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STANDING COMMITTEE ON PETITIONS

SUMMARY RECORD OF THE FOUR HUNDRED AND FIFTY-SIXTH MEETING

Held at Headquarters, New York,
on Tuesday, 2 July 1957, at 10.45 a.m.

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Examination of petitions concerning the Cameroons under French
administration (T/C.2/L.269) (continued)

PRESENT:

<u>Chairman:</u>	Mr. SMOLDEREN	Belgium
<u>Members:</u>	Mr. YANG	China
	Mr. de CAMARET	France
	Mr. LEMUS DIMAS	Guatemala
	Mr. BENDRYSHEV	Union of Soviet Socialist Republics
	Mr. SANKEY	United Kingdom of Great Britain and Northern Ireland
<u>Also present:</u>	Mr. RIVAILLE	Special Representative of the Administering Authority for the Trust Territory of the Cameroons under French administration
<u>Secretariat:</u>	Mr. COTTRELL	Secretary of the Committee

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EXAMINATION OF PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION
(T/C.2/L.269) (continued)

At the invitation of the Chairman, Mr. Rivaille (Special Representative for the Administering Authority of the Cameroons under French administration) took a place at the Committee table.

Document T/C.2/L.269

II. Petitions from the Chairman of the UPC (T/PET.5/549 and Add.1, 558, 559, 560 and Add.1, 563, 570 and Add.1, 580, 582, 587 and 605)

Mr. YANG (China) asked if it were true that the Administering Authority was considering the granting of amnesty to the leaders mentioned in the petition.

Mr. de CAMARET (France) stated that it was true that the French National Assembly was considering an amnesty proposal; it had not, however, been put into effect.

Mr. YANG (China) suggested that, in the light of what the representative of France had said and in view of the Administering Authority's observations, the draft resolution should simply draw attention to the fact that the French legislature was considering an amnesty proposal.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked for clarification of some points in the petitions. It was stated that immediately upon his return from New York Mr. Um Nyobe had been handed a summons to appear before a magistrate and that it had been done for political purposes, to keep the people of the Territory from being given an account of the mission he had accomplished at the United Nations. He would like to know why the Administration had been in such haste to hand him a summons at the airport.

Mr. RIVAILLE (Special Representative) replied that it was not a warrant for arrest but a summons for his appearance in connexion with a suit for false accusation filed by Mr. de Gélis. The reason the summons had been presented at the aerodrome was that Mr. Um Nyobe had been absent from the Territory for several months and that in the past officials of the judiciary had found him very elusive when they had tried to serve papers on him; he had systematically evaded a law suit.

(Mr. Rivaille, Special Representative)

The large crowd alleged to have met him at the airport had actually numbered only three hundred to five hundred people at the most.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked why the searches which the Administering Authority claimed had been in connexion with a forged tax slip, had been made at the headquarters of the UPC and at the homes of the leaders of their organization.

Mr. RIVAILLE (Special Representative) said that for some time there had been disquieting discrepancies between the amount of the tax slips issued and the sums recovered. The Administration had found several forged tax slips; that was a very serious matter. Therefore, pursuant to the action which had been brought in the courts, several dwellings and printing works had been searched, but without success.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said that he was not satisfied with the Special Representative's explanations. He asked why two separate searches had been made, on 19 April and on 26 April, at the UPC premises and why the people in question had not been told the reason for the searches.

Mr. RIVAILLE (Special Representative) explained that the authorities had reason to believe that it was a case involving not one, but perhaps a thousand, forgeries and they were therefore seeking proof of that. The UPC members had not been arrested for forgery but because they had insulted and threatened the police officers. The searches had been legal, with a proper warrant drawn up by a judge and the reason for their issue duly stated.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked the Special Representative why the indigenous inhabitants had been denied the right of assembly and freedom to express their opinions, as had been the case at Ngaoundere (T/PET.5/560 and Add.1).

Mr. RIVAILLE (Special Representative) replied that article 1 of the Act of 30 June 1881 provided that public meetings could be held without authorization. Later modifications of the Act, however, made it possible for the police to forbid meetings to be held if they were liable to lead to a disturbance of public order. That had been the case at Ngaoundere, where, with the few guards available, it

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would have been impossible to prevent serious disorder if such preventive action had not been taken.

Mr. BENDRYSHEV (Union of Soviet Socialist Republic) said that any meeting might be banned on such a pretext. It was the duty of the Administering Authority to guarantee the right of the indigenous inhabitants to freedom of speech and assembly.

Mr. RIVAILLE (Special Representative) said that the rights of free speech and assembly were guaranteed even for the UPC. The action taken at Ngaoundere had been solely in the interest of public order and the prevention of violence. An increase in the size of the police force would require additional funds, which would have to come from the legislature. The latter had always been opposed to such an increase, for financial reasons.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said that it was possible that one word from the Chief Regional Officer to those who threatened the meeting would have sufficed to restore calm and soothe feelings, and freedom of assembly and speech would thus have been observed.

Mr. de CAMARET (France) said that unfortunately there were not enough police and guards to protect the population and those trying to keep order. The UPC troops, who had been armed and in uniform at the time, had killed several officials who had tried to restore peace.

Mr. YANG (China) suggested that the Secretariat should draft a resolution along the following lines:

"The Trusteeship Council,

"Having examined the petitions in consultation with the Administering Authority,

"Having regard to the dissolution of the UPC and its affiliated parties consequential to the May incidents,

"Recalling Trusteeship Council resolution 1481 (XVII) concerning the May incidents,

"Draws the attention of the petitioners to the statement of the Administering Authority to the effect that the French Government had issued an amnesty, and

(Mr. Yang, China)

"Expresses its confidence that harmony and understanding will soon prevail so as to bring about conditions conducive to close co-operation and full enjoyment of the constitutional and political reforms recently instituted."

The CHAIRMAN suggested that, in drafting the final text of the resolution, the Secretariat might consult paragraph 3 of the findings adopted by the Council at its nineteenth session on the Cameroons under French administration.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) considered that the resolution should include a paragraph in which the Council invited the Administering Authority to take steps to guarantee democratic freedoms in the Territory and to ensure in practice the rights of the inhabitants of the Territory to free expression of opinion and to freedom of assembly.

Mr. RIVAILLE (Special Representative) observed that article 41 of the Decree of 17 April 1957 laid down that the powers of the administrative police were henceforth delegated to the Cameroonian Prime Minister. An order signed by the High Commissioner some days earlier had just made that delegation of powers effective.

III. Petition from the Vice-Chairman of the UPC (T/PET.5/566, 572, 592, 595)

Mr. LEMUS DIMAS (Guatemala) drew attention to the allegation that many documents had been taken away from the UPC headquarters. He asked whether there was any legal guarantee of privacy of correspondence, or whether the authorities had acted arbitrarily.

Mr. RIVAILLE (Special Representative) said that the allegation was false; the law effectively guaranteed the privacy of correspondence.

Mr. LEMUS DIMAS (Guatemala) asked the Special Representative to comment on the assertion that the police had arrested twenty-five people for singing the Cameroonian national anthem and the Marseillaise.

Mr. RIVAILLE (Special Representative) said that the persons concerned had not been arrested but had been taken to the police station and requested to produce their identification cards. That had been done not because of their

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singing but because they had been holding a meeting in a public thoroughfare, contrary to the provisions of the Act of 30 June 1881 and the Decree of 23 October 1935.

Mr. LEMUS DIMAS (Guatemala) asked whether it was legal for the police of the Territory to search a person's house or whether authorization from a judge was required.

Mr. RIVAILLE (Special Representative) replied that searches could be conducted only with the specific authorization of the judge dealing with the case.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked why the public authorities had not intervened to protect Mr. Um Nyobe and the petitioner when an attempt had been made on their lives at a meeting at which they had been reporting on their mission to the United Nations.

Mr. RIVAILLE (Special Representative) explained that meetings could be held freely and permission to hold them could only be withheld if it was considered that a breach of the peace was likely to occur. In the case at issue, the local authorities had authorized the meeting but some members of a rival political party, the RPC, had created a disturbance and the public authorities had been obliged to disperse the whole gathering. A similar incident had taken place in April 1955, when the petitioner had taken refuge in a hut and had been placed under the protection of the Chief Subdivisional Officer. The incident referred to in paragraph 1 of the summary could not have been serious, for otherwise the petitioner would scarcely have refrained from mentioning the dead and wounded.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked, with reference to petition T/PET.5/595, why the Chief Subdivisional Officer who had been invited to a flag-raising ceremony had not replied and had taken no steps to protect the inhabitants attending the ceremony.

Mr. RIVAILLE (Special Representative) replied that officials of the Administration could not take part in an official capacity in a meeting organized by a political party.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked what documents had been seized during the searches on 19 April and for what reason, and whether they had been returned.

Mr. RIVAILLE (Special Representative) said that no documents had been seized. If there had been any foundation for the allegation, the petitioner would certainly have named the documents, but he had not done so.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics), referring to the search of the UPC headquarters and the home of Mr. Abel Kingué on 26 April, asked whether it was usual for the authorities to use armed force on such occasions.

Mr. RIVAILLE (Special Representative) said that armed force had not been used. A warrant officer and fifteen men of the Cameroonian guards, which was not a military formation, had been called in to protect the inspectors making the search, and that was warranted because they had been shouted at and threatened by the comparatively large crowd collected in front of the UPC headquarters.

Mr. SANKEY (United Kingdom), supported by Mr. YANG (China), suggested that, since the petitions related to the same incidents and contained the same complaints as did those in section II, the same draft resolution could be used for them.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that the draft resolution should include the paragraph he had proposed for section II.

Mr. RIVAILLE (Special Representative) pointed out that under article 41 of the new Statute the Cameroonian Government was now responsible for the maintenance of public order and for the administrative police.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said that France, as Administering Authority, was still responsible under the Trusteeship Agreement and the Charter for ensuring respect of human rights and fundamental freedoms. The new Statute did not release it from its obligations in that respect.

The CHAIRMAN, speaking as the representative of Belgium, pointed out that the Trusteeship Council had approved the delegation of certain powers to the Cameroonian Government when it had taken note of the new Statute and congratulated the Administering Authority on it.

Speaking as Chairman, he suggested that the Secretariat should be asked to draft a resolution along the lines indicated by the representative of the United Kingdom.

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IV. Petition from the Officers of the Executive Committee of the UPC, the Central Bureau of the USCC, the Executive Committee of the JDC and the Officers of the UDEFEC (T/PET.5/612)

The CHAIRMAN, speaking as the representative of Belgium, pointed out that the constitutional changes to which the Special Representative had referred had considerably altered the situation in the Cameroons.

Mr. YANG (China) agreed that it would be unrealistic to consider the petition without taking those changes into account. The Joint Proclamation was an expression of the discontent that had culminated in the events of May 1955, following which the UPC had been dissolved. He proposed that the Secretariat should draft a resolution referring to the Joint Proclamation and drawing the petitioners' attention to the recent constitutional changes brought about by the new Statute, namely, the establishment of a Legislative Assembly to be elected by universal adult suffrage and the formation of a Cameroonian Government responsible to that Assembly.

Mr. SANKEY (United Kingdom) supported the Chinese representative's proposal as a whole but doubted whether the resolution should refer to a document which was a party manifesto and not addressed to the United Nations.

Mr. LEMUS DIMAS (Guatemala) asked whether the inhabitants of the Territory were free to form political parties and whether any parties had been formed since the constitutional changes had come into effect.

Mr. RIVAILLE (Special Representative) said that three new parties had been formed in mid-1956, just before the changes had come into effect, so that there were some fifteen Cameroonian political parties at the present time.

Mr. LEMUS DIMAS (Guatemala) asked whether the Administering Authority or the Cameroonian Government had the power to approve the formation of, or to dissolve, a political party.

Mr. RIVAILLE (Special Representative) said that political parties were dissolved only in quite exceptional circumstances. The decision had formerly been taken by the French legislature; under the new Statute, it appeared that the Cameroonian Legislative Assembly would be able to make a recommendation, on which the French National Assembly would act.

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Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked whether the French High Commissioner had given consideration to the specific proposals mentioned by the petitioners or discussed them with their sponsors. In view of the contents of Mr. Moumié's telegram of 30 December, the High Commissioner's attitude was of the highest importance.

Mr. RIVAILLE (Special Representative) said that the High Commissioner must have received the proposals but he had no specific information on that point. The High Commissioner had had an interview with Mr. Moumié at Garoua at the end of 1954, during which it was probable that the proposals had been discussed. He had not been able to discuss them with Mr. Um Nyobe or Mr. Abel Kingué at that time, for they had both been in New York.

In reply to a further question from the USSR representative, he said that the interview with Mr. Moumié had not been an unofficial call but apparently an official audience in the office of the Chief Regional Officer, during which the High Commissioner had undoubtedly informed Mr. Moumié of the constitutional changes envisaged in the new Statute, then being studied.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said that the draft resolution should recommend that the Administering Authority should study the proposals mentioned in the petition.

Mr. RIVAILLE (Special Representative) pointed out that the petitioners had already obtained satisfaction on nearly every point: a Cameroonian Legislative Assembly with power to set up regional assemblies had been established, there was a Cameroonian Government, and mayors had been elected to three communes de plein exercice.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said that there were still important questions raised in the petition to which the Administering Authority should be asked to give attention, such as the setting of a date for the achievement of independence and the question of unification of the Cameroons.

The meeting rose at 12.50 p.m.