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Chairman: Mr. Frederick H. BOLAND (Ireland).

In the absence of the Chairman and the Vice-Chairman, Mr. Eilan (Israel), Rapporteur, took the Chair.

AGENDA ITEM 13

The future of the Trust Territories of the Cameroons under French administration and the Cameroons under United Kingdom administration: special report of the Trusteeship Council* (A/4092, A/4093/Rev.1, A/4094, A/C.4/395, A/C.4/L.580, A/C.4/L.581, A/C.4/L.582) (continued)

GENERAL DEBATE (concluded) AND CONSIDERATION OF DRAFT RESOLUTIONS (continued)

1. Mr. RODRIGUEZ FABREGAT (Uruguay) stressed the importance of the problem of the Cameroons from the point of view of human rights. That point of view was of keen interest to Uruguay, which had not forgotten its colonial past. He paid a tribute to the United Nations Visiting Mission to Trust Territories in West Africa, 1958, whose reports (T/1426 and Add.1^{1/}; T/1427 and T/1434^{2/}) were extremely useful, although he could not approve of quite all of the Mission's conclusions. He had listened to the petitioners with great interest and was sorry that the Committee had had to restrict the time allowed for their statements. Lastly, he paid a tribute to France, which had added to its glorious history by announcing that the Cameroons would become independent on 1 January 1960, thus proving that it was carrying on in a worthy manner the traditions of the French Revolution.

2. Turning to the draft resolutions before the Committee, he said that, although they appeared to be contradictory, they were in fact complementary and should provide a basis for agreement. He would vote for the five-Power draft resolution (A/C.4/L.580), which sanctioned the termination of the trusteeship and the

*In accordance with General Assembly resolution 1281 (XIII).

^{1/} Transmitted to Members of the General Assembly by a note of the Secretary-General (A/4093/Rev.1).

^{2/} Transmitted to Members of the General Assembly by a note of the Secretary-General (A/4092).

independence of the Cameroons under French administration; however, he felt unable to vote against the other draft resolution concerning that Territory (A/C.4/L.581), which provided for elections before independence. His delegation still had some doubts, and thought that those directly concerned—the Administering Authority, the Cameroonian Government and the petitioners—still had answers to give. For instance, after independence on 1 January 1960, what would be the constitution of the new State? Would the present Legislative Assembly remain in power, although it had not been elected as a constituent assembly and had already, on one occasion, modified its original mandate? Would the new nation be called to the polls by that Assembly? It was said that if the General Assembly decided that elections should be held before independence, it would be interfering in the internal affairs of the Cameroons; but would it not also be interfering in the affairs of the new State if it decided that elections should be held after independence? One thing was certain, and that was that the Cameroonian people, whose future was at stake, had the right to be consulted and should be consulted, in whatever conditions the General Assembly considered most appropriate.

3. The Uruguayan delegation attached great importance to that question, which was linked with fundamental human rights. It had noted with interest how the Committee had listened to all parties. It would like the Commission on Human Rights to do the same, instead of turning a deaf ear to the complaints it received, complaints from people who, in many cases, were to become martyrs in the cause of human rights.

4. Mr. BISBE (Cuba) said that he was glad that the Uruguayan representative had referred to a complaint made to the United Nations by Mr. Pelayo Cuervo y Navarra, an illustrious Cuban, a lawyer and a Senator; the Uruguayan representative had visited his tomb at Havana and had called him a martyr in the cause of human rights. The Cuban delegation was grateful to that representative for his efforts to make the Commission on Human Rights more effective than it was at present.

5. Mr. MATSUDAIRA (Japan) said that it was an honour for his delegation to be present at a great historical event, the raising of a Trust Territory, the Cameroons under French administration in the present case, to the status of a free and sovereign nation. He wished to state his position on the main questions dealt with in the Visiting Mission's report on that Territory (T/1427 and T/1434).

6. Regarding independence, the Mission had concluded that, as the majority of the population of the Territory supported independence, there was no need to consult them before the termination of the trusteeship. With regard to the organization of new elections, the Mission had felt that the present Legislative Assembly was representative in character and that there was

no sufficient reason why fresh elections should be a pre-condition of the attainment of independence. Furthermore, according to article 11 of the present Statute of the Cameroons (T/1427, annex II), only the Prime Minister in Council of Ministers might dissolve the Legislative Assembly, with the consent of the latter; it would therefore be illegal, unbecoming and injudicious to impose elections on the Cameroons. Regarding the preparation of a new constitution, the Mission had felt that the constitution of the new State was a purely internal question, which the institutions of the Territory could and should determine for themselves. Lastly the Mission had concluded that, in view of the unanimous wish for reunification there was no need to consult the people on the matter. The Japanese delegation endorsed all those conclusions.

7. The Mission had given an affirmative answer to the question whether the Territory would enjoy complete independence at the termination of the trusteeship and it had added that on 1 January 1960, the Cameroons intended to secure the transfer of all the remaining powers and competences necessary to its full exercise of sovereignty. His delegation could see no reason to doubt that statement.

8. Regarding reconciliation, his delegation considered that a broad amnesty was timely and an act of great wisdom, but it wished to point out that, according to the Statute, the decision lay with the Legislative Assembly and the Government. Reconciliation was a necessity but it would be juridically indefensible to encroach on the domain of the Cameroonian institutions.

9. Weighing up the role that the United Nations should play in the circumstances, he emphasized that one of the Organization's most important tasks was to ensure the future of Africa, of which the Cameroonian problem was only one aspect. It was important first of all to strengthen confidence in the United Nations and maintain its prestige in Africa. For that reason, the Mission's conclusions should be accepted, unless it could be proved to have made serious mistakes or unless convincing arguments could be advanced against its recommendations. However, although it had listened carefully to the statements made by the petitioners, the Japanese delegation could see no reason to challenge the conclusions in the Visiting Mission's report. Furthermore, support must be given to the legal Government, and respect for the law promoted. To build a free, peaceful and prosperous Africa, violence must be eliminated from political life. The United Nations would fail in its task if it did not defend that principle. Lastly, the establishment of a responsible and active government must be encouraged and care must be taken not to cause confusion which would disturb the country's social and political life. The people, not a draft resolution, were the real guarantee of independence. Over and above factional interests, there were the supreme interests of the nation, and the way to guarantee independence was to ensure that there were citizens who were concerned about those interests. The political and economic development of the new State also required an atmosphere of reconciliation and a good government. The form of government a country adopted could not, by itself, ensure its independence: the decisive factor was, without a doubt, the spirit of its leaders. The Japanese delegation had listened sympathetically to the petitioners, among whom there seemed to be many men of good will.

Neither reconciliation nor the formation of a responsible Opposition was impossible.

10. It was in that spirit that the Japanese delegation had co-sponsored some amendments (A/C.4/L.583) to the five-Power draft resolution. Its only concern was to serve the country's real interests to the best of its ability and it wished the new State a prosperous future.

11. With regard to the Cameroons under British administration, the Japanese delegation had co-sponsored the draft resolution concerning that Territory (A/C.4/L.582). It was convinced that the draft was in accord with the Visiting Mission's conclusions, in line with the United Nations' responsibilities and in harmony with the aspirations and interests of the peoples of the Territory.

12. Mr. VOUTOV (Bulgaria) said that the world was witnessing a new episode in the collapse of colonialism. The heroic struggle of the Cameroonian people could no longer be ignored. They had suffered heavy losses—thousands of people had been killed, injured, imprisoned and tortured—but the sacrifices had not been in vain, for the Cameroons was about to achieve independence and reunification after having been artificially divided by the British and French imperialists.

13. The future of the Cameroons depended to a large extent on the constructive measures the General Assembly would take. The issue was now clear and all the complications were due to colonialist intrigues, as had been shown by Mr. Mbida, the former Prime Minister of the Cameroons under French administration. The colonialist Powers, driven out of the countries whose peoples they had enslaved, were trying to continue their colonial exploitation in less obvious ways.

14. The main question was how to bring the situation in the Cameroons under French administration back to normal. That was directly linked with the question of holding new elections to the Legislative Assembly, under United Nations supervision, before 1 January 1960. Attention had already been drawn to the abnormal conditions under which the elections of 23 December 1956 had been held, and the fact that important new tasks awaited the new State of the Cameroons made it all the more necessary to restore peace inside the country. Those arguments were so convincing that the holding of fresh elections seemed to be the most natural procedure to follow. The fate of the Cameroonian people could not be entrusted to an Assembly elected under a reign of terror, which contained eight non-Cameroonians and whose representative character was questioned by many delegations. Thousands of petitions called for fresh elections, as did representatives of the Opposition in the Legislative Assembly itself.

15. The Bulgarian delegation could not endorse the Visiting Mission's conclusion that fresh elections were not necessary. It was known that the Visiting Mission had not been able to collect all the necessary information. It should therefore have been more cautious in its conclusions. Yet it was the Mission's ill-informed and tendentious report on which Trusteeship Council resolution 1925 (XXIII) had been based and which was now being used as an argument by the representatives

of the colonial Powers. The Visiting Mission maintained that the present Legislative Assembly was representative in character and rashly affirmed that the Union des populations du Cameroun (UPC) had ceased to exist. However, no one would believe that the party which had been the first to raise the standard of freedom and had made so many sacrifices could suddenly have lost its influence.

16. The French delegation and Mr. Ahidjo, the Prime Minister of the Cameroons, had finally recognized the need for fresh elections, but they wished to organize them only after the proclamation of independence. It was easy to understand why France and Mr. Ahidjo did not wish the elections to be supervised by the United Nations. They wished to ensure the election of a docile parliament and to avoid what had already occurred in Togoland under French administration. As had been shown by Mr. Mbida and other petitioners, France was seeking to maintain the present Government in power because the Government had given France certain undertakings. It was, however, the duty of the United Nations to ensure that the Cameroonian people had true independence, and, for that, elections organized under United Nations supervision were absolutely necessary as was the repeal of the Decree of 13 July 1955 dissolving the UPC and other organizations. The amnesty law of 14 February 1959^{3/} was not in fact enough. Furthermore, it was difficult to see, as some had claimed, how elections would impede the pacification of the country. Statements made by petitioners showed that the current Government was not capable of ensuring pacification. The situation could not be expected to return to normal so long as its causes had not been uprooted, and those included the existence of a parliament which was not representative and 12 per cent of whose membership consisted of foreigners. On the other hand, United Nations supervision of the elections would certainly ensure a far calmer atmosphere.

17. With regard to the reunification of the two parts of the Cameroons, since the formation of Mr. Foncha's Government in the Southern Cameroons, it had become clear that that was strongly desired. It seemed, however, that there were obstacles standing in the way of negotiations between Mr. Ahidjo and Mr. Foncha. Once again the Administering Authorities were artificially complicating the situation. The idea of an independent Southern Cameroons was currently being mooted, although such an entity would clearly not be viable and would be nothing but a bone of contention between the Cameroons and Nigeria. The duty of the United Nations was to help all parties concerned to unify the Cameroons by working out a programme providing a quick solution to the question and one which could be put into effect under United Nations supervision. There was still sufficient time before the end of 1959 for a plebiscite to be organized in the Southern Cameroons, for reunification to be brought about and for elections to be held to the representative organs of a unified Cameroons.

18. According to the Visiting Mission's report on the Cameroons under British administration (T/1426 and Add.1), the Mission had reached the conclusion that there was no point in organizing a referendum in the Northern Cameroons, in view of the fact that the notables were in favour of absorption into Nigeria. In

reaching such a conclusion the Mission had exceeded its terms of reference and had not acted in accordance with Article 76 of the Charter. The people alone could decide on their future and that was the reason why a plebiscite should also take place under United Nations supervision in the Northern Cameroons before the end of 1959.

19. The problem before the Committee was broader in scope than the question of the Cameroons itself. All those who loved peace were looking on with admiration at the heroic struggle of the peoples of Algeria, the Belgian Congo and Nyasaland.

20. Mr. KOSCIUSKO-MORIZET (France), speaking on a point of order, said that he had deliberately not interrupted the speaker thus far and that he had not wished to draw attention to all the inaccuracies which had been put forward. However, the representative of Bulgaria had just broached subjects which were not the business of the Fourth Committee.

21. Mr. VOUTOV (Bulgaria), continuing his statement, said that the colonial Powers were no longer in a position to halt the tide of national liberation which had flowed on irresistibly from Asia to Africa. Liberation from the imperialist yoke justified every sacrifice; indeed it had been shown that no people could free itself without a heroic struggle. The whole of Africa was looking to the United Nations, and those African peoples who were still suffering under colonialist slavery were waiting for help from their brothers who were already independent. The question was whether the United Nations would take a decision in accordance with the interests of the Cameroonian people or whether it would be the accomplice of the colonialists.

22. Mr. MESTIRI (Tunisia) said that his delegation looked upon the problem of the Cameroons under French administration without passion or prejudice but with the greatest interest. His delegation had given careful consideration to the Visiting Mission's report but did not agree with all its conclusions. The three main problems were the amnesty, reunification and the accession of the Cameroons to independence.

23. The amnesty act which had recently been voted was fairly satisfactory, but it could still be broadened to provide for a complete amnesty. The Cameroons under French administration was ready for reunification as opinion there was strongly in favour of it. Thanks to negotiations with the French Government the Cameroons was about to accede to independence. The amnesty still had to be put into effect, however, and negotiations on reunification and the final achievement of independence would still require considerable effort. The resumption of normal political life in the Cameroons could not but clear the atmosphere and give the Cameroonian Government an opportunity to face those vital problems. The change-over from trusteeship to independence would be difficult, and if the Cameroonian Government was hindered by a disturbed political situation within the country its efforts might well be jeopardized. Everything pointed to the fact that the Cameroonian people were deeply anxious to achieve independence on 1 January 1960; their capacity for self-government could not be called in question; the main problem, however, was the return to normal conditions within the country. The concern of the United Nations in that respect was fully justified since the Territory was still under trusteeship.

^{3/} See A/C.4/395.

24. Since 1956 much had occurred in the Cameroons and the strides that had been made were worthy of admiration. But the United Nations could not usurp the role of the Cameroonian people by authorizing the men who had guided the country towards independence to continue in power. Hence, the Tunisian delegation was convinced that fresh general elections would serve the aims of the Trusteeship System, the Administering Authority and the Cameroonian Government. There was no question of contesting the representative character of the current Assembly but of recognizing that the political context had changed. Everybody was gratified to note that the situation inside the Cameroons in 1959 could not be compared to the position in 1956. There was no question of favouring the UPC or any other political party in the Cameroons. It seemed obvious that the resumption of normal political life depended upon the holding of elections.

25. Nor was the Tunisian delegation thinking of arbitration between the present Government and any other political group. Its only concern was to give the Cameroonian people an opportunity to state once more what they wanted, after an astonishingly rapid development and before they became completely free. His delegation was convinced that the people would not hesitate to give power to the men who had so far led the country to victory. Mr. Ahidjo had himself stated that elections would in any case have to be held soon after independence. In those circumstances was there any reason why they should not take place shortly before independence? The Tunisian delegation did not believe that the Administering Authority and the present Cameroonian Government were seeking to avoid United Nations supervision, but it feared that they were motivated by considerations of prestige for which there was no valid reason. It had also been argued that elections might disturb public order. However, elections were to be held anyway in Sanaga-Maritime on 12 April and that was the area where the most serious disturbances had always occurred.

26. Whatever its views the Tunisian delegation would not make new elections a necessary condition for the termination of the trusteeship. The draft resolution contained in document A/C.4/L.581 was very clear and did not link the problem of independence to the holding of elections. The countries of Africa wished the Committee to reach a firm decision on whether elections should be held before the termination of the trusteeship. The amendments submitted by India and six other countries (A/C.4/L.583) to the five-Power draft resolution (A/C.4/L.580) provided no opportunity for the Committee to take a decision on the matter. To speak of elections after independence was tantamount to interfering in the internal affairs of an independent State. There could therefore be no question of claiming to impose or even recommend anything at all after independence. The Tunisian delegation therefore requested the sponsors of the amendments contained in document A/C.4/L.583 to withdraw them, so that the Committee and the General Assembly could reach a perfectly clear-cut decision on a question that was of the utmost importance.

27. Mr. KOSCZIUSKO-MORIZET (France) said that the Committee was now accurately informed on all aspects of the Cameroonian problem and could therefore take a decision in full knowledge of the facts. Dismissing the criticisms of those who demanded for

others what they would not contemplate for themselves, he drew attention to a number of positive factors which had emerged from the debate.

28. It was no longer disputed that, on 1 January 1960, the Cameroonians would be fully capable of assuming the responsibilities of independence. They had been prepared for it by regular attendance at French parliamentary assemblies, by the institution in 1946 of a local assembly with extended powers, and, lastly, by the progressive development of their own institutions, which had enabled them in May 1957 to establish a responsible Government under the direction of a Legislative Assembly elected by direct universal male and female suffrage. Mr. Ahidjo, the Prime Minister of the Cameroons, and Mr. Jacquinet, the head of the French delegation, had dealt effectively with the allegations concerning a possible integration of the Cameroons into the Community. The French delegation had repeatedly affirmed that the Cameroons would seek admission to the United Nations upon its attainment of independence and that France would sponsor its application. The Community was nothing to do with the Cameroonians and was not therefore a proper subject for discussion. He would emphasize, however, that his silence on that point should not be interpreted as a tacit acceptance of the erroneous and tendentious statements that had been made about the Community in the Fourth Committee.

29. He noted that, for the majority of the Committee's members, any doubts which might have existed before the debate about the representative character of the Cameroonian institutions and the scope and effectiveness of the conciliatory measures adopted by the Cameroonian Government and Assembly had been dispelled. Some had maintained, however, that as the Territorial Assembly had been elected for the sole purpose of approving the 1957 Statute, it could not properly be transformed into a Legislative Assembly, still less make decisions concerning the future of the Territory. There were no legal grounds for such an argument. The Assembly that had come into being as a result of the elections of December 1956 had in fact become the legislative body of the Territory within the terms of the Statute it had itself approved. Under articles 2 and 59 of the 1957 Statute (T/1314) the Legislative Assembly was expressly empowered to arrange the final stages of the period of trusteeship and it was on the basis of that right that the Assembly had requested and been granted full internal autonomy, from 1 January 1959, and had fixed the date for independence. The Cambodian representative had shown how illogical it was to cite the actions of an assembly for the purposes of debate while at the same time challenging the authenticity of that assembly.

30. The French Government therefore saw no reason why fresh elections should be held before independence, and, in view of the Territory's full internal autonomy, it could not impose elections which the Cameroonian Government deemed unnecessary and a waste of precious time. Mr. Ahidjo had announced his Government's decision on that point of Cameroonian domestic policy and, as no one had maintained that that decision was contrary to the Charter or to the Trusteeship Agreement, France, as the Administering Authority, and the United Nations, as a party to the Trusteeship Agreement, could not do otherwise than acquiesce in it. Moreover, Mr. Ahidjo had stated

that a general election would be held after 1 January 1960, so that the sovereign people of the Cameroons could decide upon the final institutions of a free and independent Cameroons. He had said that he would transmit to the Government of the independent Cameroons the suggestion that certain delegations had made in that connexion but that he lacked both the right and the power to mortgage the actions of a sovereign State. There could therefore be no question of adopting recommendations that would prejudice the freedom of decision of the Government of the independent Cameroonian State.

31. However that might be, it no longer seemed that anyone wished to make new elections an essential condition of independence. After hearing the various petitioners, who had been free to travel from their country whether they belonged to the majority or to the Opposition, no one could doubt that freedom prevailed in the Territory. All that remained was the unavowed desire of certain people to favour a minority faction, which had acknowledged itself to be an illegal minority. As the representative of Ceylon had pointed out, it was not the business of the United Nations to intervene in domestic affairs such as the holding of elections in order to determine the political shade of the Administration. Was it in keeping with its mission of peace for the United Nations to justify and approve, after the event, the establishment by one party of an armed militia and to sanction violence? The United Nations should beware of giving its approval to the programme of a minority, against a legitimate democratic Government which had furnished ample proof of its authority, wisdom and desire for reconciliation.

32. The real question at issue was whether or not the Cameroonians were ready for independence, whether or not the basic freedoms prevailed in the Cameroons and whether or not all the necessary conditions had been met to enable an independent Cameroons to continue to respect the principles of the United Nations Charter and of the Universal Declaration of Human Rights. Any delegations which felt that those conditions had not been met would be justified in voting against the draft resolution (A/C.4/L.580) which recognized that the objectives of the trusteeship would be attained on 1 January 1960, without any unnecessary preliminaries. If, however, they considered that the Cameroonians were ready to assume all the responsibilities of independence, they should vote in favour of the draft resolution. Every step in the direction of unanimity could not but strengthen the moral support which the Cameroonian people were entitled to expect from the United Nations.

33. In taking its decision, the United Nations would not only be expressing an opinion on the readiness of the Cameroons for independence and on the manner in which France had discharged its obligations as Administering Authority; it would also be placing itself before the judgement of the Cameroonian people, who would know who were its true friends, not in words but in deeds. His delegation hoped, therefore, that the United Nations would unanimously associate itself with the final stage of the emancipation of the young and free Cameroonian nation.

ORGANIZATION OF WORK

34. The CHAIRMAN recalled that at its 848th meeting the Committee had granted the hearing requested by

the Jeunesse démocratique du Cameroun (A/C.4/394/Add.3). As Mr. François Fosso, the representative of that organization, had now arrived in New York, he suggested that the petitioner should be heard the following day.

It was so decided.

35. The CHAIRMAN said that the Union des jeunesses du Cameroun, whose representatives had been unable to appear before the Committee, had sent a written statement. He suggested that the statement should be circulated as a Committee document.

It was so decided.^{4/}

REQUESTS FOR SUPPLEMENTARY HEARINGS

36. The CHAIRMAN informed the Committee that supplementary hearings had been requested by Mr. Moumié, on behalf of the Union des populations du Cameroun; and by Mr. Tchoumba Ngouankeu, the representative of the Bureau national kamerunais de la Conférence des peuples africains, who wished to make a supplementary statement in order to explain the views of two organizations, the Association bamiléké du Kamerun and the Association des notables du Kamerun, whose representatives had not been able to appear before the Committee as they had not received the necessary visas.

37. Mrs. SKOTTSBERG-AHMAN (Sweden) opposed the granting of second hearings to petitioners. The decision to limit their hearings to fifteen minutes had been very generously interpreted and they had had ample time to present their views. It was unlikely that Mr. Moumié's request had been prompted by the occurrence of any new events in the Cameroons in the interim; his intention could only be to revert to the discussion which had just taken place in the Committee. A petitioner could not be permitted to comment on the statements of the representatives of sovereign States. The case of Mr. Tchoumba Ngouankeu was different, however, as the associations on whose behalf he proposed to speak had not been heard by the Committee. Her delegation would not, therefore, oppose the granting of his request, provided that he confined himself strictly to matters concerning the Cameroons and did not refer to the statements made during the general debate.

38. Mr. KENNEDY (Ireland), too, felt that the Committee should hear Mr. Tchoumba Ngouankeu since that would not, strictly speaking, amount to a second hearing. He saw no justification, however, for granting Mr. Moumié's request. Apart from the arguments already adduced by the representative of Sweden, it should be borne in mind that many petitioners had already left New York and it would be unfair to grant second hearings to those who could afford to prolong their stay. Moreover, if petitioners were given the right to a hearing after the general debate, there was a risk that they would comment on the statements made by the representatives of sovereign States and thus be in a position to exercise an undue influence on the Committee's decision.

39. Mr. RODRIGUEZ-FABREGAT (Uruguay) said that he had no objection to the Committees' granting further hearings to the petitioners who had requested them and he failed to see how that could infringe the rights

^{4/} The statement was circulated as document A/C.4/404.

of sovereign States. The Chairman could call the petitioners to order if they referred to the statements made by members of the Committee.

40. Mr. EL-RIFAI (Jordan) pointed out there was nothing to indicate that the petitioners wished to comment on the statements made during the general debate, in view of the importance of the Cameroonian problem and the fact that the two petitioners represented, so to speak, the Opposition, the Committee should make

an exception in their favour, on condition, of course, that they made no reference either to the statements of the delegations or to the draft resolutions before the Committee.

41. Mr. SHANAHAN (New Zealand) moved the adjournment of the meeting.

That motion was adopted.

The meeting rose at 6.5 p.m.