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STANDING COMMITTEE ON PETITIONS

SUMMARY RECORD OF THE HUNDRED AND THIRTY-SECOND MEETING

Held at Headquarters, New York,  
on Friday, 19 February 1954, at 10.50 a.m.

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PRESENT:

Chairman:

Mr. QUIROS

El Salvador

Members:

Mr. PETHERBRIDGE

Australia

Mr. SCHEYVEN

Belgium

Mr. TARAZI

Syria

Mr. SUMSKOI

Union of Soviet Socialist  
Republics

Mr. MATHIESON

United Kingdom of Great  
Britain and Northern  
Ireland

Also present:

Mr. DOISE

France

Secretariat:

Mr. RANKIN

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.2, T/C.2/L.61)  
(continued)

VII. Petition from members of "La Solidarité Babimbi" (SOLIBABI) (T/PET.5/217)

Mr. DOISE (France) drew attention to an inaccuracy in the report of the Special Representative's observations (paragraph 16). What the Special Representative had said was that a ferry was to be installed shortly and that the Babimbi region would then be accessible in all kinds of weather.

The CHAIRMAN ruled that paragraph 16 should be amended accordingly.

Mr. SUMSKOI (Union of Soviet Socialist Republics) considered that paragraph 1 of the draft resolution was at variance with the assertions of the petitioners, who regarded Mr. Penda as the Chairman-General of La Solidarité Babimbi and who complained that the Administration was persecuting Mr. Penda for his political activities. Paragraph 3 merely recalled a Council resolution, without saying that it had not been implemented. The French representative himself had just admitted that the Ferry was not yet installed and that the crossing of the Sanaga was still dangerous and even impossible at high water. The development of the region still left much to be desired.

He would vote for paragraph 7 but against the resolution as a whole.

Mr. DOISE (France) drew attention to the improvements which the Administration had introduced in the communications network in a mountainous region where roadwork was extremely difficult and costly. A road 28 kilometres long and practicable for lorries in all seasons had been built between Ngambé and Songmbengué. The road had been extended into Edéa subdivision and joined the Yaoundé-Douala highway and railway. Tracks which were passable for cars, except during the rainy season, linked Ndom with Nitoukon and Kelleng with Kikot. The people were at present working on a track to link Ndom with Kelleng, using tools provided by the Administration. A bridge had been constructed over the Sanaga at Kikot. That work clearly illustrated the Administration's untiring efforts to improve communications and the general economic situation of the region.

In reply to the first objection of the Soviet Union representative, he explained that Mr. Penda was no longer Chairman-General of La Solidarité Babimbi, because he had not been re-elected by the General Assembly of that body. It was incorrect to assert that the Administration had pestered or persecuted him because of his political activities.

Mr. MATHIESON (United Kingdom) pointed out that Mr. Penda had been sentenced for selling his influence and inciting the taxpayers not to pay their taxes. The sentence had been pronounced by the Yaoundé Court of Appeal and the ruling of a regular court could not be taken as evidence that the Administration was persecuting Mr. Penda for his political activities. On the contrary Mr. Penda had apparently been trying to impede the proper administration of the Territory, the smooth operation of which depended on the regular collection of taxes.

The CHAIRMAN put paragraph 7 of draft resolution VII to the vote.

Paragraph 7 was adopted by 5 votes to none, with 1 abstention.

The CHAIRMAN put draft resolution VII to the vote.

Draft resolution VII was adopted by 3 votes to 1, with 2 abstentions.

Mr. TARAZI (Syria) said that he had voted for paragraph 7, the adoption of which could not but advance the Committee's work, but had abstained on the draft resolution as a whole, since it made no reference to the persecution of members of political parties.

VIII. Petition from Mr. Alphonse M'Boua M'Boua (T/PET.5/221)

Mr. TARAZI (Syria) requested the deletion of paragraph 2 of the draft resolution. He proposed that paragraph 1 should be redrafted to read:

"Notes the statement of the Special Representative that the acts with which the petitioner is charged were pardoned pursuant to the law of 6 August 1953".

Mr. PETHERBRIDGE (Australia) understood that the amnesty was intended mainly to shorten the sentence. He wondered whether it also implied annulment of the offence.

Mr. SCHEYVEN (Belgium) proposed that paragraph 2 should state that "the acts were covered by the application of an amnesty law".

Mr. TARAIZI (Syria) said that he would prefer the following wording: "the acts imputed to the petitioner were covered by the amnesty granted in accordance with the law of 6 August 1953".

The CHAIRMAN put to the vote draft resolution VIII, the operative part of which consisted of paragraph 1 only, as amended by the Syrian representative.

Draft resolution VIII, thus amended, was adopted by 5 votes to none, with 1 abstention.

IX. Petition from Mr. Nicolas Eholé (T/PET.5/160)

The CHAIRMAN proposed the deletion of paragraph 2 of draft resolution IX.

Mr. SUMSKOI (Union of Soviet Socialist Republics) pointed out that the petitioner was complaining that his wife had been sold to a third party. The Council could not confine itself to informing the petitioner that he could lodge a complaint before the customary courts. The purchase and sale of wives was a remnant of primitive and barbarous institutions which the Administering Authority should take steps to abolish at the earliest opportunity. He therefore proposed the following wording to replace paragraph 2:

"Recommends that the Administering Authority take measures with a view to eliminating the barbarous customs which exist in the Territory concerning women".

Mr. DOISE (France) remarked that in the Council the Special Representative had recounted what the Administration had done to improve the status of women in the Territory. The customs which the Soviet Union representative

described as terms which could only gradually, through the patient and persuasive efforts of the Administration. The Administering Authority was doing its utmost to expedite that development.

Mr. SCHUYVER (Belgium) said that the bride-price, in the Cameroons did not represent the purchase price of a wife any more than did the engagement ring in Western countries. It symbolized the union of two families or clans. He objected to any amendment directed against the bride-price system, the legality of which could not be challenged.

Mr. TARAZI (Syria) supported the Soviet Union amendment, the moderate wording of which implied no censure of the Administration. Nor was the amendment directed against the bride-price system. That practice, recognized by Moslem law, was current in Pakistan, in the republics of the Soviet Union with a Moslem population, and in all the States of the Moslem world. No one could accuse the peoples of those States of buying and selling wives.

Mr. MATHIESON (United Kingdom) proposed the following wording to replace paragraph 2 of draft resolution IX:

"Recommends that the Administering Authority continue to take steps to encourage the elimination of marriage customs that offend against modern sentiment in these matters."

Mr. DOISE (France) remarked that it was not so much a matter of eliminating marriage customs wrongly judged to be retrograde as of correcting the abuse of such customs. He suggested the following rewording of the United Kingdom representative's amendment:

"Recommends that the Administering Authority take steps to encourage the suppression of the abuse of marriage customs which offends against modern sentiment in these matters."

The CHAIRMAN put to the vote the United Kingdom representative's amendment as reworded by the French representative.

The amendment, as reworded, was adopted unanimously.

The CHAIRMAN put draft resolution IX, thus amended, to the vote.

Draft resolution IX was adopted by 5 votes to none, with 1 abstention.

X. Petition from Mr. Lucas Nana (T/PET.5/163 and Add.1)

In reply to a question by Mr. SUMSKOI (Union of Soviet Socialist Republics), Mr. DOISE (France) said that he did not know whether the petitioner had accepted the 400,000 francs damages awarded him by the Court of Appeal instead of the 3,000,000 francs for which he had asked. There was nothing particularly surprising about the difference between the two amounts, since it was usual in all countries of the world for the applicant to ask for damages very much higher than the sum he expected to obtain. He was convinced that the courts, which had had all the necessary information on which to base their judgment, had acted with complete equity.

Mr. TARAZI (Syria) had no objection to paragraph 2 of the draft resolution but thought that the idea he had expressed when the Committee had been considering the petition would be brought out more fully if the text of paragraph 3 were redrafted as follows: "Draws further the attention of the petitioner to the fact that it is open to him, under existing laws and regulations, to seek indemnities from the Administration by submitting his case to the Conseil du Contentieux administratif". 1/

Mr. DOISE (France) agreed that anyone who thought he had suffered damages could apply to the administrative courts for a remedy. In the case in

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1/ Provisional text.

Point, however, he doubted the outcome of such a procedure. Some serious event would have to have occurred, such as a riot or a revolution, or complete failure on the part of the administration. That did not appear to have been the case. The petitioner would probably have his case rejected, whence he would conclude that the courts were victimizing him and that they had not respected the Trusteeship Council's resolution.

Mr. SCHEYVEN (Belgium) agreed with the representative of France. The acts had been committed on private property and not on the public highway, so that the case should be regarded as an attack against an individual and not as a riot.

Mr. PETHERBRIDGE (Australia) too, thought that there was no question of a popular rising, since the guilty parties had been found and judgment had been passed.

Mr. TARAZI (Syria) stood by his proposal, in view of the fact that the Special Representative had himself stated that the municipal act of 1882 defining the responsibility of the communes and the State was applicable to the Territory and that the petitioner could invoke it.

The CHAIRMAN put paragraph 3, as proposed by the Syrian representative, to the vote.

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

Mr. MATHIESON (United Kingdom) explained that he had abstained because he doubted whether the incident could be regarded as a riot within the meaning of the Act in question.

The CHAIRMAN put the resolution as a whole to the vote.

The draft resolution was adopted by 2 votes to none, with 4 abstentions.



XI. Petition from the "Union des Populations du Cameroun, Comité région Bamiléké, Subdivision de Bafang" (T/PET.5/171)

The CHAIRMAN asked whether the Special Representative had received the information mentioned in paragraph 3 of the draft resolution.

Mr. DOISE (France) replied that the Special Representative was not yet in possession of any information on the conviction of former Chief Ntapié. With regard to the present school building programme, it was planned, to set up a secondary school at Bafang, but the building programme did not provide for that project to be proceeded with immediately, priority having been given to an area which was more central and more accessible to the school children.

The CHAIRMAN thought that, in the circumstances, paragraph 3 of the draft resolution could be retained. He proposed that the phrase "and a secondary school at Bafang was planned" should be deleted from paragraph 12 of the summary in document T/C.2/L.61, since there was already a partial secondary school at Dschang. It was so decided.

Mr. SUMSKOI (Union of Soviet Socialist Republics) thought that the draft resolution did not take into account some very important questions raised in the petition. The petitioners asked the United Nations to consider the problem of the unification of the two Cameroons territories and of amending the Trusteeship Agreements, they complained that the Bamiléké region received unfavourable treatment and that the Administering Authority had not given sufficient attention to its development, and they requested that the Administration should be more ready to issue firearms permits to the indigenous inhabitants. Those questions should be mentioned in the resolution, and he therefore proposed the following text to be added to the draft resolution as paragraph 4:

"Recommends the Administering Authority to consider carefully the proposals set forth in the petition, to take the necessary steps to improve the political, economic and social conditions of the indigenous population of the Bamiléké district and to simplify the issue of firearms permits to the indigenous population, for protection against wild animals; requests the Administering

Authority to inform the Trusteeship Council at its fourteenth session of the measures taken to give effect to this resolution." 1/

Mr. MATHIESON (United Kingdom) pointed out that the unification question had already been considered by the Trusteeship Council.

The CHAIRMAN thought the United Kingdom representative's remark well founded. The two reports on the Cameroons had been studied by the Trusteeship Council and the drafting committees were at present preparing a draft resolution, the text of which would be communicated to the petitioners. With that reservation, he endorsed the USSR representative's suggestions. Each of the points the USSR representative had mentioned could form the subject of separate paragraphs, numbered 4, 5 and 6.

Mr. MATHIESON (United Kingdom) did not think that protection against wild animals was a vital aspect of the development of the region. Moreover, the easy availability of fire-arms might lend itself to abuse. He was prepared to accept the other parts of the Soviet Union proposal, which seemed satisfactory.

Mr. DOISE (France) pointed out that the Administering Authority was concerned with the development of the Bamiléké region just as with that of other regions of the Territory. The region in question was benefiting and would continue to benefit from the four-year plan. There would be no point in asking the Administering Authority to pay special attention to the Bamiléké region or to consider carefully the proposals in the petition, since that was already the Administration's practice. The suggestions in the petition would carry more weight if they had come from elected representatives of the population in the Territorial Assembly. With regard to the fire-arms question, the present regulations were intended to maintain public order. It was not possible to alter the regulations locally, for fear of reviving tribal quarrels which the Administering Authority had endeavoured, with some success, to abolish.

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1/ Provisional text.

Mr. SCHEYVEN (Belgium) suggested that paragraph 5 should be drafted as follows: "Recommends that the Administering Authority assist the local population in protecting its property from the ravages of wild animals".

The CHAIRMAN noted that the preamble and paragraphs 1, 2 and 3 of the draft resolution had been accepted by the Committee.

He therefore put to the vote paragraph 4, as proposed by the Soviet Union representative.

Paragraph 4 was adopted by 3 votes to 2, with 1 abstention.

The CHAIRMAN put to the vote paragraph 5 as proposed by the Soviet Union representative.

There were 3 votes in favour and 3 against.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

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

The CHAIRMAN put to the vote paragraph 5 as proposed by the Belgian representative.

Paragraph 5 was adopted by 3 votes to none, with 3 abstentions.

There being no objection to paragraph 6, the CHAIRMAN put to the vote the draft resolution as a whole.

The draft resolution was adopted by 1 vote to none, with 5 abstentions.

The meeting rose at 1.5 p.m.