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STANDING COMMITTEE ON PETITIONS

First Session

SUMMARY RECORD OF THE THIRTY-EIGHTH MEETING

Held at Headquarters, New York,  
on Monday, 14 July 1952, at 10.30 a.m.

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### Chairman:

Mr. PEACHEY

Australia

### Members:

Mr. LIU

China

Mr. QUIROS

El Salvador

Mr. DAVIN

New Zealand

Mr. SOLDATOV

Union of Soviet Socialist Republics

Mr. STRONG

United States of America

Also present:

Mr. MATHIESON	United Kingdom of Great Britain and Northern Ireland, Administering Authority of the Trust Territory of the Cameroons under British Administration
Mr. WATIER	Special Representative of the Trust Territory of the Cameroons under French Administration
Mr. GIBBONS	Special Representative of the Trust Territory of the Cameroons under British Administration
<u>Secretariat:</u>	Mr. BERENDSEN Secretary of the Committee

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

At the invitation of the Chairman, Mr. Watier, Special Representative of the Trust Territory of the Cameroons under French Administration, took a seat at the Committee table.

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

It was agreed that the petition would be given preliminary consideration on the basis of the summarized version appearing in document T/PET.5/97, the full text of the petition to be translated into English and Russian as soon as possible.

Mr. SOLDATOV (Union of Soviet Socialist Republics) proposed that the Trusteeship Council, noting the existence of racial discrimination, fraudulent electoral lists and other violations of the rights and interests of the indigenous population of the Trust Territory, should recommend to the Administering Authority that it put an end to its anti-democratic policies involving racial discrimination, which were in crude violation of the rights and interests of the indigenous population of the Trust Territory.

The CHAIRMAN suggested that the complaints of the petitioners be dealt with item by item.

It was so agreed.

/(a) Persecution

(a) Persecution of "progressives"

In reply to questions from Mr. STRONG (United States of America), Mr. WATIER (Special Representative) said that the Union des Populations du Cameroun was not the only progressive political group in the Trust Territory, although it was the farthest to the left in view of its admitted relationship with the Communist Party.

The Administering Authority's policy was to grant full freedom of action to all political organizations. The action taken against the UPC had not been motivated by its political activities, but rather by the provocative methods to which it had resorted in complete disregard of law and order.

The evolution of the Trust Territory towards self-government, as provided for under the United Nations Charter, occasionally conflicted with the deep-rooted customs of the indigenous inhabitants. The Administering Authority had therefore adopted a policy of gradual evolution, which had met with considerable success.

(b) Racial discrimination

Mr. QUIROS (El Salvador) observed that the petitioners complained of racial discrimination in hotels and clubs in the Trust Territory. He wondered whether they were aware of the regulations enforced in those establishments, as explained in the Administering Authority's written observations.

Mr. WATIER (Special Representative) said that the position was quite clear in two of the three cases mentioned by the petitioners. One establishment was a private club and the other a medical rest centre for Europeans. The third establishment did not have rigid rules, although the manager insisted that the guests be suitably dressed and behave properly.

/(c) Elections

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In reply to an inquiry from Mr. STRONG (United States of America) as to whether a representative of the UPC had participated in the preparation of the electoral lists in the Trust Territory, Mr. WATIER (Special Representative) said that the UPC had asked all its members to register for inclusion in the electoral lists. Besides, persons who had failed to register within the specified time-limit could still be included in the lists, which possibly contained a few errors since they had been prepared in the relatively short period of ten days.

He was not certain as to the participation of the UPC in the preparation of the lists, but the lists were subsequently posted and omissions could then have been reported to the authorities.

Mr. STRONG (United States of America) suggested that the Committee should refer, in its draft resolution, to the existing machinery for verification of the electoral lists.

(d) Bamileke officials

Mr. DAVIN (New Zealand) observed that the petitioners demanded the transfer from the Dschang region of Bamileke officials who had served over four years. He wished to know whether the area was another part of the Trust Territory.

Mr. WATIER (Special Representative) stated that the Dschang region was a vast, densely-populated area. The Administering Authority had not submitted its written observations concerning the complaint of the petitioners because it was considered wholly unfounded. It was not the Administering Authority's policy to uproot the indigenous population.

(e) The prison system

Mr. QUIROS (El Salvador) observed that the Administering Authority, in its written observations on the petitioners' complaint, had referred to the report of the Control Commission. He was interested in the Commission's composition  
/Mr. WATIER

Mr. WATIER (Special Representative) said that the Control Commission was a permanent organ composed of the senior district officer, medical officer and educational officer in the area. The Commission had investigated the petitioners' charges.

Mr. DAVIN (New Zealand) noted that the petitioners had referred to "water fatigue" as one of the duties performed by the prisoners. He wished to know how many hours a prisoner was compelled to carry thirty kilogramme loads of water. He understood that the water fatigue was soon to be abolished.

Mr. STRONG (United States of America) suggested that the Committee might recommend that the Administering Authority continue to improve prison conditions and in particular intensify its efforts to establish a water distribution system with a view to eliminating the water fatigue.

Mr. WATIER (Special Representative) said that the prisoners were regularly rotated after several trips. They never performed such work for an entire day. He considered it inadvisable to inform the petitioners that the water fatigue was to be abolished since to do so might imply acceptance by the Committee of the petitioners' allegations.

The CHAIRMAN said that the Special Representative's views would be taken into consideration when the Committee drafted its resolution.

(f) Constitutional reform

Mr. WATIER (Special Representative) said that the Administering Authority had not submitted written observations on the request for constitutional reform since the question was considered by the Trusteeship Council at every session. The Committee might refer the petitioners to the Trusteeship Council's recommendations on political conditions in the Trust Territory.

The CHAIRMAN suggested that the attention of the petitioners be drawn to the Trusteeship Council's resolution on the subject,

/(g) Indigenous

(g) Indigenous provident societies

In reply to a question from Mr. STRONG (United States of America) as to the extent to which indigenous inhabitants participated in the management of provident societies, Mr. WATIER (Special Representative) observed that the provident society referred to in the petition had set up a sawmill for the benefit of its members. Provident societies were managed by Boards of Directors elected by members, except in the case of the Chairman.

(h) Unification of the Cameroons

The CHAIRMAN suggested that consideration of the question of unification should be deferred until the Committee could deal with petitions on the subject from the Cameroons under British Administration and the Cameroons under French Administration.

Petition from Mr. Ernst Mayer (T/PET.5/103)

Mr. LIU (China) asked whether the petitioner would be allowed to return to the Trust Territory since the order confiscating his property had been rescinded and he was free to dispose of the property.

Mr. WATIER (Special Representative) observed that German assets in the Trust Territory had been confiscated upon the outbreak of the Second World War. The confiscation order had subsequently been rescinded under the provisions of an international agreement.

The Administering Authority considered Mr. Mayer's return to the Trust Territory undesirable for political and security reasons in view of his previous record as a member of the nazi party. However, that decision did not preclude him from disposing of his property or from entrusting its management to others. He had in fact entrusted some of his friends with the management of the property and they were at present his legal representatives. If he sold the property, he would receive the proceeds of the sale.

Petition from Mr. Ernest Mpcumpiel (T/PET.5/106 and Add.1)

Mr. WATIER (Special Representative) said that the competent court of appeal had found the judgment of the lower court to be invalid, but had itself found the petitioner guilty on the charges brought against him and had imposed the same penalty as the lower court. His term of imprisonment had recently expired.

The CHAIRMAN noted that in the circumstances the petition was inadmissible under rule 81 of the Council's rules of procedure.

Petition from Mr. Valère Eddy Mengack (T/PET.5/107)

Mr. STRONG (United States of America) was of the opinion that rule 81 of the Council's rules of procedure could also be applied to the petition under consideration. Since the petitioner's main object was to secure restitution of his civil rights, however, it might be better not to invoke that rule, but merely to say that no action was called for.

Mr. DAVIN (New Zealand) and Mr. QUIROS (El Salvador) also took the view that the petition came under rule 81 of the rules of procedure, Mr. Quiros adding that deprivation of civil rights was a normal consequence of conviction for a criminal offence. He wondered, however, what steps, if any, were being taken to look after the petitioner's ten children.

Mr. SOLDATOV (Union of Soviet Socialist Republics) disagreed and intimated that he would oppose any resolution in that sense.

Mr. WATIER (Special Representative) stated that the rejection of the petitioner's appeal for restitution of his civil rights had been decided upon after due process of law; the Administering Authority was not in a position to modify judicial processes in favour of an individual.



The petitioner was at liberty and able to take care of his children himself. The fact that he had ten children had no bearing whatsoever on the subject of his petition.

Petition from the President of the "Comité Régional de l'Union des Populations du Cameroun à Foumban" (T/PET.5/108)

Mr. SODATOV (Union of Soviet Socialist Republics) said that the USSR delegation wished to submit a draft resolution whereby the Trusteeship Council, after a restatement of the facts reported in the petition, would recommend (1) that the Administering Authority take measures to ensure the transference from a tribal system to a system of self-government based on democratic principles, bearing in mind the fact that the tribal system now upheld by the Administering Authority was inconsistent with democratic institutions and the progress of the Territory towards independence; and (2) that the Administering Authority restore the land alienated from the indigenous inhabitants in one form or another and prohibit such alienation of land in future.

Mr. WATIER (Special Representative) pointed out that the USSR draft resolution omitted all reference to the Administering Authority's observations on the petition, in which it was made clear that the disputes on land ownership were precisely the result of the progressive attitude of the Administering Authority in promoting the democratic evolution of the Territory.

Mr. STRONG (United States of America) thought that it might be brought to the petitioner's notice that the Council had a Committee on Rural Economic Development which dealt with such matters as those he had raised.



EXAMINATION OF PETITIONS CONCERNING THE CAMEROONS UNDER BRITISH ADMINISTRATION  
(T/C.2/L.21)

At the invitation of the Chairman, Mr. Mathieson (United Kingdom) and Mr. Gibbons (Special Representative of the Administering Authority for the Trust Territory of the Cameroons under British Administration) took places at the Committee table.

Petitions from Mr. Joseph Ngu (T/PET.4/70 and Add.1) and the French Cameroons Welfare Union (T/PET.4/71 and Adds. 1 to 5 and T/PET.4/72)

The CHAIRMAN noted that the questions raised in the petitions had been before the Trusteeship Council for a number of years and that the petitioners had expressed dissatisfaction with the Council's action on their previous petition.

Mr. STRONG (United States of America) thought that the petitions might be regarded as coming under the heading of unification of the two Territories and might better be considered in that context.

Mr. GIBBONS (Special Representative) stated that the Administering Authority was concerned to satisfy the aspirations of immigrants from the French Cameroons to participate more fully in the life of the British Cameroons and was still exploring the position, but found that considerable adjustment of existing legislation would be required. The question was entirely divorced from unification of the two Territories, which was not envisaged under the existing Trusteeship Agreements. The petitioners would probably expect a shorter-term solution.

In reply to a question from Mr. STRONG (United States of America) as to whether the Administering Authority had given thought to the possibility of changing the existing procedure for naturalization, Mr. MATHIESON (United Kingdom) said that the procedure was governed by a British Act of Parliament which applied to the United Kingdom and all British-governed territories. The United Kingdom Government could not make exceptions for any particular territory. Moreover, the legislation in question was no more rigorous than that of any other country.

Immigrants could move freely in the British Cameroons and did not suffer from any major disability other than disqualification in respect of electoral rights. The apparent disinterestedness of immigrants from the French Cameroons in acquiring British-protected status might spring from the fact that, under French law, such action would deprive them of their French citizenship.

Mr. GIBBONS (Special Representative) stated that the period of residence necessary for an immigrant settling permanently in the British Cameroons to qualify for naturalization would be five years. Elections in the Territory were held every five years. Any immigrant from the French Cameroons wishing to do so now, who had already resided for at least one year in the Territory, would have ample time to apply for naturalization before the next elections, which would be held in four years' time.

In reply to a point raised by Mr. STRONG (United States of America), Mr. GIBBONS (Special Representative) interpreted the reference in the petition to "status of Cameroons nationality" as meaning the status of a national after both Territories had reached the stage of self-government and were, as the petitioners hoped, unified.

Mr. STRONG (United States of America) proposed that the relevant draft resolution should draw the petitioners' attention to the fact that a Visiting Mission would shortly visit the Territory. Furthermore, the preamble should indicate that the Administering Authority had complied with the Council's previous resolution and that it was still exploring the possibilities of action. Lastly, it should be stated that the Trusteeship Council did not consider that in the circumstances any recommendation was necessary.

The CHAIRMAN observed that there was a further point in the petition with which the Administering Authority's observations did not deal: discrimination in respect of appointments to the public service and the granting of scholarships.

Mr. GIBBONS (Special Representative) stated that the petitioner raising the issue of discrimination in appointments to the public service was himself a retired chief clerk of the British Provincial Administration, living on his pension. That went to show that the charge was groundless, as did the fact that many immigrants were employed in the public service, notably the police force.

/There was

There was no ground for the charge of discrimination in respect of scholarships. Applicants for scholarships were required to have received their primary education in the British Cameroons and secondary education in the British Cameroons or Nigeria, and any student meeting those qualifications was eligible irrespective of origin.

Mr. STRONG (United States of America) thought that it might be desirable for the Trusteeship Council, in order to stimulate efforts to overcome the language difficulty, to adopt a recommendation that there should be more teaching of English in the French Cameroons and of French in the British Cameroons; however, such a recommendation might more logically be included in the Council's resolution on the question of the unification of the two Cameroons.

With regard to the frontier "bar" mentioned in the petition, he noted the United Kingdom representative's statement that no barriers existed to free movement. He wondered whether any significant change had been made to frontier regulations in the past year.

Mr. GIBBONS (Special Representative) answered that, as a result of recent consultations between the British and French authorities, in compliance with the Trusteeship Council's resolution, agreement had been reached on a number of minor questions that had in some instances been the cause of unnecessary inconvenience. The introduction of amended regulations on trading and exchange control would eventually remove all such minor inconveniences.

The meeting rose at 12.55 p.m.