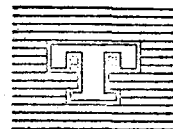


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STANDING COMMITTEE ON PETITIONS

SUMMARY RECORD OF THE TWO HUNDRED AND THIRTEENTH MEETING

Held at Headquarters, New York,
on Thursday, 20 January 1955, at 2.45 p.m.

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PRESENT:

<u>Chairman:</u>	Mr. TARAZI	Syria
<u>Members:</u>	Mr. MASSONET	Belgium
	Mr. MAX	France
	Mr. SINGH	India
	Mr. KARTSEV	Union of Soviet Socialist Republics
	Mr. GRAMER	United States of America
<u>Also present:</u>	Mr. BECQUEY	Special Representative of the Administering Authority for the Trust Territory of the Cameroons under French Administration
<u>Secretariat:</u>	Mr. RANKIN	Secretary of the Committee

PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION (T/C.2/L.121, T/PET.5/274 and Add.1-10, T/PET.5/280-283, T/PET.5/285-289, T/PET.5/291, T/PET.5/293, T/PET.5/295, T/COM.5/L.55, T/COM.5/L.58, T/COM.5/L.60, T/COM.5/L.61, T/OBS.5/37) (continued)

The CHAIRMAN asked the Committee to examine section III of document T/C.2/L.121, consideration of which had been postponed pending the receipt of the Administering Authority's observations.

III. Petitions from:

"Comité de base" of the UPC of Djoungo (T/PET.5/280)

Various Committees of the UPC (T/PET.5/281)

The "Comités de base de l'UPC" of Loum-Chantiers (T/PET.5/282)

The "Union des populations du Cameroun, Comité de N'Lohe" (T/PET.5/283)

The "Comités de base de l'UPC de Mombo" (T/PET.5/285)

The "Comité central" of the UPC of Manjo (T/PET.5/286)

The "Bureau de la section régionale" of the UPC of the Mungo region (T/PET.5/287)

The Committee of the UPC of Loum (T/PET.5/288)

Various branches of the UPC at Loum-Chantiers (T/PET.5/289)

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Communications from:

The "Comité de base de l'UPC Akra" (T/COM.5/L.55)

The "Comité de base" of the UPC of New Bell Bafia (T/COM.5/L.58)

The UPC Committee of New-Bell Bas-Fond (T/COM.5/L.60)

The Committee of the UPC of New Bell Centre (T/COM.5/L.61)

Mr. MASSONET (Belgium) recalled that at a previous meeting the United States representative had asked the Special Representative for his views about the activities of the UPC. At that time the Chairman had advised the United States representative not to press the question. He felt, however, that the Committee should have some information about the background in order to enable it to come to a decision concerning the petitions.

The CHAIRMAN was inclined to think that the Committee should confine itself to the study of the actual petitions; he asked for the Committee's views on the subject.

Mr. KARTSEV (Union of Soviet Socialist Republics) remarked that on the previous occasion the Committee had agreed unanimously that the discussion of such matters in the Committee could be of little use, since the views of one of the parties would not be heard. He still took the same view.

Mr. MASSONET (Belgium) noted that the USSR representative did not wish to obtain any information from the Administering Authority concerning the petitioners' background. He continued, however, to think that it was for the French representative and the Special Representative to decide how to answer the question.

Mr. BECQUEY (Special Representative) said that the UPC had no elected representatives in the Territorial Assembly or the French Parliament; it did not represent a very large proportion of the population of the Cameroons. He would not say that the UPC was a communist party but it was undoubtedly advised by members of the French Communist Party and used Communist Party tactics. For example, it had established committees and secretaries in many villages, held a large number of meetings and thus reached many people. It was very well organized.

Most of the petitioners belonged to the UPC even when they did not specifically say so. Many of the petitions were drafted on similar lines. The Administration had obtained possession of a circular issued by the UPC urging the local committees to send in petitions and giving them advice on how to do so.

In reply to the USSR representative, he pointed out that while it was true that the petitioners and UPC leaders were not present to state their case, the Committee had access to the record of the Fourth Committee and the speeches made there by Mr. Um Nyobe had been reproduced in full and distributed.

Mr. CRAMER (United States of America) asked the Special Representative whether the UPC's strength was centred in any particular part of the Territory or whether it was generally distributed.

Mr. BECQUEY (Special Representative) replied that generally speaking the centre of the UPC's activities was in the Douala-Bassa-Edea-Mungo area, with extensions along the lines of the railways, by means of which leaflets were distributed. It still had some supporters in the Bamiléké Region, although it had suffered setbacks there. Its doctrines were spread to a certain extent in other parts of the Territory by officials who were members or supporters of the party.

In reply to a question by Mr. SINGH (India), he said that the last election to the Territorial Assembly had been held in 1952.

Mr. SINGH (India), referring to paragraph 1 of the Secretariat summary, asked what had taken place at the meeting following which Mr. Abel Kingué had been arrested.

Mr. BECQUEY (Special Representative) said that no representative of the Administering Authority had been present at the meeting.

Mr. KARTSEV (Union of Soviet Socialist Republics), referring to paragraph 2 of the summary, asked why the meeting scheduled to be held on 8 July 1954 at Dibombari had been prohibited.

Mr. BECQUEY (Special Representative) explained that disturbances had taken place in connexion with a similar meeting the previous month and the Chief Subdivisional Officer had decided to prohibit the meeting of 6 July in order to prevent a recurrence of such events.

Mr. KARTSEV (Union of Soviet Socialist Republics) wondered whether the Chief Subdivisional Officer could not have enquired what the subject of the meeting was to be. In view of the petitioners' assertion that they had intended to give information about the United Nations work, it might not have been necessary to prohibit the meeting.

Mr. BECQUEY (Special Representative) said he had no further comments to make; the Chief Subdivisional Officer took the responsibility for his own decisions.

Mr. SINGH (India), referring to paragraph 3 of the summary, asked whether the purpose of taking a plant inventory had been made clear to the people.

Mr. BECQUEY (Special Representative) answered in the affirmative; such complaints only occurred where there was political agitation.

Mr. KARTSEV (Union of Soviet Socialist Republics), referring to paragraph 4b of the summary, asked how many beds there were in the hospitals and dispensaries which, according to the Administering Authority, existed in the area, what were the medical posts referred to and what they could do for the people.

Mr. BECQUEY (Special Representative) said that they were infirmaries, with nurses who could be reached by telephone or any other method when required to visit the sick. Sick persons could be taken to the hospitals at Bougamba or Douala. Dibombari was about 15 kilometres from Douala.

Mr. SINGH (India) asked whether there was a system of travelling doctors visiting the villages in which there were no hospitals in order to advise the inhabitants on general health questions and give treatment for specific diseases.

Mr. BECQUEY (Special Representative) said that that was so but that the people were showing an increasing tendency to go to hospital when they were ill.

The CHAIRMAN asked the members of the Committee whether they wished to reply separately to each petitioner or to adopt a general resolution covering all the petitioners in section III.

Mr. CRAMER (United States of America) suggested the adoption of a single resolution calling the petitioners' attention to the observations of the Administering Authority.

Mr. MASSONET (Belgium) thought some more specific reply might be given to the various grievances outlined in the different petitions.

One of the most frequently mentioned grievances concerned prohibition of meetings. He asked the Special Representative how many meetings the UPC had held since July 1954.

Mr. BECQUEY (Special Representative) was unable to give a categorical reply; he thought that two or three meetings a week had been held in different parts of the Territory.

Mr. MASSONET (Belgium) suggested that the draft resolution might refer to that statement by the Special Representative.

The CHAIRMAN asked the Secretariat to draft a resolution in the light of the suggestions that had been made.

X. Petition from Mr. Samuel Ntchamé Zo'o (T/PET.5/274 and Add.1-10)

In reply to a question by Mr. CRAMER (United States of America), Mr. BECQUEY (Special Representative) said that the Administering Authority had no observations concerning Add.9. With regard to Add.10, he could confirm that the petitioner had been imprisoned, but he had no other information. In cases of bankruptcy, the Government enjoyed the legal status of a preferred creditor.

Mr. CRAMER (United States of America) proposed that the resolution should point out that the case had been dealt with by the competent courts of the Territory. Since Add.9 referred to the entirely distinct case of

(Mr. Cramer, USA)

Mr. Zilly, it should be extracted and considered at a later date, after the Administering Authority had had an opportunity to prepare its observations - if indeed a petition could be accepted through a third party.

The CHAIRMAN and Mr. MASSONET (Belgium) took the view that Add.9 should not be regarded as a separate petition but simply as an additional document in the case of Mr. Zo'o.

Mr. CRAMER (United States of America) accepted that view; his proposal would therefore cover the whole petition in documents T/PET.5/274 and Adds. 1-10.

The CHAIRMAN asked the Secretariat to draft a resolution on the lines of the United States representative's proposal.

The meeting was suspended at 3.45 p.m. and resumed at 4.10 p.m.

CONSIDERATION OF DRAFT REPORT ON PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION (T/C.2/L.125, T/PET.5/245 and Add.1-2, T/PET.5/254, T/PET.5/267 and Add.1, T/PET.5/290 and T/PET.5/306)

I. Petition from the Association of the Women of Eséka (T/PET.5/254)

Mr. MASSONET (Belgium) proposed that the operative paragraph of the draft resolution should be replaced by two new paragraphs, to read:

- "1. Draws the attention of the petitioners to the observations of the Administering Authority and to the statement of its Special Representative
- "2. Takes note of the fact that the petitioners deny having written a petition protesting against a hearing granted to Mr. Um Nyobe before the Fourth Committee of the General Assembly."

Mr. KARTSEV (Union of Soviet Socialist Republics) had no formal proposal to make but felt that it would be wrong merely to refer the petitioners to the observations of the Administering Authority, since the investigation of the matter had clearly been inadequate.

Mr. CRAMER (United States of America) proposed that the operative paragraph should be replaced by the following two new paragraphs:

- "1. Takes note of the explanation given by the Administering Authority;
- "2. Points out that the examination of the petitioners' complaint would be facilitated if Mrs. Manyim made herself known to the Administering Authority."

Mr. MASSONET (Belgium) pointed out that, in effect, the United States representative's paragraph 1 would be asking the Council to note the Administering Authority's observations, whereas it was surely necessary to draw the petitioners' attention to them.

Mr. SINGH (India) thought that "observations" would be a better word than "explanation" in the proposed paragraph 1. The wording proposed by the United States representative for paragraph 2 seemed to him to suggest that the examination of the petition was in suspense. The Belgian representative's amendment was preferable, since it made it clear that the matter was closed until the petitioners reopened it by supplying further information.

Mr. CRAMER (United States of America) withdrew his amendment.

The CHAIRMAN, speaking as the representative of Syria, asked for a separate vote on paragraph 2 of the Belgian proposal.

Paragraph 2 was approved unanimously.

The draft resolution, as amended, was approved by 4 votes to none, with 2 abstentions.

II. Petition from the "Association des Notables Camerounais", local branch of Bafang (T/PET.5/290)

The draft resolution was approved by 3 votes to none, with 3 abstentions.

III. Petition from the "Comité central" of Ebougsi (T/PET.5/306)

Mr. MASSONET (Belgium) proposed that paragraph 2 of the draft resolution should be amended to read "expresses the hope that the petitioners will come to understand better than the custom of which they complain is one which is in the interests of the whole community, and is of direct benefit to themselves".

Mr. MAX (France) supported the Belgian representative's proposal.

Mr. SINGH (India) thought that the paragraph should be couched in more positive terms and that the reference to complaint should be deleted. He suggested that the paragraph should be amended to read: "expresses the hope that the petitioners will appreciate the advantages of volunteer work on projects which are in the interests of the community".

Mr. MASSONET (Belgium) withdrew his amendment in favour of the Indian proposal.

Mr. SINGH (India) suggested that the concluding phrase of paragraph 1 might be amended to read: "concerning the desirability of voluntary unpaid labour for the maintenance of roads".

Mr. KARTSEV (Union of Soviet Socialist Republics) did not think that the draft resolution took into account the petitioner's specific complaint that on occasion people had been forced to work on the roads. Such work was obviously of benefit to the community but it was not clear that there had been no abuses of the power to call for volunteers and there should be no possibility of any such abuse. He thought that paragraph 2 might be deleted.

Mr. MAX (France) pointed out that there had been cases where villagers stubbornly refused, even after explanations, to see the advantages of working on the construction of roads; when, however, they had found that in the absence of roads there was no means of transporting their produce to the markets, they had realized their error.

Mr. KARTSEV (Union of Soviet Socialist Republics) proposed that paragraph 1 should conclude with the phrase "concerning the circumstances in which a community may ask the inhabitants to volunteer for work on a road".

Mr. SINGH (India), supported by Mr. MASSONET (Belgium), wondered whether the statement of the Special Representative, as summarized in paragraph 5, should not be incorporated in paragraph 1 of the draft resolution.

Mr. MAX (France) thought that would create an undesirable precedent.

The CHAIRMAN pointed out that, as it stood, paragraph 1 drew attention to the statement of the Special Representative. In the absence of any objections, he assumed that the Committee accepted the USSR amendment to paragraph 1 and the Indian amendment to paragraph 2.

The draft resolution, as amended, was approved by 5 votes to none, with one abstention.

IV. Petition from Mr. Theodore M. Matip (T/PET.5/245 and Add.1-2)

The draft resolution was approved by 3 votes to none, with 3 abstentions.

Mr. MAX (France) explained that he had abstained from voting on the resolution, for which he saw no justification, since the case was already receiving the attention of the local authorities.

V. Petitions from Mr. Michel Owona (T/PET.5/267 and Mrs. MELANIE WGA
(T/PET.5/267/Add.1)

Mr. MAX (France) explained that he had not been present when the petitions in question had been discussed and could not therefore speak on the substance of the matter. He was, however, surprised at the wording of paragraph 3 of alternative B, which seemed to infringe the principle of res judicata.

Mr. SINGH (India) pointed out that, since the action originally brought by the petitioners had been declared inadmissible, the case had never been before the courts. He suggested that the last part of paragraph 3 of alternative B, beginning with the words "despite the fact", should be deleted.

Mr. MAX (France) said that the case had in fact been tried by two courts and it was only the appeal against the decisions of those courts which had been declared inadmissible, on purely formal grounds.

Mr. SINGH (India) thought that, if the courts had indeed gone into the merits of the case, the resolution should perhaps be abandoned. He was not sure that all the facts had been made available to the Committee.

Mr. MASSONET (Belgium) noted that, according to the records, the United States representative had associated himself with the Indian and USSR representatives in expressing concern for the welfare of the child referred to in the petition. That being so, he wondered whether paragraph 2 of alternative B could not be introduced into alternative A.

Mr. CRAMER (United States of America) pointed out that the decisions of the courts were tantamount to a declaration that the petitioners had no case. He saw no reason to doubt the reliability of the courts.

Mr. KARTSEV (Union of Soviet Socialist Republics) urged the Committee to consider that the interests and welfare of a child were at stake and should take precedence over purely formal legal principles.

Mr. MAX (France) said that there was no need to recommend that anyone in the Trust Territory should be allowed to bring a case before the courts, for that was a legal right recognized to all. The Administering Authority could hardly be asked, however, to implement a recommendation that the courts should reverse their own decisions, for that would in itself be against the law.

Mr. CRAMER (United States of America) thought that all members of the Committee would be concerned to ensure the welfare of the child but that, since she had been living for five years in the family in whose custody she was, the most humane course might well be to leave matters as they were. He would agree to the incorporation of paragraph 2 of alternative B into alternative A, as a new paragraph 2.

The CHAIRMAN understood that the USSR representative was seeking to ensure the welfare of the child without infringing the laws of the Territory, but pointed out that under the French legal system there was an official responsible for the protection of widows and orphans.

He proposed that the Committee should vote on the draft resolution paragraph by paragraph: paragraph 1 as it stood in the draft resolution, paragraph 2 of alternative B, then paragraph 2 of alternative A, which would become paragraph 3, and finally paragraph 3 of alternative B, which would become paragraph 4.

Paragraph 1 was approved by 4 votes to none, with 2 abstentions.

Paragraph 2 was approved by 5 votes to none, with one abstention.

Paragraph 3 was approved by 3 votes to 2.

Paragraph 4 was rejected by 3 votes to 2.

The draft resolution, consisting of paragraphs 1 to 3, was approved by 3 votes to 2.

The meeting rose at 5.50 p.m.