

SECTION A

DOCUMENT FILED BY THE AGENT
FOR THE GOVERNMENT OF THE
FEDERAL REPUBLIC OF CAMEROUN

SECTION A

DOCUMENT DÉPOSÉ PAR L'AGENT
DU GOUVERNEMENT DE LA RÉPUBLIQUE
FÉDÉRALE DU CAMEROUN

NATIONS UNIES

DOCUMENTS OFFICIELS DE L'ASSEMBLÉE GÉNÉRALE
QUINZIÈME SESSION (SECONDE PARTIE)

QUATRIÈME COMMISSION, TUTELLE

Comptes rendus analytiques des séances ¹

(A/C.4/SR.1097 à 1154)

1149^e SÉANCE, MARDI 18 AVRIL 1961*Page 385**Point 13 de l'ordre du jour*

Rapport du Conseil de tutelle (A/4404) (suite).

Avenir du Cameroun sous administration du Royaume-Uni (A/4695, A/4699, A/726, A/4727, A/C4/448, 479, 481, 482, 486, 487, A/C4/L684, L/685), suite.

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18. M. FORSYTHE (Australie) estime, comme d'autres orateurs qui l'ont précédé, que la question dont la Commission est saisie ne doit pas être considérée comme un différend entre certains Etats Membres. Il ne s'agit pas d'appuyer l'une ou l'autre des parties en présence. La délégation australienne entretient les meilleures relations avec toutes les parties directement intéressées et elle espère que rien de ce qui aura été dit au cours du présent débat n'y portera atteinte.

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27. La délégation australienne estime que le projet de résolution A/C.4/L684 est rétrograde. Le temps n'est plus d'examiner si les fins essentielles du régime international de tutelle ont été réalisées dans le territoire.

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31. M. ASSELIN (Canada) pense que la façon dont l'autorité administrante a administré le territoire ne peut entrer dans le cadre du présent débat.

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40. M. KENNEDY (Irlande) ... Si l'Assemblée écartait les conclusions du rapport du commissaire elle risquerait de décevoir les espoirs des peuples encore dépendants qui se tournent avec confiance vers l'Organisation des Nations Unies et voient en elle un instrument de leur libération.

¹ Voir p. 312 et nos 95, 98, 99 et 101, p. 482-485.

1151^e SÉANCE, MERCREDI 19 AVRIL 1961*Page 401**Point 13 de l'ordre du jour*

Rapport du Conseil de tutelle (A/1404) (suite).

Avenir du Cameroun sous administration du Royaume-Uni (A/4695, A/4699, A/4726, A/4727, A/C.4/448, 479, 481, 482, 486, 487, 490, 493, 494, A/C.4/L.684/Rev.1, L.685 et Add.1) (suite).

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20. U TIN MAUNG (Birmanie) ... Les imperfections et déficiences constatées bien qu'inhérentes à la situation ne sont pas à l'honneur de l'autorité administrante. La délégation birmane comprend les raisons qui ont poussé certains Etats Membres à contester la validité du plébiscite. Elle estime toutefois qu'il faut décourager tout effort, si bien intentionné soit-il, qui viserait à prolonger le régime de tutelle en Afrique occidentale. Ce serait faire un pas en arrière que d'adopter le projet de résolution A/C.4/L.684/Rev.1, étant donné qu'il ne précise même pas à quel moment la population sous tutelle pourrait accéder à l'indépendance...

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21. M^{lle} KAMAL (Irak) déclare que l'ère de la domination coloniale touche à sa fin et laisse derrière elle des problèmes qu'elle a créés.

Les difficultés résultant du démembrement du Cameroun ont été étudiées de très près par l'Assemblée générale. En application des résolutions 1352 (XIV) et 1473 (XIV) de l'Assemblée générale, des plébiscites distincts ont eu lieu dans les parties septentrionale et méridionale du territoire; dans le sud 70% des électeurs ont voté pour l'union avec le Cameroun, alors que 60% des électeurs qui ont voté dans le nord se sont prononcés pour l'union avec la Nigéria.

22. Il ne semble pas que les résultats enregistrés au Cameroun méridional donnent lieu à beaucoup de controverses, bien que la commission ait entendu des pétitionnaires de cette région qui ne sont pas en faveur de l'union avec la République du Cameroun. La délégation irakienne comprend les sentiments de la minorité, mais elle estime que les vœux de la majorité doivent être respectés. En revanche, pour ce qui est du Cameroun septentrional, des représentants de la République du Cameroun ont formulé de sérieuses accusations touchant le déroulement du plébiscite. La délégation irakienne est heureuse de constater qu'il n'y a pas de différend en l'occurrence entre le Cameroun et la Nigéria, et elle espère que ces deux pays continueront de coopérer dans l'intérêt de leur bien-être commun et du bien-être des peuples africains. Le représentant du Cameroun a affirmé sa confiance à l'égard du commissaire des Nations Unies au plébiscite, et en dernière analyse, c'est sur le rapport du commissaire que tout jugement doit reposer. Il est manifeste que la situation au Cameroun septentrional laissait à désirer à certains égards. Le processus de démocratisation, dont la délégation irakienne a été un ardent avocat, n'a été mis en train que quelques mois après le plébiscite.

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44. M. GEBRE-EGZY (Ethiopie) ... Malgré les critiques dont il a fait l'objet, le groupe des pays d'Afrique et d'Asie a toujours défendu le

principe de l'indépendance immédiate. Le rôle de l'O.N.U. n'est pas de porter un jugement sur ceux qui sont au pouvoir dans un territoire, mais simplement d'aider ce territoire à accéder à l'indépendance.

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63. M. YOMEKPE (Ghana) ... Certains considèrent que les paragraphes 6 et 7 du dispositif de la résolution 1473 (XIV) de l'Assemblée générale n'ont pas été effectivement appliqués. Ils ont déclaré que l'organisation et la conduite du plébiscite au Cameroun septentrional n'avaient pas toujours été cohérentes et convenables.

Tout en comprenant les difficultés auxquelles s'est heurtée l'autorité administrante, M. Yomekpe se demande s'il était sage et correct de conserver dans le Cameroun septentrional un nombre considérable de ressortissants d'un pays qui était l'une des parties intéressées aux résultats du plébiscite.

Il se demande aussi si le Royaume-Uni peut prétendre que les institutions du Cameroun septentrional ont été complètement démocratisées. En effet, il n'est pas vraiment démocratique d'avoir des autorités locales dont les membres sont désignés, surtout lorsque ces autorités locales constitueront les organes législatifs du territoire qui négocieront la forme que prendra l'association avec la Nigéria...

64. Malgré les doutes que l'on peut avoir ou les plaintes que l'on a pu formuler, l'Assemblée générale est obligée d'appuyer la décision du commissaire au plébiscite. Le Ghana, comme les autres petits pays du monde, a placé toute sa confiance dans l'O.N.U. et c'est dans cet esprit qu'il appuiera les recommandations faites par ses membres.

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M. CHATTI (Tunisie).

72. Le commissaire aux plébiscites a fait de l'excellent travail; avec les mauvaises conditions politiques et matérielles qui régnaient et dont la responsabilité incombe uniquement à l'autorité administrante, il ne pouvait faire mieux. Le problème de la séparation administrative du territoire et de la Nigéria, la présence de fonctionnaires nigériens et certains aspects du déroulement proprement dit du plébiscite étaient des questions qui dépassaient sa compétence.

Néanmoins, il a fait tout ce qui était en son pouvoir pour inciter l'autorité administrante à mettre en œuvre les recommandations de l'Assemblée générale; son intégrité et l'impartialité dont il a fait preuve sont dignes de l'O.N.U. En dépit des lacunes de la consultation, sur lesquelles il n'a pas hésité à appeler l'attention de la commission, le commissaire aux plébiscites a conclu que les résultats du plébiscite sont une expression fidèle de la volonté populaire. Il est important qu'il soit parvenu à cette conclusion, mais son jugement n'engage absolument pas les membres de la commission, qui ont maintenant à décider pour eux-mêmes de la même question.

73. En divisant l'ancienne colonie allemande en deux territoires distincts, confiés respectivement à la France et au Royaume-Uni, la Société des Nations a encouragé les deux autorités administrantes à semer les germes du partage. Le fait que le Royaume-Uni ait constaté deux tendances différentes dans la population, l'une favorable à la Nigéria et l'autre à ce qui est maintenant la République du Cameroun,

n'a rien pour surprendre: il est déjà arrivé ailleurs qu'un territoire situé entre deux autres ait été influencé par ses voisins. La responsabilité du Royaume-Uni en ce qui concerne la situation actuelle commence au moment où il a assimilé le territoire à la Nigéria, et il a aggravé ce fait en accordant aux régions méridionale et septentrionale des régimes différents dans le cadre même de l'administration nigérienne. Cette différenciation s'explique sans doute par des raisons impérieuses, mais il est indéniable que cette politique a influencé l'opinion publique en faveur de la Nigéria. Par voie de conséquence, au moment d'organiser le plébiscite, la différenciation entre les trois parties du Cameroun était devenue un fait établi, admis par tous, notamment la mission de visite et l'O.N.U. qui a tenu compte dans toutes ses décisions de cet état de choses.

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74. Passant au plébiscite proprement dit, le représentant de la Tunisie déclare que le commissaire des Nations Unies aux plébiscites, grâce à sa vigilance et aux pressions qu'il a pu exercer sur l'autorité administrante, est parvenu à assurer les garanties matérielles indispensables. L'autorité administrante a affirmé à la commission qu'elle a fait de son mieux pour rendre la séparation entre la Nigéria et le Cameroun septentrional effective; en fait, c'est en raison de certaines défaillances de l'autorité administrante et de certaines initiatives malheureuses qu'elle a prises, par exemple la décision d'affecter une journée de vote différente aux hommes et aux femmes, que les résultats du plébiscite sont à l'heure actuelle contestés. Le représentant de la Tunisie se demande si les fonctionnaires du Royaume-Uni, sur place, ont pleinement mesuré l'importance de la tâche qui leur était confiée et la responsabilité qui retomberait sur leur pays et sur l'O.N.U. dans le cas d'un échec du plébiscite. Il est vrai que les imperfections sont courantes dans des opérations électorales et que leur somme ne constitue pas un facteur suffisant pour entacher la régularité des résultats. La délégation tunisienne estime que l'opération doit être jugée dans son ensemble et que le plébiscite témoigne dans l'ensemble de plus de régularité que de défauts. Néanmoins, la commission aurait pu éviter le débat actuel si l'autorité administrante n'avait pas été coupable de certaines défaillances.

1152^e SÉANCE, MERCREDI 19 AVRIL 1961

Point 13 de l'ordre du jour

Rapport du Conseil de tutelle (A/4404) (suite).

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11. M. GASSOU (Togo) ... Il est faux de dire que toute critique des méthodes d'administration du Royaume-Uni rejaillira nécessairement sur l'O.N.U., car si l'organisation n'a pas toujours pu, dans le passé, défendre les intérêts des peuples dépendants et plus particulièrement des peuples sous tutelle, c'est en raison de l'influence prépondérante des Puissances coloniales. Cette situation a pris fin, il faut du moins l'espérer, à partir du moment où l'équilibre des forces s'est renversé à l'O.N.U. au détriment du club colonial.

13. La Société des Nations puis l'O.N.U. ont confié au Royaume-Uni un mandat sur un territoire et ensuite l'administration de ce territoire sous tutelle, mais le Royaume-Uni présente aujourd'hui à la communauté internationale deux territoires, ou plutôt deux morceaux d'un même territoire, qui a été divisé, désintégré et spolié par la force coloniale.

On ne peut justifier cette politique en disant que les deux parties du territoire sous tutelle sont habitées par des populations totalement différentes qui ne peuvent constituer les éléments d'une entité nationale, car la même situation existait dans tous les territoires qui sont devenus récemment des Etats africains. Le problème ne résulte pas, en fait, de différences entre tribus; il s'agit bien plutôt d'une politique systématique de l'autorité administrante qui n'a jamais respecté l'intégrité et la personnalité des territoires placés sous son administration. De tous les territoires placés sous tutelle internationale, seuls ceux qui ont été confiés au Royaume-Uni n'ont jamais pu accéder à l'indépendance en conservant leur personnalité juridique. Par contre, l'ancienne Somalie sous administration italienne, le Cameroun oriental, le Togo oriental et d'anciennes colonies, qui n'étaient pas plus importantes économiquement, démographiquement et géographiquement que les territoires placés sous administration britannique ont pu obtenir l'indépendance tout en gardant leur intégrité territoriale. Rien ne s'opposait donc à ce qu'il en soit de même pour le Cameroun sous administration britannique. On en vient ainsi à se demander s'il n'aurait pas été profitable que les territoires placés sous la tutelle du Royaume-Uni restent de simples colonies, d'autant plus qu'ils n'ont pas bénéficié pleinement des dispositions de l'alinéa *b* de l'article 76 de la Charte. Il existe, en effet, au Cameroun septentrional 97% d'analphabètes et il est impossible de trouver dans ce territoire des autochtones capables d'être policiers, fonctionnaires ou même de diriger les opérations d'un bureau de vote.

14. Tout ceci ne signifie pas que la délégation togolaise soit hostile à l'accession à l'indépendance du Cameroun sous administration britannique. La position de la délégation togolaise à cet égard est parfaitement connue et restera fonction des principes fondamentaux qui lui sont chers.

15. Le représentant du Togo rend hommage au dévouement du commissaire des Nations Unies aux plébiscites. Il estime que le régime de tutelle devrait prendre fin à la même date dans les deux parties du territoire.

16. M. ACHKAR (Guinée) rappelle que l'option fondamentale de la République de Guinée est essentiellement une option africaine dont les principes clefs sont l'indépendance et l'unité africaines. Sa délégation examinera la question à l'ordre du jour du point de vue et dans les perspectives de l'évolution future du continent africain.

SECTION B

DOCUMENT FILED BY THE AGENT FOR THE
GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND

SECTION B

DOCUMENT DÉPOSÉ PAR L'AGENT DU
GOUVERNEMENT DU ROYAUME-UNI DE
GRANDE-BRETAGNE ET D'IRLANDE DU NORD

UNITED NATIONS, TRUSTEESHIP COUNCIL

TWENTY-EIGHTH SESSION, OFFICIAL RECORDS

*1178th Meeting, 11 January 1962*¹*(T/SR. 1178)**President:* Mr. Jonathan B. BINGHAM (United States of America)*Present:*

The representatives of the following States: Australia, Belgium, Bolivia, China, France, India, New Zealand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

*Examination of petitions (T/1584/Add.1 and Corr.1,**T/C.2/L.451)*

[Agenda item 5]

1. Sir Hugh FOOT (United Kingdom) pointed out that document T/1584/Add.1 and Corr.1 listed a number of petitions concerning the former Trust Territories of Tanganyika and the Cameroons under United Kingdom administration. Although he realized that the petitions in question had arisen from circumstances preceding the accession of those Territories to independence, it would obviously be wrong for the Council to deal with them, for in so doing it would be guilty of interference in the affairs of independent States.

2. He was aware of the Indian delegation's concern about the petitions from two groups of Tanganyika civil servants and was ready to make inquiries into the matter and inform the Indian delegation, outside the Council, of the position as it now stood. He wished to make it clear that he had not raised the point of principle in an attempt to avoid giving information about the results of the discussions which had taken place between the groups of Tanganyika civil servants in question and the Governments of Tanganyika and the United Kingdom.

3. He therefore suggested that the Council should decide not to deal with the petitions from Tanganyika and the Cameroons and to postpone consideration of the other petitions until its twenty-ninth session.

4. Mr. BHADKAMKAR (India) said that he fully agreed that the Trusteeship Council should not concern itself with the affairs of former Trust Territories after they had acceded to independence. That argument did not apply, however, to certain obligations assumed by the Administering Authority towards groups of civil servants before a particular

¹ Filed on 27 August 1963, See Nos. 86 and 90, pp. 477 and 480 [*Note by the Registry*].

Trust Territory attained independence. The fact that the groups of Asian civil servants in question had continued to be employed in Tanganyika was purely fortuitous: the point at issue was that they had suddenly been faced with an abrupt and premature termination of their career and had not been treated by the Administering Authority in the same manner as other groups of expatriate civil servants.

5. The proper course for the Council was to deal with the matter as business left unfinished at its previous session. In particular, he would draw the Council's attention to *General Assembly resolution 1646 (XVI)*, which, he understood, had been adopted unanimously. He would also recall that at the 1165th meeting of the Fourth Committee the United Kingdom representative had expressed the hope that the matter raised by the petitioners would be equitably concluded within the following week. It was a matter of regret that the United Kingdom representative was unable to give the Council any information on whether or not an equitable settlement had been reached. On the other hand, the Council had before it two cables, from the Tanganyika Overseas Recruited Asian Government Servants' Union and the Tanganyika Asian Civil Servants' Association respectively (T/PET.2/249/Add.1 and T/PET.2/248/Add.2), informing the Secretary-General that the Administering Authority had refused to implement *General Assembly resolution 1646 (XVI)*.

6. His delegation was not asking the Council to take any action or decision in the matter, since the Council was no longer competent to do so. On the other hand the United Kingdom representative in the Fourth Committee had given a clear assurance, and an obligation assumed in the past was not cancelled out by Tanganyika's accession to independence. Any other interpretation would in effect mean putting a premium on delay or inaction.

7. The least the Administering Authority could do was to inform the Council of precisely what had occurred at the talks between the representatives of the Asian civil servants and the Governments of Tanganyika and the United Kingdom, of the difficulties that had been encountered and of the reasons why the groups whom the petitioners represented had been given different treatment from that accorded to certain other groups of expatriate civil servants. The Council should also be told what action had been taken by the Administering Authority following the negotiations or, if no action had been taken, the reason for such inaction. Although constitutionally, in a certain limited sense, the Administering Authority might have shed its responsibilities with regard to the point at issue and might be entitled to raise procedural objections to the inclusion of the petitions in the agenda, he hoped that the Council would agree that the petitions represented unfinished business for which the former Administering Authority continued to bear responsibility.

8. In other respects he agreed with the United Kingdom representative's suggestion that the petitions concerning the former Trust Territories of the Cameroons and Tanganyika under United Kingdom administration should not be considered in substance. He also agreed that the consideration of the remaining petitions should be postponed until the twenty-ninth session of the Council, provided that the petitions from Ruanda-Urundi were considered in the Fourth Committee at the resumed sixteenth session of the General Assembly.

9. Mr. OBEREMKO (Union of Soviet Socialist Republics) said that while he did not object to the suggestion that the substance of the petitions relating to the former Trust Territories of the Cameroons under United Kingdom administration and Tanganyika should not be considered by the Council, he regarded the further suggestion that consideration of all the other petitions should be postponed until the twenty-ninth session of the Council as altogether unacceptable. If the Council was unable to consider those petitions at its twenty-eighth session, it should refer them to the Fourth Committee of the General Assembly.

10. With regard to the procedural aspect of the examination of petitions, he would point out that the Administering Authorities were violating both the United Nations Charter and the rules of procedure in that they had not supplied written comments on the petitions.

11. He agreed with the Indian representative that the Administering Authority had shown disrespect towards the Council in failing to supply information concerning the implementation of General Assembly resolution 1646 (XVI). It was true that the Council was no longer entitled to consider matters concerning Tanganyika now that the latter had become a sovereign State. That, however, was not the point at issue. What was in question was the former Administering Authority's attitude to decisions taken by the Trusteeship Council and the General Assembly which it had actually supported with its vote. That was yet another example of the manner in which the colonial Powers, after voting in favour of United Nations resolutions, either failed to implement them or took steps to impede their implementation.

12. With reference to the substance of the petitions before the Council, he would draw attention to the group of petitions concerning the Trust Territory of Ruanda-Urundi. A study of those petitions showed that, in the last analysis, all the misfortunes experienced by the indigenous inhabitants of that Trust Territory had been the result of the work of the colonial authorities. The petitions raised important issues which should be considered when the question of the future of Ruanda-Urundi was taken up in the Fourth Committee at the resumed sixteenth session of the General Assembly. A satisfactory solution should be found to the grievances of the petitioners, within the context of the liquidation of Belgian colonialism in Ruanda-Urundi and the immediate accession of that Territory to independence. In the circumstances, he supported the Indian representative's suggestion that all the petitions concerning Ruanda-Urundi should be referred to the Fourth Committee.

13. With reference to the petitions concerning the Trust Territory of New Guinea, he felt that the Administering Authority should inform the Council of the situation with regard to the issues raised in documents T/PET.8/16 and T/PET.8/17 so that the Council could take whatever steps were necessary to defend the interests, and even the very lives, of the petitioners.

14. Sir Hugh FOOT (United Kingdom) agreed with the Indian and USSR representatives that all petitions concerning Ruanda-Urundi might be referred to the Fourth Committee for consideration at the resumed sixteenth session of the General Assembly, it being left to that

Committee to decide whether some of them should be considered at the twenty-ninth session of the Trusteeship Council.

15. With reference to the petitioners from Tanganyika, he would make further inquiries and inform the Indian representative of his findings.

16. Mr. HOOD (Australia) agreed with the suggestion made by the United Kingdom representative as amended by the Indian representative.

17. With reference to the two petitions from New Guinea, he reminded the USSR representative that his delegation had already stated both in the Council and in the Standing Committee on Petitions that the events, referred to in the petitions had occurred in the Territory of Papua and not in the Trust Territory of New Guinea, and therefore did not come within the province of the Trusteeship Council. Consequently, the Administering Authority reserved its position with regard to the classification of those petitions. Furthermore, he would state again, for the information of the Council, that the death sentences referred to in the petitions had been commuted to terms of imprisonment of three years.

18. Mr. BHADKAMKAR (India) said that, while he thanked the United Kingdom representative for his assurance, he felt that the only appropriate step for the Administering Authority would be to report on recent developments to the Council and not to the Indian delegation. The latter could not accept a report on the matter since the Indian Government was not concerned with it. His interest arose from India's membership of the Council. With that reservation, his delegation accepted the United Kingdom representative's suggestion.

19. Mr. SALAMANCA (Bolivia) said that the Indian delegation's point of view was correct, since the obligation in question had arisen before Tanganyika's accession to independence. Having received the petitioners, the Council had assumed jurisdiction in the matter. Had the petitioners requested to appear before the Council at the present stage, after Tanganyika's accession to independence, he would have agreed with the position taken by the United Kingdom representative. In the circumstances, however, he felt that the Administering Authority should supply the Council with information on recent developments in the matter.

20. The PRESIDENT said that if there were no further comments he would consider the United Kingdom proposal to be adopted.

21. Mr. BACON (United States of America) pointed out that if that proposal were adopted there would remain to be discussed at the twenty-ninth session a petition concerning the Trust Territory of the Pacific Islands (T/PET.10/33). Although, in his delegation's view, the petition was not one that should be accepted, his delegation would nevertheless have no objection to its being examined at the twenty-ninth session.

22. Mr. BHADKAMKAR (India) asked whether the President, in referring to the United Kingdom proposal, had intended to include the observations made by the Indian, Bolivian and USSR delegations to the effect that the report should be made to the Council and not to the Indian delegation.

23. The PRESIDENT said that he had understood the United Kingdom

proposal to refer solely to the examination of petitions and not to the provision of the information requested by the Indian delegation.

24. Sir Hugh FOOT (United Kingdom) confirmed that his proposal had not included the provision of information in regard to Tanganyika or the Cameroons formerly under United Kingdom administration. He remained of the opinion that the Council should not call for information or seek action on petitions from Territories which had achieved independence. He felt that to do so would constitute a dangerous precedent.

25. Mr. BHADKAMKAR (India) recalled that the United Kingdom representative had undertaken to furnish information to the delegation of India with regard to those petitions from Tanganyika to which he had referred. He had supported the United Kingdom proposal on that understanding, and had added that he felt that the information should be furnished not to his delegation but to the Trusteeship Council. As the Bolivian representative had very clearly explained, the submission of such information was a residual obligation arising from the time when the Council had specifically exercised jurisdiction in the matter.

26. He emphasized that he was not discussing the affairs of Tanganyika, which was now an independent country: the State of Tanganyika did not enter into the discussion at all. It was unfortunate that the United Kingdom delegation had not submitted the information in question before Tanganyika had attained independence, but the fact that it had not done so did not alter the fact that an obligation had not been honoured. The United Kingdom delegation had never argued that no obligation existed; during the discussions at an earlier session of the Trusteeship Council and again in the General Assembly it had appeared to accept an obligation in the matter. Indeed, if the United Kingdom had not done so it would not have held conferences and arranged for the petitioners and others to meet in London. He deplored the attitude taken by the United Kingdom delegation that because of the delay which had occurred the obligation had ceased to exist. He could not agree with the United Kingdom representative that there could be any danger in the petitions' being considered by the Council. The position would be different if they were new petitions, but that was not the case. He therefore hoped that the Council would request the United Kingdom Government to furnish a report to it regarding the petitions in question.

27. Sir Hugh FOOT (United Kingdom) recalled that when the Fourth Committee had approved resolution 1646 (XVI), he had undertaken, as the representative of the Administering Authority, to report that resolution to his Government, which he had done promptly, and had also undertaken that the resolution would be taken into account in the discussions and negotiations that had been proceeding at the time. That also had been done. There had been no resolution calling for a further report to the Fourth Committee or to the Trusteeship Council.

28. He reiterated that he thought it would be a mistake for the Council to take new action on outstanding petitions from Territories which had achieved independence. If the Council wished to adopt a resolution asking for a report on the subject, his delegation would be obliged to oppose it because he considered that it would be wrong in principle.

29. The representative of India had stated that his Government was *not concerned* in the matter, but in reality it was and the United Kingdom delegation had taken account of that fact. The matter was one with which many people might be concerned, but it was not rightly a matter for the Trusteeship Council now that Tanganyika had achieved independence.

30. Mr. SALAMANCA (Bolivia) felt that a very important principle was involved; *i.e.*, the question of the legal interpretation of the rights of petitioners deriving from a time when the Administering Authority had been discharging its responsibilities in a Territory. In his view there was no question that those obligations and rights continued to exist. The information which had been requested related to the period during which the Administering Authority had been fully responsible for the Territory. The obligation of the United Kingdom was not towards the delegation of India but towards the Trusteeship Council. The United Kingdom had always scrupulously discharged its obligations and it would be regrettable if it should fail to do so in connection with a relatively minor point.

31. Mr. OBEREMKO (Union of Soviet Socialist Republics) pointed out that while his delegation had agreed to the first part of the United Kingdom proposal, to the effect that the Council should not examine petitions dealing with Tanganyika and the Cameroons formerly under United Kingdom administration, and with the second part of the proposal, to the effect that petitions relating to Ruanda-Urundi should be examined by the Fourth Committee, it had urged that the remaining petitions should be examined by the Council at its present session. In particular he had put certain questions to the representative of Australia regarding petitions relating to New Guinea.

32. Mrs. TENZER (Belgium) observed that it had always been the custom of the Council to examine petitions at the time when conditions in the Territory concerned were being considered. That procedure had the practical advantage that a special representative from the Territory was always present and she could see no reason why it should not continue to be followed.

33. Mr. HOOD (Australia) said that his delegation had supported all three parts of the United Kingdom proposal, one of which was that three petitions should be held over for consideration at the twenty-ninth session of the Council. If a new proposal was now being put forward that the petitions in question should be examined at the present session, he would have more to say on the subject.

34. The PRESIDENT suggested that it would facilitate the Council's work if the United Kingdom delegation were to submit the three parts of its proposal for separate consideration by the Council.

35. Mr. SANKEY (United Kingdom) agreed to the President's suggestion. The first proposal made by his delegation had been that the petitions relating to Tanganyika and the Cameroons formerly under United Kingdom administration should not be considered by the Council, in view of the attainment of independence by those two Territories.

36. Mr. BHADKAMKAR (India) maintained that the United Kingdom delegation had in fact made a proposal in four parts: the first that the

Council should not consider petitions from the Cameroons and Tanganyika, the second that the petitions concerning Ruanda-Urundi should be examined by the General Assembly in connection with its consideration of the whole question of that Territory, the third that the examination of the remaining petitions should be deferred to the twenty-ninth session of the Council and the fourth that the United Kingdom representative would provide some sort of information or report to the delegation of India. His delegation had agreed to those proposals with the reservation that it felt that the report should be furnished not to the delegation of India but to the Council. He hoped that the Council would agree to request the United Kingdom delegation to include that point either as a fourth proposal or as a rider attached to the first proposal.

37. Mr. EDMONDS (New Zealand) said that, while it shared the concern of all members with regard to the Asian civil servants in the Trust Territory of Tanganyika, his delegation could not accept the argument that an Administering Authority had a responsibility to report back to the Council once a Trust Territory had become independent. If any such suggestion had been put to the vote as part of the General Assembly resolution it would undoubtedly have been rejected, because the General Assembly had at that time been well aware that Tanganyika was about to become independent. If delegations wished to pursue the matter further the proper procedure would be to inscribe an item on the agenda of the General Assembly. If, on the other hand, they merely wanted to know for their own satisfaction what had been the result of the consideration of the matter between the United Kingdom Government, the Government of Tanganyika and the civil servants concerned, the best way would be for the Council simply to take note of the assurance given by the United Kingdom delegation that it would advise delegations informally of the results of the negotiations between two sovereign States.

38. The PRESIDENT pointed out that the question before the Council at the moment was a proposal by the United Kingdom delegation that the petitions dealing with Tanganyika and the Cameroons formerly under United Kingdom administration should not be considered by the Council.

The proposal was adopted.

39. Mr. SANKEY (United Kingdom) said that his delegation's second proposal was that the petitions relating to Ruanda-Urundi should be referred to the Fourth Committee for consideration.

The proposal was adopted.

40. Mr. SANKEY (United Kingdom) said that his delegation's third proposal was that the examination of the remaining petitions should be deferred to the twenty-ninth session of the Council.

41. Mr. OBEREMKO (Union of Soviet Socialist Republics) objected to the proposal to postpone to the next session consideration of petitions which were included in the agenda of the present session. Since the agenda (T/1584), together with the appended list of petitions subject to examination (T/1584/Add.1), had already been approved by the Trusteeship Council, a proposal not to examine certain petitions at the present

session implied a revision of that decision. His delegation had put a number of questions relating in particular to petitions concerning New Guinea, and it considered that those petitions must be examined without delay. Even if it had been the practice of the Council, as the representative of Belgium had stated, to postpone consideration of petitions until the time when the annual report on the Territory concerned was being examined, such a practice would have been wrong. Decisions relating to petitions of a general character had on occasion been postponed to the time when the *annual report* was being examined, but the petitions in the present case related to the fate of specific people. Ten inhabitants of New Guinea had been sentenced to death; subsequently the Administering Authority had stated that the death penalty had been commuted to a three-year sentence. It was clear from the petitions, however, that there was no evidence of the petitioners' guilt, and that was confirmed by the fact that the sentence had been commuted. The Trusteeship Council must examine the petitions at its present session in order that justice might be done before it was too late.

42. The PRESIDENT suggested that in view of the lateness of the hour the Council should adjourn and resume its discussion at the next meeting.

The meeting rose at 1 p.m.
