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MEETING**

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Chairman: Mr. L. N. PALAR (Indonesia).

AGENDA ITEM 41

The future of the Trust Territory of the Cameroons under United Kingdom administration (A/C.4/412) (continued):

(a) Organization of the plebiscite in the southern part of the Territory: question of the two alternatives to be put to the people and the qualifications for voting (A/C.4/414) (continued)

GENERAL DEBATE

1. Mr. ESPINOSA Y PRIETO (Mexico) said that Mr. Mbile, the representative of the Kamerun People's Party and Deputy Leader of the Opposition in the Southern Cameroons House of Assembly, had made it clear to the Committee that he represented the views of that section of the people of the Southern Cameroons which was in favour of integration with Nigeria. Such views were perfectly legitimate, but the Mexican delegation regretted that no petitioner had come forward to put the opposite case.

2. When the people of the Southern Cameroons were being asked to decide their future by means of a plebiscite, it was not for the Committee to express itself in favour of either of the two alternatives which were clearly open to them; the Committee's sole task was to draft questions sufficiently intelligible to enable the people to signify their choice by a majority vote. The two great neighbours of the Southern Cameroons, Nigeria and the Cameroons under French administration, both of them soon to be independent States, had expressed their willingness to allow the Southern Cameroons to join them. There seemed no doubt that, in the Committee's view, those two alternatives could legitimately be offered to the people of the Trust

Territory. How to do so, however, was not so easy a matter.

3. After listening to the arguments put forward by the leaders of the Southern Cameroons, his delegation was convinced that a period of waiting would be necessary before the plebiscite was held. The General Assembly, in adopting resolution 1350 (XIII), had decided, perhaps somewhat precipitately, that a plebiscite should be held, and Mr. Foncha, the Premier of the Southern Cameroons, and Mr. Endeley, the Leader of the Opposition in the Southern Cameroons House of Assembly, had been hopeful of reaching an agreement on the alternatives to be offered. Difficulties had since arisen, and the Committee had to recognize the fact that the Territory was entitled to wait and see how the two new States, one of which it was to decide to join, would be organized. It was important, however, that the waiting period should not be a long one, since that would give rise to serious difficulties.

4. The suggestion had been made that, prior to the plebiscite, the administration of the Southern Cameroons should be entirely separated from that of Nigeria. The point was well taken and he would be glad if the United Kingdom representative could say whether such a step would be feasible, possibly from 1 January 1960.

5. Where Nigeria was concerned, the people of the Southern Cameroons had a clear idea of what their position would be if they joined it: their country would form a separate entity in a federation. In the case of the Cameroons under French administration, on the other hand, their ideas were far from clear and it was natural that they should ask for a waiting period in order to see how the new State of the Cameroons would be organized. Since the Cameroons under French administration was to be independent on 1 January 1960, the period between then and the fifteenth session of the General Assembly should in his view be sufficient to enable the Southern Cameroons to watch developments there and to hold discussions with the new State on how the reunification of the Cameroons could be carried out.

6. The real difficulty, however, lay elsewhere. Nigeria had offered to grant the Southern Cameroons the status of an autonomous Region within the Nigerian Federation. That was a remarkable offer, since it was much smaller than any of the other Regions of Nigeria. In January 1959, the Kamerun National Democratic Party (KNDP), a party which advocated separation from Nigeria with a view to ultimate reunification with what was at present the Cameroons under French administration, had come into power. Subsequently it had become evident that that party had been attracted by the notion of a federal State, whereas the Cameroons under French administration was a unified, centralized State in the French tradition. On what basis, then, could a small country like the Southern Cameroons join the future State of the Cameroons?

That was a question which had remained unanswered; Mr. Foncha had been to Yaoundé but unfortunately nothing was known of the result of his discussions with Mr. Ahidjo, the Prime Minister of the Cameroons under French administration.

7. At the 888th meeting, Mr. Foncha had said that, as a result of the terrorist activities which had taken place in the Cameroons under French administration, a situation of insecurity had been created along the borders of the Southern Cameroons, and the population would therefore hesitate to vote in favour of reunification. In that connexion, Mr. Espinosa Y Prieto referred to a statement he had made at the Committee's 861st meeting, held during the thirteenth session, in which he had drawn attention to a suggestion made earlier by his delegation but which had not met with the approval of the Administering Authority, the Government of the Cameroons under French administration or the United Nations Visiting Mission to Trust Territories in West Africa, 1958, and which had therefore not been pressed by his delegation. That suggestion had been made with a view to placing the Cameroons under French administration in a favourable position with regard to the plebiscites to be held in the Northern and Southern Cameroons; and, in the same spirit, his delegation would do nothing now to prejudice the position of the future independent State of the Cameroons. He hoped that in 1960 the leaders in the Southern Cameroons who had always advocated the unification of the Cameroons would reach a satisfactory agreement; he was confident that Mr. Foncha's party would not allow itself to be deflected from a great purpose by transitory incidents.

8. The setback which had occurred in connexion with reunification had led to the suggestion that the trusteeship should be continued. Since 1955 his delegation had consistently opposed the suggestion that one of the alternatives to be offered in a plebiscite should be a continuation of trusteeship. The General Assembly had felt bound to adopt that course in the case of the former Togoland under British administration, because in that case there had not been two neighbouring States between which the voters could have made their choice. That, fortunately, was not the case where the Southern Cameroons was concerned. There was, however, another danger: if a plebiscite were to be held now in which the Southern Cameroons would be asked to choose between joining Nigeria and remaining under trusteeship, and another were to be held some years later to decide whether it should join the State of the Cameroons or continue under trusteeship, there was the grave risk that the two practical possibilities open to the Southern Cameroons would both be eliminated, in which case the General Assembly would not know what to do with the Territory.

9. That led him to the third and least promising solution—the independence of the Southern Cameroons as a separate State. No satisfactory definition had ever been given of the necessary prerequisites of an independent State, but it was all too evident to what perils a country was exposed when it attained independence without possessing the requirements necessary to make it viable. The Southern Cameroons clearly formed a unit, but after listening to the various statements that had been made his delegation had serious doubts whether it was capable of existing as an independent State. Moreover, experience in other conti-

nents showed how dangerous it might be to split Africa up into small States. So small a country sandwiched in between two larger ones, with its population almost equally divided in its views between joining Nigeria and joining the future State of the Cameroons, would be a constant source of disputes.

10. In his delegation's view, and subject to what other members of the Committee would say, there were only two possibilities open to the Southern Cameroons. He awaited with interest the opinions which would be expressed on the legal position. Since the beginning of the general debate conversations had been going on which seemed to promise well, and it seemed that Mr. Foncha and Mr. Endeley might be asked to accept an arrangement which would be of the greatest importance to their people. Whatever happened, however, it was essential to avoid any risk of its ever being possible to say that a solution, reached behind their backs, had been imposed on them. It was therefore important that the matter should form the subject of a full public debate.

11. Sir Andrew COHEN (United Kingdom) said that, from the legal point of view, two distinct questions would be involved if the Southern Cameroons but not the Northern Cameroons were to remain under trusteeship after Nigeria had achieved independence.

12. Taking first the question of the separation of the Southern Cameroons from Nigeria, he pointed out that his Government had always taken the view that, in the circumstances which had existed hitherto, the right interpretation of article 5 (a) of the Trusteeship Agreement had been for the Territory to be administered as part of Nigeria; indeed, it had been on that understanding that his Government had accepted the trusteeship. It had also been the best way to promote the advancement of the people of the Territory. The purely legal question which now arose was whether, once Nigeria was independent, the terms of the Trusteeship Agreement made a continuation of trusteeship possible, or whether any amendments or other acts by the General Assembly would be required.

13. He was advised that no amendment to the wording of article 5 (a) would be necessary, for three reasons. Firstly, the wording used in article 5 (a) was "shall administer it... as an integral part of its territory"; there was no mention of Nigeria and, once Nigeria had become independent it would no longer be a Territory under the authority of the United Kingdom Government. Secondly, a very similar phrase existed in other Trusteeship Agreements, such as those applicable to Togoland and the Cameroons under French administration, in accordance with which they were to be administered "as an integral part of French territory"; those Territories were not administered as an integral part of any adjacent territory. Thirdly, article 5 (a) contained the phrase "with such modification as may be required by local conditions". The independence of Nigeria would bring about a substantial change in local conditions which would necessarily modify the interpretation to be placed on the phrase "an integral part of its territory".

14. He emphasized the fact that he was referring solely to the legal meaning of the words in article 5 (a). He did not wish to imply that the General Assembly should not concern itself with so important a change in the Territory as would be entailed by its separation from Nigeria. If the General Assembly wished to give

expression to its legitimate concern in the matter, his delegation would see no objection to a paragraph being inserted in any resolution on the subject, recognizing and approving the intention of the Administering Authority to take steps to separate the administration of the Southern Cameroons from that of Nigeria.

15. The second of the two questions would arise out of the separation of the Southern Cameroons from the Northern Cameroons if that were decided upon. In resolution 1350 (XIII) the General Assembly had decided that separate plebiscites should be held—at different times—in the two parts of the Cameroons under United Kingdom administration. That decision clearly implied the possibility of different solutions being adopted for each part of the Territory, and at different times. His delegation had made no suggestion for the amendment of the Trusteeship Agreement in the light of the possibility of the Northern Cameroons becoming part of an independent Nigeria, nor could it decide whether such a suggestion would be necessary until the results of the plebiscite in the Northern Cameroons were known. Nevertheless, since he had been asked to do so, he would give his Government's views on the procedure necessary if—and he emphasized the "if"—the Southern Cameroons were to remain under trusteeship and the Northern Cameroons were to decide to become a part of the Northern Region of Nigeria. He was advised that in that case article 1 of the Trusteeship Agreement could be amended, in accordance with the procedure laid down in the Charter, so as to redefine the area covered by the Agreement and to exclude the northern part of the Territory from it. That could be effected by a resolution of the General Assembly, adopted with the agreement of the Administering Authority, to the effect that article 1 of the Trusteeship Agreement should be replaced by a new article. No further revision of the Trusteeship Agreement would be necessary, nor would a new agreement be required.

16. At the previous meeting the Philippine representative had asked whether in the opinion of the United Kingdom delegation it would not be better to delay the plebiscites in both the Northern and the Southern Cameroons in order that they should take place simultaneously after the attainment of independence by Nigeria and the Cameroons under French administration.

17. In reply he would point out that although various arguments had been advanced in favour of postponing the plebiscite in the Southern Cameroons, no reasons had been adduced for a postponement of the plebiscite in the North, and indeed it was already too late to do so. On the basis of the decision reached by the General Assembly at its thirteenth session elaborate arrangements had been made, after discussion with the United Nations Plebiscite Commissioner. The arrangements were now virtually complete; some members of the Plebiscite Commissioner's staff were already in the Territory and others were on the point of going there. More important, the people had been told about the arrangements and campaigning was no doubt going on. Those arrangements could not suddenly be cancelled little more than a month before the voting was due to begin.

18. Furthermore, there was no reason for delaying the plebiscite in the North even if that in the South were postponed. The General Assembly had decided, with no dissentient vote, that there should be separate

plebiscites in the North and South, held at different times.

19. There was a further good reason why the plebiscite in the North should be held as arranged. One of the questions to be put in the plebiscite was "Do you wish the Northern Cameroons to be part of the Northern Region of Nigeria when the Federation of Nigeria becomes independent?". If that were to be the choice of the people of the Northern Cameroons it could not be put into effect without a decision in that sense by the General Assembly, which must be taken before the attainment of independence by Nigeria. The General Assembly had decided that before such a solution could be considered there must be a plebiscite. Hence the plebiscite could not be delayed.

20. The representative of India had asked at the 890th meeting whether, if the Southern Cameroons were to be separated from Nigeria within the two-year period referred to in the agreed statement by Mr. Foncha and Mr. Endeley (A/C.4/414), it would be possible within that period to set up an adequate administration and whether the Territory would be a viable entity.

21. In reply he pointed out that if the proposals in the agreed statement by the Cameroonian leaders were accepted the separation would have to be carried out within one year, since it would be impossible to continue to administer the Territory as part of Nigeria after Nigeria had attained independence. Since 1954 the Southern Cameroons had been administered as a separate unit within the Federation of Nigeria and it possessed its own executive and legislature and a number of government departments as well as judicial and administrative services. The problem would consist in organizing the services now provided by Nigeria, which included the police, post and telegraphs and the collection of customs and excise. That would undoubtedly raise a difficult administrative problem which would involve negotiations with the Federal Government. He was confident that it could and would be done, but the time was short and the sooner a start was made the better it would be.

22. In reply to the second part of the Indian representative's question, he said that the Territory would undoubtedly be faced with a formidable problem; he did not see how it could solve that problem from its own resources, particularly in the early years. At present nearly all professional and technical posts and a large proportion of the more senior subordinate posts were filled by non-Cameroonians. At the moment they were satisfied to serve in the Cameroons, since they belonged to the Federal civil service, but the indications were that many of them would not wish to continue to serve in the Cameroons if it were separated from Nigeria, with the limited prospects such a small Territory would have to offer. The Territory would probably be able to retain their services only by offering substantial financial inducements, which would of course add to the costs of its administration.

23. At the 888th meeting, in reply to a question by the representative of Czechoslovakia, he had given his personal views regarding the viability of the Southern Cameroons as a separate economic unit and he would not repeat them. He would merely recall that he had said then that in his opinion an independent Southern Cameroons would have serious financial and economic problems; added difficulties concerning staff would make those problems even harder to solve.

24. Mr. FONCHA (United Kingdom) recalled that the representative of Iraq had asked for a clarification of the meaning of sub-paragraph (5) of the fourth paragraph of the agreed statement (A/C.4/414). Its meaning was that during the interim period all concerned in the Territory, i.e., the Administering Authority, the Southern Cameroonian Government and all other interested organizations, should explore every possibility of arriving at an agreed solution regarding the form the Territory's future independence should take or, if agreement proved impossible, should endeavour so to narrow the issues that the people would be faced with a final and clear-cut choice regarding their future.

25. The representative of Iraq had also asked whether sub-paragraph (6) of the agreed statement meant that at its sixteenth session the General Assembly should decide on the conditions under which, and the methods and means whereby, the people's wishes would be ascertained; and whether sub-paragraph (7) meant that the consultation should take place during the early part of 1962, so that the General Assembly could consider the result in time for the Trusteeship Agreement to be terminated by 26 October 1962. The reply to both questions was in the affirmative. In particular the leaders of the two parties had felt that whatever decision was taken concerning the future of the Southern Cameroons should take full account of the freely expressed wishes of the people, as provided in Article 76 b of the Charter.

26. In reply to the question by the representative of Iraq concerning the connexion between sub-paragraphs (6) and (7) of the agreed statement, he said that they should be read in conjunction and the wishes of the people taken into account when the question of termination was considered.

27. Mr. STAVROPOULOS (Legal Counsel) said that at the 890th meeting the advice of the Office of Legal Affairs of the Secretariat had been sought on the question whether, should the Northern Cameroons become a part of Nigeria following the plebiscite of November 1959 and the termination of the trusteeship, it would be legally possible for the Southern Cameroons to continue to be administered under the International Trusteeship System by an amendment of the present Trusteeship Agreement.

28. Article 79 of the Charter and article 18 of the Trusteeship Agreement referred to the alteration or amendment of the terms of the Agreement but contained no exceptions or restrictions regarding the scope of such alterations or amendments. In particular they did not indicate that changes could not be effected in the territorial scope of the Agreement. Those provisions would therefore make it possible to amend article 1 of the Agreement.

29. Article 79 and Article 83 or 85 of the Charter, referred to in article 18 of the Trusteeship Agreement, required the approval of the proposed amendment by the General Assembly by a two-thirds majority. Under the Charter that condition applied to amendments to existing agreements as well as to the approval of a new Trusteeship Agreement.

30. As evidenced by the case of the Trust Territory of Togoland under British administration, the integration of a Trust Territory into an independent State in accordance with the freely expressed wishes of the peoples concerned would be consistent with the objectives of the Trusteeship System. The continuation of

trusteeship for the remainder of the Territory would obviously also be consistent with the eventual attainment of the objectives listed in Article 76 of the Charter.

31. No other provisions or precedents had been found which would conflict with those views. It was therefore the opinion of the Legal Counsel that there would be no legal obstacles to the continuation of the administration of the Southern Cameroons under United Nations trusteeship by way of an amendment to the existing Agreement.

32. Mr. Krishna MENON (India) observed that there had never been any doubt that the Cameroons under British administration was administered as part of Nigeria, in accordance with article 5 of the Trusteeship Agreement.

33. The Indian delegation was unable to agree with the statement made by the United Kingdom representative that when Nigeria attained independence under the Commonwealth system it would cease to be a part of Her Majesty's realm. The only parts of the Commonwealth that did not form part of Her Majesty's realm were India and Pakistan, which were republics. In Her Majesty's Declaration of Accession the form of words used had been "other realms and territories".

34. It had been claimed that the power to amend the Trusteeship Agreement was conferred by Article 79 of the Charter and article 17 of the Agreement itself. The power of amendment under article 17, however, referred only to the amendment of the Agreement for the purpose of designating the whole or part of the Territory as a strategic area. Obviously by defining the purpose for which the Agreement might be amended the article excluded amendments for any other reason.

35. The kind of amendment that was envisaged would directly contradict the purpose of the whole Trusteeship Agreement because it would divide the Territory and change its boundaries. In the opinion of the Indian delegation, if the General Assembly decided that the Southern Cameroons should become an independent State, then after the termination of the present Agreement and after the Northern Cameroons had been united with Nigeria the whole matter would have to be taken up as a new question. If the General Assembly were to permit such an amputation of a Territory as was proposed a serious precedent might be created which could be applied later to other Territories.

36. The reply given by the United Kingdom representative to the Indian delegation's question regarding the viability of the Territory, together with the other information in the Committee's possession, showed that the question of amendment would require very serious consideration.

37. He asked the Legal Counsel what in his opinion the procedure for amendment would be and whether a Trusteeship Agreement could be amended in the same way as an ordinary resolution.

38. Mr. STAVROPOULOS (Legal Counsel) pointed out that article 17 of the Trusteeship Agreement laid down that the Agreement could be amended for the purpose of designating a whole or a part of the Territory as a strategic area, as stated by the representative of India, but that it also included the words "or for any other purpose". In his opinion that phrase would cover the proposed amendment.

39. With regard to the last question asked by the Indian representative, he said that the procedure for amending the Trusteeship Agreement would be much the same as in the case of any other agreement: there would have to be a proposal by the Administering Authority, followed perhaps by negotiations and finally by a decision by the General Assembly.

40. Sir Andrew COHEN (United Kingdom), replying to the representative of India, said he would not enter into the legal aspect of the question for the time being.

41. With regard to the subject of sovereignty he pointed out that he had said in his statement that once Nigeria had become independent it would no longer be a territory under the sovereignty of Her Majesty's Government in the United Kingdom. He had not said under the sovereignty of Her Majesty, which was something quite different. In view of the remarks made by the Indian representative he would amend his statement to the effect that once Nigeria had become independent it would no longer be a Territory under the responsibility of Her Majesty's Government in the United Kingdom.

42. Mr. Krishna MENON (India) maintained that under the Mandates System sovereignty over the territories under British mandate had been exercised by the United Kingdom Government; even the relevant powers exercised by, for example, Australia and New Zealand had been exercised on behalf of His Majesty's Government in the United Kingdom.

43. In reply to the Legal Counsel, he pointed out that article 17 of the Trusteeship Agreement stipulated that amendments should be for purposes "not inconsistent with the basic objectives of the International Trusteeship System". The proposed amendment, however, would be for the purpose not of promoting the Territory's development towards independence, but of delaying it and would hence be inconsistent with the objectives of the International Trusteeship System. According to the memorandum by the United Kingdom Government submitted to the United Nations on 27 June 1958 (T/1393), neither section of the Trust Territory had fallen behind the Federation of Nigeria in the advance of that country towards full self-government and, ultimately, independence. That being so, there seemed to be no reason why the Southern Cameroons should not obtain independence as early as Nigeria or the Northern Cameroons.

44. He reserved the right to revert to the question later during the general debate. He had spoken at the present meeting only because he felt that all the members of the Committee might not be fully awake to the issues involved in what might prove to be a decision of far-reaching political importance.

45. Mr. RAHNEMA (Iran) expressed his satisfaction at the efforts made by the leaders of the two political parties in the Southern Cameroons to reach agreement. Unfortunately, however, the agreed statement issued by Mr. Foncha and Mr. Endeley (A/C.4/414) could be accepted only subject to certain reservations.

46. Firstly, the statement raised the principle of the separation of responsibility between the populations concerned, on the one hand, and the United Nations on the other. That point should be carefully studied by the General Assembly. Furthermore, sub-paragraph (1) of the fourth paragraph of the statement appeared to conflict with the decision previously taken by the General Assembly. The parties concerned were the

United Nations, the peoples concerned and the Administering Authority; it would be most unfortunate if any one of them were to take independent action unilaterally and regardless of previous decisions by either of the others. Sub-paragraph (5) seemed also to conflict with the statement by the representative of the Administering Authority to the effect that the objectives of the International Trusteeship System had already been achieved in the Southern Cameroons and that independence should be granted in 1960. Moreover, his delegation was unable to see any valid reason for postponing the plebiscite for nearly three years. Sub-paragraphs (6) and (7) taken together opened up a very dangerous possibility, for while sub-paragraph (7) set a definite date by which the Trusteeship Agreement was to be terminated, sub-paragraph (6) gave no indication that the necessary steps would have been taken to prepare the Territory for independence by that date. There was, for example, no assurance that a plebiscite in 1962 would have conclusive results, yet according to sub-paragraph (7) the Territory would be obliged to become independent by itself whether it was ready for independence or not.

47. The responsibilities incumbent upon the General Assembly under the terms of Article 76 b of the United Nations Charter might be summarized in the following points: firstly, it should not impose independence prematurely on a Territory which had correctly been considered to be not viable as a separate entity and which, moreover, had never expressed a desire to be isolated or to be separate from a larger national unit to which it should naturally belong; secondly, it should bear in mind that it was not desirable to prolong the trusteeship régime any longer than necessary; thirdly, it should seek, in the interests of safeguarding the prestige of the United Nations, to avoid revoking a decision already taken on a question of principle; fourthly, it should not take any major decision until it had satisfied itself that everything had been done to ensure to the people of the Territory the opportunity freely to express their wishes. Hence it should consider carefully the reasons why the people of the Southern Cameroons were seeking a postponement of the plebiscite and should at the same time try to determine whether such a postponement was really necessary. If the Assembly concluded that it had no alternative but to revoke its decision and fix a later date for the plebiscite, it should clearly determine in advance the procedure for the holding of such a consultation, particularly the exact questions to be put to the electorate, and it should ensure that the plebiscite would take place before the date on which the Territory was scheduled to become independent. In the view of his delegation the alternatives could be only two: namely, federation with Nigeria or unification with the erstwhile Cameroons under French administration, since it was generally acknowledged that the Southern Cameroons by itself would not constitute a viable entity.

48. Mr. OBEREMKO (Union of Soviet Socialist Republics) said that in view of the serious political implications of the problem and the fact that the decision taken on it might set a precedent for the solution of other problems, such as that of South West Africa, he thought it would be a mistake to apply to it a purely legalistic criterion. The statement of the Legal Counsel raised serious objections on the part of the Indian delegation. The Soviet delegation also had considerable doubts as to the validity of some of the arguments expressed in

that statement. His delegation wished to study carefully the important statement made on the subject by the representative of India. He understood that the statement made by the representative of the Administering Authority was to be circulated by the United Kingdom delegation and he would therefore request that the statements made by the Legal Counsel and the Indian representative should be issued as Committee documents.

It was so decided.^{1/}

Requests for hearings (A/C.4/408, A/C.4/410) (continued)

REQUESTS CONCERNING AGENDA ITEM 38 (QUESTION OF SOUTH WEST AFRICA) (A/C.4/410) (continued)

49. The CHAIRMAN recalled that, at its 884th meeting, the Committee had granted the request from Mr. Toivo Ja-Toivo for a hearing on the question of South West Africa (A/C.4/410, Sec. 4). The petitioner had been requested by the Secretariat to arrive in New York by 1 October. On 28 September he had telegraphed to say that he would be unable to arrive by that date because his travel documents were not yet available. Subsequently, a further telegram, dated 29 September, had been received from the Ovamboland People's Congress saying that the petitioner was in prison and would be unable to appear before the Committee, and requesting the United Nations to demand his immediate release.

REQUESTS CONCERNING AGENDA ITEM 41 (THE FUTURE OF THE TRUST TERRITORY OF THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION) (A/C.4/408) (continued)

50. The CHAIRMAN informed the Committee that a request for a hearing concerning the Cameroons under British administration had been received from Mr. Bernard-Milord Jazet, Vice-Chairman of the Comité des réfugiés du Cameroun. If members of the Committee agreed, the request would be circulated.

It was so decided.^{2/}

51. Miss BROOKS (Liberia) recalled her suggestion at the previous meeting that the Committee should reopen the question of the time at which Mr. Muhammadu Iya Uba, a petitioner from the Northern Cameroons, would be heard. She would like now to propose that the Committee should hear him before the plebiscite in that part of the Territory was held.

52. Mr. EDMONDS (New Zealand) objected to the Liberian proposal. He thought it would be highly impractical to try now to halt the process already set in motion as the result of a decision reached, after exhaustive discussion, at the Assembly's previous session. In any case the views of one petitioner were hardly likely to alter the Committee's views on the subject. The logical time to hear him would be when the Committee had before it the report of the United Nations Plebiscite Commissioner.

53. Mr. KELLY (Australia) supported the view expressed by the New Zealand representative.

^{1/} The statements by the representative of the United Kingdom, the Legal Counsel and the representative of India were subsequently circulated as documents A/C.4/415, A/C.4/416 and A/C.4/417, respectively.

^{2/} The request was subsequently circulated as document A/C.4/408/Add.1.

54. Mr. RASGOTRA (India), speaking on a point of order, said that as he understood it the decision already taken was in essence that the petitioner should be heard and not that the hearing should be held at a certain time. Hence the proposal to hear him at an earlier date did not entail reconsideration of a proposal already adopted and consequently did not require a two-thirds majority for passage, as provided in rule 124 of the Assembly's rules of procedure.

55. The CHAIRMAN said that, as the Committee had not objected when he had asked if it was willing to hear the petitioner at the time suggested, that had constituted its decision. He would therefore put the Liberian proposal to the vote in accordance with rule 124.

At the request of the Liberian representative, a vote was taken by roll-call.

Ethiopia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Federation of Malaya, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Pakistan, Panama, Philippines, Poland, Romania, Saudi Arabia, Sudan, Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovakia.

Against: France, Ireland, Italy, Netherlands, New Zealand, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Denmark.

Abstaining: Japan, Norway, Paraguay, Peru, Turkey, Union of South Africa, Argentina, Brazil, Cambodia, Canada, China, Colombia, Ecuador.

The result of the vote was 42 in favour and 13 against, with 13 abstentions. The proposal was adopted, having obtained the required two-thirds majority.

56. The CHAIRMAN asked if there was any objection to the petitioner's being heard as soon as he could reach New York.

57. Sir Andrew COHEN (United Kingdom) said that it was not clear to him in connexion with which agenda item the petitioner was now to be heard. He himself would suggest that the hearing should take place immediately after the Committee had completed its consideration of item 41 (a).

58. Miss BROOKS (Liberia) objected that the Committee did not know when it would complete its consideration of item 41 (a). The important thing was to hear the petitioner before the plebiscite took place. She therefore urged that he should be heard as soon as possible.

59. Mr. SPACIL (Czechoslovakia) expressed the view that, while the Committee might decide to hear the petitioner in connexion with item 41 (b), there was no reason why the hearing should not take place during its consideration of item 41 (a), since the two were related and the purpose of the Liberian proposal had presumably been to enable the Committee to have as much information as possible in considering the whole question of the future of the Cameroons under British administration.

The meeting rose at 1.15 p.m.