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STANDING COMMITTEE ON PETITIONS

SUMMARY RECORD OF THE HUNDRED AND TWENTY-SIXTH MEETING

Held at Headquarters, New York,  
on Thursday, 11 February 1954, at 10.50 a.m.

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PRESENT:

<u>Chairman:</u>	Mr. QUIROS	El Salvador
<u>Members:</u>	Mr. PETHERBRIDGE	Australia
	Mr. MASSONET	Belgium
	Mr. TARAZI	Syria
	Mr. SUMSKOI	Union of Soviet Socialist Republics
	Mr. MATHIESON	United Kingdom of Great Britain and Northern Ireland
<u>Also present:</u>	Mr. DOISE	France
	Mr. BECQUEY	Special Representative of the Administering Authority for the Trust Territory of the Cameroons under French Administration
<u>Secretariat:</u>	Mr. BERENDSEN	Assistant Secretary of the Committee

PETITIONS CONCERNING THE TRUST TERRITORY OF THE CAMEROONS UNDER FRENCH  
ADMINISTRATION: CONSIDERATION OF DRAFT REPORTS (T/C.2/L.53/Add.1 to 3, L.60,  
L.61, L.62) (continued)

The CHAIRMAN called upon the Committee to continue its consideration of the draft report (T/C.2/L.60) concerning the petitions summarized in document T/C.2/L.53/Add.1.

III. Petitions from Mr. Sylvestre Akono (T/PET.5/140) and Mr. Basile Moneyembong Nkoulou (T/PET.5/146)

Mr. SUMSKOI (Union of Soviet Socialist Republics) was not satisfied with the observation of the Special Representative, as summarized in paragraph 6. What the petitioners called forced labour was regarded by the Administering Authority as a custom. Paragraph 1 of the draft resolution noted that no evidence had been found to corroborate the complaints of the petitioners: he wondered whether the Administering Authority could not obtain more information on the subject. In the case of paragraph 2, also, it would be a simple enough matter to ask the petitioners to supply the missing information. As far as paragraph 3 was concerned, emphasis should be laid on the elimination of forced labour. In any event, he could not support the draft resolution in its present form.

Mr. MATHIESON (United Kingdom) could not accept the USSR representative's proposals. The Administering Authority had already ascertained that the allegation that the petitioners had been beaten by their chief was groundless and the draft resolution accordingly noted that there was no evidence to corroborate the petitioners' complaints. On the question of forced labour it was well known that certain African communities, under the guidance of their chief, provided unpaid labour for purposes of public utility. That practice was recognized as legitimate by the International Labour Organisation, among others, and it was supervised by the Administering Authority, to prevent abuses. He would therefore support the draft resolution.

Mr. MASSONET (Belgium) pointed out that paragraph 3 consisted of a general recommendation which went beyond the scope of the actual complaints. The question was to be examined by the Trusteeship Council, which would no doubt formulate a general recommendation. In the circumstances he doubted the wisdom of including paragraph 3 in the draft resolution, and wondered whether it would not be preferable to transmit to the petitioner any general recommendation adopted by the Trusteeship Council on the question.

The CHAIRMAN agreed with the USSR representative that the petitioners should be asked for further information. He proposed the deletion of paragraph 2, which he considered unsatisfactory.

Paragraph 3 was perhaps not specific enough. With regard to the point raised by the Belgian representative, he emphasized that the final recommendation would in any case come from the Trusteeship Council.

Mr. TARAZI (Syria) shared the USSR representative's views on paragraph 1 and would abstain from voting on it. He would vote against paragraph 2 and would abstain from voting on paragraph 3, which was not sufficiently clear.

Mr. SUMSKOI (Union of Soviet Socialist Republics) emphasized the importance of the questions raised in the petition and recommended that the next Visiting Mission to the Territory should be asked to study the facts on the spot with particular reference to the allegations of forced labour.

Mr. MATHIESON (United Kingdom) pointed out that the petition had been received by the 1952 Visiting Mission to the Territory. If that Mission had not been able to investigate the question satisfactorily, the next one was even less likely to be successful, in view of the time that would have elapsed.

The CHAIRMAN proposed that a separate vote should be taken on paragraphs 1, 2 and 3.

Paragraph 1 was adopted by 3 votes to 1, with 1 abstention.

Paragraph 2 was rejected by 3 votes to none, with 2 abstentions.

Paragraph 3 was adopted by 2 votes to 1, with 3 abstentions.

Resolution III, as amended, was adopted by 3 votes to 1, with 2 abstentions.

IV. Petition from "Le Comité central de Progrès" Massangam (T/PET.5/154)

Mr. BECQUEY (Special Representative) said he had no additional information on the petition, which he understood required a lengthy investigation.

Mr. SUMSKOI (Union of Soviet Socialist Republics) recalled that in the course of the discussion on the petition he had already pointed out that a petition signed by forty-six persons could not be overlooked. The resolution should be more explicit.

He proposed that the Secretariat should be asked to obtain from the petitioners precise information concerning the seizure of their property and the activities of their paramount chief.

Mr. MASSONET (Belgium) pointed out that to request both the Administering Authority and the Secretariat to make further enquiries would involve duplication.

Mr. MATHIESON (United Kingdom) understood that the USSR representative was introducing a new proposal to replace alternative A. That representative apparently attached little importance to the information supplied by the Administering Authority, but others considered that the Administering Authority was in the best position to ascertain the facts. It was better to request the Administering Authority to make further enquiries than to ask the Secretariat to encourage the petitioners to enlarge on the matter.

Mr. SUMSKOI (Union of Soviet Socialist Republics) said that the Committee was divided into two groups: supporters of the Administering Authority and supporters of the petitioners. The latter group could not be satisfied with the Administering Authority's observations and felt bound to apply to the petitioners themselves.

Mr. TARAZI (Syria) observed that the USSR representative's point was logical. In view of the vagueness of the petition it was advisable to obtain more precise data from its authors.

The CHAIRMAN, speaking as the Salvadorean representative, felt that in that case there was no need to retain paragraph 1. After the requisite information had been secured from the petitioners, the Administering Authority would have the opportunity of presenting its observations thereon.

Mr. MATHIESON (United Kingdom) doubted whether it would be in order for the Council to address itself directly to the petitioners; such action would be a break with past procedure. He agreed that there was no need to ask the Administering Authority for information as it would be able to comment on the data supplied by the petitioners.

The CHAIRMAN pointed out that it was not intended to make any direct recommendation to the petitioners; they were merely to be asked for more details.

Mr. BERENDSEN (Assistant Secretary of the Committee) at the request of the Chairman read the text of the USSR proposal:

"Invites the Secretary-General to request the petitioners to submit concrete facts concerning their complaints of seizure of property from the petitioners, including the palm grove of Foimbot, and other concrete facts concerning activities of the chief."

Resolution IV, thus amended, was adopted by 3 votes to 1, with 2 abstentions.

Mr. MATHIESON (United Kingdom) explained that he was not opposed to the Committee's desire for further information, although care must be exercised not to provoke the petitioners. He reserved his position regarding the outcome of the resolution.

V. Petition from Mr. Issah Njoya (T/PET.5/174)

Mr. BERENDSEN (Assistant Secretary of the Committee) informed the Committee that the Special Representative had submitted a correction affecting the last sentence of paragraph 4 of the summary and the phrase "but that as a result of serious unrest.....his authority" in paragraph 1 of the draft resolution. The Special Representative had confused the case with that of another chief in the area and the passages should therefore be deleted.

Mr. SUMSKOI (Union of Soviet Socialist Republics) stressed that paragraph 3 of the draft resolution could not remain as it stood, since it would imply recognition by the Council that the statements were indeed "false and slanderous". Moreover, he had pointed out during the discussion of the petition that further information should be ascertained about the confiscated legal record. The next Visiting Mission should be asked to make an investigation on the spot.

The CHAIRMAN remarked that the Visiting Mission remained only very briefly in any one place, for it had much territory to cover in a short time. It would probably be unable to investigate specific cases in the field.

Mr. SUMSKOI (Union of Soviet Socialist Republics) remarked that the necessary enquiry would take only a few hours.

Mr. MATHIESON (United Kingdom) said that, as the previous Visiting Mission had been unable to make the investigation under discussion, it was unlikely that future missions would fare any better. He could not therefore support the USSR representative's suggestion.

Mr. MASSONET (Belgium) observed that the petitioner had been convicted by the competent court for making false and slanderous statements; he doubted whether further information about the case would be useful. It would be quicker and more satisfactory to ask the Administering Authority, rather than the Visiting Mission, for more specific information about the alleged confiscation.

Mr. PETHERBRIDGE (Australia) proposed the deletion of paragraph 3 of the draft resolution.

The proposal was adopted.

The CHAIRMAN agreed that the ideal solution would be to entrust the 1955 Visiting Mission with the task of investigating the matter. Since, however, there was every probability that the Visiting Mission would not have time to make a full investigation, he would abstain from voting on the USSR proposal.

He proposed that the resolution should include, either as a continuation of paragraph 1 or as a new paragraph 2, a recommendation that the Administering Authority should ascertain whether Chief Njiasse enjoyed sufficient respect in the district to carry out his duties as Chief efficiently.

Mr. PETHERBRIDGE (Australia) suggested that the words "in agreement with the Administering Authority" should be added to the USSR proposal, to conform with rule 97 of the rules of procedure.

Mr. MATHIESON (United Kingdom) pointed out that it was one of the functions of the Administering Authority to supervise the activities of chiefs continuously and that there were methods by which to determine whether or not chiefs should remain in office. Investigation by the Administering Authority would be automatic; it therefore seemed unnecessary to ask the Administering Authority to make a special investigation of the case of Chief Njiasse.



With regard to the proposal to entrust the 1955 Visiting Mission with the full investigation of the facts, he felt that the Council should be reluctant to issue too many instructions to a Visiting Mission. He added that the Australian suggestion to add the words "in agreement with the Administering Authority" to the USSR amendment was covered by rule 95 rather than rule 97, for the USSR proposal would come under the "special instructions" mentioned in that rule.

Mr. SUMSKOI (Union of Soviet Socialist Republics) pointed out that his proposal was not intended as an additional paragraph to the draft resolution but as an alternative resolution, for if the Visiting Mission was to be asked to make investigations it would be improper to take any decision on the petition until the Visiting Mission had reported. The Australian suggestion that the words "in agreement with the Administering Authority" should be included was unnecessary, since such agreement was obviously implied.

Mr. MASSONET (Belgium) thought that the Council would be evading its responsibility if it entrusted the investigation to a Visiting Mission. The Administering Authority's reply with regard to the position of the Chief seemed quite sufficient and to leave the matter in abeyance until the Visiting Mission of 1955 would mean a long delay in disposing of the petition.

Mr. TARAZI (Syria) said that the object of the USSR proposal was not to delay matters but to obtain more information so that the petition could be disposed of efficiently. He suggested that the USSR proposal should be voted upon immediately. If it was adopted, it would not be necessary to vote on the Secretariat's draft resolution; if it was rejected, the operative part of the draft resolution could then be voted upon.

The CHAIRMAN put the USSR proposal to the vote.

The USSR proposal was rejected by 3 votes to 2, with 1 abstention.

Mr. MATHIESON (United Kingdom) suggested that the French representative and the Special Representative might care to comment on his earlier observation that the position of the Chiefs was a matter of constant review by the Administering Authority.

Mr. DOISE (France) confirmed that that was the case and that an individual investigation of the particular case would be useless. Each chief was under constant supervision and would certainly be removed from office if undesirable.

Mr. BECQUEY (Special Representative) said that great attention was paid to the supervision of chiefdoms as part of the task of maintaining a balance between the traditional and new systems of government. It should also be remembered that political elements changed very rapidly in the Territory while the matter under review had been one of considerable political strife in 1950 and 1951, the present situation was much more settled and any investigation by the Visiting Mission would in all probability have negative results. The evidence was that the majority of the population now supported Chief Njiasse.

Mr. MASSONET (Belgium) thought that that statement should be added to the Special Representative's remarks in paragraph 4 of the summary.

The CHAIRMAN stated that the Special Representative's remarks had changed his own view of the matter. In putting forward his proposal that the Administering Authority should investigate the present feeling of the population towards Chief Njiasse, he had assumed that the unrest mentioned by the petitioners and confirmed by the Administering Authority still existed. He now felt, however, that he should withdraw his own proposal and record his vote in favour of the USSR proposal. He therefore asked if, in the circumstances, the vote just taken on the USSR proposal could be regarded as having been 3 in favour and 3 against, with no abstentions.

After some discussion, it was decided that the vote on the USSR proposal should be regarded as having been 3 in favour and 3 against, and that as the result was a tie, a second vote should be taken, in accordance with the rules of procedure.

A second vote was taken on the USSR proposal.

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

The CHAIRMAN put to the vote paragraphs 1 and 2 of resolution V.

There were 3 votes in favour and 3 against.

In accordance with rule 38 of the rules of procedure of the Trusteeship Council, it was decided to take a second vote at the following meeting.

The meeting rose at 1 p.m.