Administrative Unions,

presented the report of that Committee (T/L.907), which dealt with the Trust Territory of the Cameroons under United Kingdom administration. The report was very brief and contained no recommendations or conclusions. He proposed that the words "recent developments in the Cameroons" in paragraph 1 should be replaced by the words "recent developments concerning the future of the Cameroons". He drew the Trusteeship Council's attention to paragraph 6 of the report, which stated that the Standing Committee considered it unnecessary to present a report on the operation of the administrative union affecting the Territory.

The Burmese amendment was adopted.

36. Mr. MUFTI (United Arab Republic) observed that the Committee, while mentioning its most recent report (T/L.898) dealing with Tanganyika, had omitted to refer to its last report on the administrative union between the Cameroons under United Kingdom administration and the Federation of Nigeria (T/L.823/Add.1). He reminded the Council of the reasons given by the Standing Committee in paragraph 8 of document T/L.823/Add.1 for its decision not to propose any conclusions or recommendations to the Council, and said that, in his opinion, the developments which had taken place had been sufficient to enable the Committee to consider the problem which was its concern and to reach definite conclusions.

37. His delegation had voted against paragraph 1 of the report (T/L.907), which said that "the Standing Committee on Administrative Unions held three meetings during which it took into account the recent developments in the Cameroons under United Kingdom administration". Its reason for so doing had been that during those three meetings the Standing Committee had not taken into account recent developments in the Cameroons under United Kingdom administration: namely, the fact that certain new commissions had presented their reports, that the recommendations made by the Nigeria Constitutional Conference, held at London in May and June 1957, had gone into effect and that the United Nations Visiting Mission to Trust Territories in West Africa, 1958, which had submitted a report on the Cameroons under United Kingdom administration (T/1426 and Add.1), had returned. In fact, all that the Standing Committee had done during those three meetings had been to discuss other matters such as the status of the Territory vis-à-vis the Federation of Nigeria and whether minority points of view should appear in the Committee's report. His delegation had been able to vote in favour of paragraph 4, in which there was a reference to an interesting statement made by the representative of the United Kingdom, but it had not been able to vote in favour of paragraph 6, since it held that the future of the Territory had been a subject of concern to the General Assembly even before the adoption of resolution 1350 (XIII) and that the committees whose task it was to clarify certain aspects of the problem could not now dissociate themselves from it.

38. That being so, the delegation of the United Arab Republic would abstain in the vote on the Committee's report.

39. Mr. LOBANOV (Union of Soviet Socialist Republics) said that in his delegation's view General Assembly resolution 1350 (XIII) did not in any way re-

lieve the Standing Committee of its obligation to present a report on the operation of the administrative union affecting the Territory of the Cameroons under United Kingdom administration. On the contrary, it was the Committee's duty to supervise the operation of that administrative union even more closely in order to be in a position to take prompt action to forestall any unfavourable effect it might have on the Trust Territory. The Soviet Union delegation would therefore abstain in the vote.

40. The PRESIDENT invited the Council to vote on the report of the Standing Committee on Administrative Unions (T/L.907), as amended.

A vote was taken by roll-call.

Haiti, having been drawn by lot by the President, was called upon to vote first.

In favour: India, Italy, New Zealand, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Burma, China, France.

Abstaining: Haiti, Paraguay, Union of Soviet Socialist Republics, United Arab Republic.

The report, as amended, was adopted by 10 votes to none, with 4 abstentions.

Appointment of the members of the Standing Committee on Petitions

[Agenda item 21]

41. The PRESIDENT proposed that the membership of the Standing Committee on Petitions should be as follows: Belgium, China, India, Italy, the United Kingdom, and the USSR.

42. Mr. LOBANOV (Union of Soviet Socialist Republics) asked for a separate vote on each candidate.

The nomination of Belgium was approved by 13 votes to none, with 1 abstention.

The nomination of China was approved by 9 votes to 3, with 2 abstentions.

The nomination of India was approved by 12 votes to none, with 2 abstentions.

The nomination of Italy was approved by 13 votes to none, with 1 abstention.

The nomination of the United Kingdom of Great Britain and Northern Ireland was approved by 13 votes to none, with 1 abstention.

The nomination of the Union of Soviet Socialist Republics was approved by 10 votes to 1, with 3 abstentions.

Appointment of a member of the Committee on Classification of Communications

43. The PRESIDENT proposed that Australia should be elected to the Committee on Classification of Communications to replace the United Kingdom.

The proposal was adopted by 12 votes to none, with 2 abstentions.

Organization of the work of the twenty-fourth session

44. The PRESIDENT suggested that, in view of the heavy agenda for the twenty-fourth session, the Council

should set 22 May 1959 as the opening date, suspending rule 1 of the rules of procedure, which stipulated that the summer session should be convened in June.

45. Mr. RASGOTRA (India) said that his delegation would strongly object to any proposal to suspend a rule of procedure without valid reason. He would much prefer to extend the twenty-fourth session beyond the scheduled date of 16 July 1959 or to have more than one meeting a day. On the other hand, if the session were to begin earlier the Indian delegation, which was represented on both the Committee on Information from Non-Self-Governing Territories and the Trusteeship Council, would not have enough time between the meetings of those two bodies to study the voluminous documentation which would be before the Council at its summer session.

46. Mr. MUFTI (United Arab Republic) associated himself with the views expressed by the representative of India.

47. Mr. PROTITCH (Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories) observed that, in preparing the tentative plan of work, the Secretariat left it entirely to the Council to decide whether the twenty-fourth session should start at the end of May or the beginning of June 1959. The tenth session of the Committee on Information from Non-Self-Governing Territories was expected to end about 15 May. It would hardly be possible for the Council to meet regularly twice a day because of the meetings of the drafting committees and the Standing Committee on Petitions. If the Council's session did not start until 1 June, it might continue until the beginning of August, which would leave the Secretariat very little time to print and distribute the Council's report to the General Assembly.

48. Mr. MUFTI (United Arab Republic) said that the reasons given did not seem to warrant any departure from the rules of procedure, which should be strictly applied. He also suggested that the Council should meet regularly in the morning instead of the afternoon and that the Secretariat should indicate clearly that examination of the question of Togoland under French administration had been deferred to the twenty-fourth session. Furthermore, more than one day should be set aside for that question.

49. Mr. RASGOTRA (India), referring to his earlier objection to 22 May 1959 and observing that the Fourth Committee did not as a rule consider the report of the Trusteeship Council to the General Assembly until the end of October, said that his delegation would vote against a proposal to suspend the application of the rules of procedure.

50. Mr. YANG (China) asked whether a change in the tentative time-table would affect the arrangements made with the Administering Authority for Ruanda-Urundi, whose annual report was to be examined at the twenty-fourth session.

51. Mr. KELLY (Australia) requested a suspension of the meeting in order to allow representatives to consult informally with one another on the general acceptability of the time-table.

The meeting was suspended at 5 p.m. and resumed at 5.15 p.m.

52. The PRESIDENT proposed that 2 June 1959 should be set as the opening date of the Trusteeship Council's twenty-fourth session. That date appeared to be acceptable to the Council notwithstanding the reservations made by a few members.

It was so decided.

Closure of the session

53. Mr. DOISE (France), Mr. KELLY (Australia), Mr. SOLANO LOPEZ (Paraguay), Mr. MUFTI (United Arab Republic), Mr. LOBANOV (Union of Soviet Socialist Republics), Mr. DORMAN (United States of America), Mr. SALOMON (Haiti), U KYAW MIN (Burma), Mr. YANG (China), Miss TENZER (Belgium), Mr. RASGOTRA (India), Mr. CASTON (United Kingdom) and Mr. DAVIN (New Zealand) paid a tribute to the President for the competence, impartiality and efficiency with which he had conducted the business of the twenty-third session of the Trusteeship Council. They also expressed their appreciation to Mr. Vitelli, the Vice-President, and thanked the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories, the Secretary of the Council, the representatives of the specialized agencies, and the members of the Secretariat for their valuable contribution to the Council's work.

54. Mr. VITELLI (Italy), speaking as Vice-President, associated himself with the tribute paid to the President.

55. The PRESIDENT observed that the twenty-third session, while one of the Council's shortest sessions, was among the most important both by reason of the questions considered and the results achieved. In fact, it was due to the Council's action at the current session that the General Assembly had adopted two resolutions, on 13 March 1959, one relating to the attainment of independence by the Cameroons under French administration on 1 January 1960 (resolution 1349 (XIII)), and the other to the holding of a plebiscite in the Cameroons under United Kingdom administration to ascertain the wishes of the inhabitants with respect to the future of the Territory (resolution 1350 (XIII)). Two Trust Territories were thus about to achieve the objectives of the International Trusteeship System, and the Cameroons under French administration would have the privilege on 1 January 1960 of being the first Trust Territory to accede to independence in its own right.

56. He thanked the members of the Council for the confidence they had shown in him and for their co-operation. He also thanked the representatives of the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, and the World Health Organization for their participation in the work of the Council and its Committees. He further expressed his appreciation to the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories, the Secretary of the Council and the other members of the Secretariat for the devotion with which they had helped the Trusteeship Council to complete its work.

57. He declared closed the twenty-third session of the Trusteeship Council.

The meeting rose at 5.40 p.m.