*United Nations*

# GENERAL ASSEMBLY

*EIGHTH SESSION*
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**FOURTH COMMITTEE, 382nd MEETING**

***Saturday, 28 November 1953, at 11.50 a.m.***

***New York***

CONTENTS



*Chairman:* **Mr. Santiago PEREZ PEREZ (Venezuela).**

## Question of South West Africa: report of the *Ad Hoc* Committee on South West Africa (A/2475 and Add.1 and 2) (*concluded*)

[Item 36]*

1. Mr. RIFAI (Syria), Rapporteur, suggested that, in view of the fact that at its 460th plenary meeting the General Assembly had adopted draft resolution A contained in the Fourth Committee's report (A/2572), the Committee should draw up a list of proposed members of the Committee on South West Africa provided for in that resolution, for submission to the President of the General Assembly. After consultation with the co-sponsors of the resolution, he suggested that the members of the committee should be Brazil, Mexico, Norway, Pakistan, Syria, Thailand and Uruguay.

2. Mr. NAUDE (Union of South Africa) informed the Committee that he would take no part in any discussion or voting concerning the appointment of the members of the new committee.

3. Mr. DE MARCHENA (Dominican Republic) thought that in view of the importance of the question the members of the committee should be elected by secret ballot rather than merely designated by the Chairman of the Fourth Committee. He suggested that a longer list of, say, fifteen names should be submitted to the President of the General Assembly, from which the General Assembly could choose the seven members of the committee.

4. He queried the Rapporteur's statement that all the co-sponsors of the resolution had agreed to the list of names he had suggested.

5. Mr. LAWRENCE (Liberia) thought that in a question which vitally concerned Africa some African representative should be a member of the committee. In saying that he was not proposing his own delegation.

6. Mr. IRGENS (Norway) said that Norway would willingly cede its place to a delegation of an African country.

7. Mr. L. S. BOKHARI (Pakistan) said that during previous discussion of the resolution he had offered to withdraw from the committee if the presence of Pakistan would be an obstacle to negotiations. Later he had learned that the South African delegation would have no objection to Pakistan's membership in the committee, and as there were no other Commonwealth countries on the list, he had agreed to stand. He had understood that Pakistan's membership in the committee would be generally acceptable. Subsequently, however, the Indian delegation had suggested to him that India and Pakistan should refrain from participating in the committee's work. He felt that Pakistan should not decline to be represented on the committee if the other members of the Fourth Committee wished it to be so represented.

8. Mr. NAUDE (Union of South Africa) observed that, in accordance with its general policy in the matter, the South African delegation had expressed no views whatsoever concerning the membership in the new committee.

9. Mr. RIFAI (Syria), Rapporteur, pointed out to the representative of the Dominican Republic that there had been consultation between the sponsors of the resolution concerning the membership in the committee. The sponsors had approved of the list he had proposed, although they agreed that the absence of an African State was regrettable.

10. The Fourth Committee might perhaps add to its communication to the President of the General Assembly that she should use her discretion with regard to the ultimate composition of the committee. The President would doubtless take into account the views expressed in the Fourth Committee.

11. Mr. DE MARCHENA (Dominican Republic) emphasized that his delegation did not wish to be represented on the committee. There were already three Latin-American countries on the list. The question was one of principle.

12. The Fourth Committee had agreed on a committee of nine members and he was unable to understand why, without warning, the number had suddenly been reduced to seven. There appeared to have been a certain amount of manœuvring behind the scenes. The members of the new committee should be appointed by the Chairman of the Fourth Committee and not by the President of the General Assembly, but if they were to be appointed by the President, the Fourth Committee should draw up a list of some fifteen members from among which she could choose.

13. Mr. PIGNON (France) endorsed the views expressed by the representative of the Dominican Republic.

14. Mr. ALLOUNI (Syria), in reply to the representative of the Dominican Republic, said that there had been a gentleman's agreement regarding the membership in the committee. He asked the representative of the Dominican Republic whether he was aware that a number of delegations had been unwilling to serve on the committee.

* Indicates the item number on the agenda of the General Assembly.

15. Mrs. MENON (India) pointed out that the proposal to reduce the membership in the committee from nine to seven had come from her delegation. She was surprised at the accusation of manœuvring that had been made. Any member of the Fourth Committee who objected to the proposed change could have said so in the General Assembly.

16. Mr. L. S. BOKHARI (Pakistan) said that there had been a general agreement among the sponsors of the resolution that none of them would propose or accept any amendment unless all the other sponsors were in agreement. If he had been at the General Assembly meeting at which the resolution was adopted, he would have raised the question. He was at a loss to understand the reason for the reduction in the number of members of the committee.

17. Mr. RIFAI (Syria), Rapporteur, had been under the impression that all the co-sponsors were in agreement on the point. He apologized to the representative of Pakistan for not having consulted him. He would of course have done so had he realized that he had not already been consulted.

18. In reply to the representative of the Dominican Republic, he stated that he agreed with the Indian representative that any member who objected to the amendment had had every opportunity of opposing it in the plenary meeting.

19. Mr. DE MARCHENA (Dominican Republic) suggested adding to the list already proposed by the Rapporteur the names of Burma, Canada, China, Colombia, Greece, Liberia, Luxembourg and the Philippines.

20. Mr. DE HOLTE CASTELLO (Colombia), Mr. CREPAULT (Canada), Mr. INGLÉS (Philippines), Mr. TRIATAPHYLLAKOS (Greece) and U BA MAUNG (Burma) thanked the Dominican representative, but requested that their names should be withdrawn from the list.

21. Mr. S. S. LIU (China) also said that he would be unable to serve on the committee and asked the China's candidature should be withdrawn in favour of that of the Dominican Republic.

22. Mr. LAWRENCE (Liberia) suggested that the names of several African countries should be included in the list, in order to give more freedom of choice when the election took place.

23. Mr. BOZOVIC (Yugoslavia), while not opposed to any of the countries on the list, thought there should be better geographical distribution.

24. Mr. LANNUNG (Denmark) thought the Fourth Committee should adopt the list proposed by the Rapporteur. All the members on that list were willing to serve and the list was as well balanced as possible in the circumstances.

25. Mr. L. S. BOKHARI (Pakistan), in view of what had been said, asked the Chairman, when forwarding the list to the President of the Assembly, to say that Pakistan was very anxious to serve on the committee.

26. Mr. RYCKMANS (Belgium) thought that to avoid any further discussion the Fourth Committee should adopt the list proposed by the Rapporteur.

27. The CHAIRMAN said that he understood the Rapporteur's list to be supported by the majority of the members of the Fourth Committee and he would therefore forward it to the President of the General Assembly.

*It was so decided.*

28. Mr. DE HOLTE CASTELLO (Colombia) reserved his delegation's right to raise the matter in the plenary session.

29. Mr. RODRIGUEZ FABREGAT (Uruguay), in view of certain statements made during the debate, emphasized that Uruguay, one of the sponsors of the original proposal, had on no occasion been consulted concerning the reduction in the numbers of the committee from nine to seven nor had it haken part in drawing up the list submitted to the Fourth Committee.

## Report of the Trusteeship Council (A/2427) (*continued*)

[Item 13]*

### Hearing of the representative of the Ngoa-Ekélé Community

30. The CHAIRMAN said that since there were no representatives prepared to speak in the general debate on the Trusteeship Council's report at the present meeting, the Committee would proceed to give an oral hearing to the representative of the Ngoa-Ekélé Community in the Cameroons under French administration. The problem raised by the Ngoa-Ekélé Community was not a political matter and could therefore be dealt with separately from the other oral hearings in connexion with the Trust Territory of the Cameroons under French administration. The petition from the Ngoa-Ekélé Community and the observation of the Administering Authority on it had been circulated in Trusteeship Council documents T/Pet.5/197 and Add.1, and T/Obs. 5/14.

*At the invitation of the Chairman, Mr. Ndzinga, representative of the Ngoa-Ekélé Community, took a seat at the Commitee table.*

31. Mr. NDZINGA (Ngoa-Ekélé Community) said that the Ngoa-Ekélé Community had twice been summarily dispossessed of its lands by the French Administration without fair compensation.

32. On 6 November 1952, the Community had presented a petition on the matter (T/Pet.5/197) to the United Nations Visiting Mission to Trust Territories in West Africa, 1952, during its stay in the Cameroons. It maintained its claims to the Ngoa-Ekélé tract and declared that, both from the point of view of Cameroons custom, of French law and of the jurisprudence applied in French overseas territories, the area was its property.

33. According to Cameroons custom, the land belonged to those who lived on it and cultivated it. Before being driven out by the French Administration the Ngoa-Ekélé Community had dwelt on the Ngoa-Ekélé tract and cultivated it for several generations. It had been settled on it long before the arrival of the whites, the Germans in particular, who had always left it in peace. The statement of certain representatives of the French Administration that the Administration had granted the said lands to the Ngoa-Ekélé Community in 1920 was unwarranted. It should be noted that the statement itself was an admission: it implied that if the Ngoa-Ekélé Community had occupied the land before 1920, it would belong to it. That was precisely what the Community emphatically maintained.

34. According to French law, the Community's title to the land could not be contested lawfully either. The

Administering Authority claimed that the Ngoa-Ekélé Community had no land title, but it should be noted that whenever the Administration's interests were at stake, it raised almost insurmountable objections to the recognition of the land titles of the indigenous population. The result was that most of the lands of the Cameroons were declared vacant and ownerless.

35. Even without land titles, according to the provisions of the French Civil Code regarding acquisition by prescriptive right, the Ngoa-Ekélé Community owned the land by the very fact that it had occupied it for several generations. The *bona fide* owner of an immovable property could acquire a prescriptive right, in other words, full ownership, after thirty years. Everything went to show that the Ngoa-Ekélé Community had always had *bona fide* possession of the land, that its ownership had never been disputed except by the French Administration, against which it had constantly maintained its claim. The French Administration should apply the provisions of the Trusteeship Agreement it had signed respecting the Cameroons, particularly article 4, paragraph A, 1, which provided that the Cameroons should be administered as "an integral part of French territory", in other words, under just and fair laws.

36. According to the jurisprudence applied in French overseas territories regarding the domanial system, the right of the Ngoa-Ekélé Community to the land was equally incontestable. He then quoted two specific examples: that of a property of 70 hectares, 45 ares, at M'Balmayo (Order No. 110 of 5 January 1953), and that of a property of 4 hectares, 4 ares, 36 centiares at Japoma. In both cases, the French Administration had had to recognize the rights of the indigenous inhabitants to the lands. In the first instance, it had gone so far as to quash decisions taken nineteen years earlier. It should therefore be able to take similar action respecting the Ngoa-Ekélé tract, and it exposed itself to the charge of bad faith when it alleged that the case was closed.

37. With regard to the methods used, the treatment to which the Ngoa-Ekélé Community had been subjected by the French Administration was the kind applied to vagrants. The inhabitants had been allowed only half an hour to leave the village. The Administration had threatened to regard those who defied the order to get out within that time-limit as Germans and to treat them as such. Those caught after the fixed time-limit, among them certain notables, had been imprisoned. The Ngoa-Ekélé Community still did not know the extent of the lands taken from it.

38. With regard to compensation for the expropriation, the Community continued to grieve for the loss of its land and goods, for which it had not received fair compensation. Nor had the Administration made any arrangements for its resettlement. Each inhabitant of Ngoa-Ekélé had had to find a family which would give him shelter. Thus, having had to give up 83 hectares, 90 ares, the Ngoa-Ekélé Community was at the moment cramped together on a tract of no more than 30 hectares, which it had to share with the previous inhabitants. As it did not own the land, it could not build on it with permanent materials. Moreover, the tract was too small for the members of the Community to grow industrial crops; the best they could do was to maintain small kitchen gardens for their domestic needs. Their plight was like that of convicts sentenced to reside in or prohibited from entering a specified area, but at least the latter were assured of a place to live, assigned to them by the Administration.

39. Certain representatives of the Administering Authority claimed that, as a result of the complaints of the Ngoa-Ekélé Community, the Administration had provided it with a tract of land in 1948 to compensate for the one it had lost. That assertion was untrue: the French Administration had not yet assigned to the Community any land where it could settle.

40. The French Administration had granted the Ngoa-Ekélé Community the modest sum of 299,187 francs, which, in his view, was hardly equivalent to what was known in French law as damages, to which the Community was entitled, to compensate for the moral prejudice sustained through its hasty eviction and the cavalier way in which it had been treated by the Administering Authority. Even with the franc at its 1940 value, the sum awarded was not a fair price for a piece of undeveloped land of the size of the one the Community had lost. The land had been covered with crops and dwellings, as stated in petition T/Pet.5/197. The industrial crops had included cocoa and coffee plants, which had ensured a decent standard of living to the members of the Ngoa-Ekélé Community every year. That indicated the great loss sustained by the seventy families of farmers which made up the Community and which were now destitute. The compensation should therefore be commensurate with the damages sustained. The loss in dwellings was also considerable; those that had been built of durable materials had required a lifetime's hard work by some members of the Community. His own house had required twenty-five years' constant labour.

41. The members of the Community could not leave their children worthless plots of land or houses unworthy of them. Yet the Administering Authority alleged that they had nothing further to claim, having accepted the lump sum of 299,187 francs. The French Administration regarded that sum as representing the price of the land they had taken from the Community with all the crops and dwellings upon it.

42. It should be noted that the eviction of the Ngoa-Ekélé Community had taken place during the war, in other words, at a time when the Mandates System of the League of Nations had still been in force and when the nationals of a Mandated Territory had not been recognized as having any rights. None of the Ngoa-Ekélé Community could, therefore, have opposed a decision of the French Administration.

43. The Community would have fared ill indeed, if the sum offered in compensation by the Administering Authority, however negligible, had been refused. Besides, the Administering Authority had considered that its right of administration sufficed to entitle it to carry out requisitions, especially in time of war. In the face of such formidable powers, a people having no means of defence could obviously not offer any organized opposition.

44. Having categorically refused the Administration's proposal, he had had to avoid showing himself when the arbitrary deed had to be signed. A clerk had then come to his place of work and thrown him what had been regarded as his share of the money for the loss of his house, amounting to 51,500 francs. That was how the Community had "accepted" the paltry amount in question. If some of its members had accepted the money granted by the Administration, they had done so only

as a result of definite pressure, and not with a light heart. That was evidenced by the humble and imploring letters which the traditional chiefs had sent to the Administering Authority at the time. He read out, as an example, the letter which Mr. Joseph Atemengue, former paramount chief, honorary *chef de groupement,* titular assessor of the lower court of Yaoundé, member of the Administrative Council and member of the Yaoundé court of arbitration, since deceased, had addressed to the French Administration in 1940. Mr. Atemengue, who had been a loyal, obedient and faithful servant of France, had died banished from his locality and far from all the possessions he had accumulated so laboriously. The humble tone of that letter was characteristic of the Mandates System, which had meant semi-slavery for the people of the Cameroons.

45. As soon as the Ngoa-Ekélé Community had judged the right time had come, when hostilities had ended and France had been liberated, it had set about formulating its claims. It had approached in succession all those responsible and the Representative Assembly of the Cameroons, once that body had been set up. It had been in that Assembly that the Government Commissioner had stated, in reply to a question put by one of the delegates at the Community's request, that the French Administration regarded its case as closed. Having thus exhausted all available means of settling the case in the Cameroons, the Ngoa-Ekélé Community had decided, in 1952, to submit it to the visiting mission.

46. The Community recognized the rights of the Cameroons Administration, which had already put up buildings on a considerable portion of the Territory, subject to the payment of fair compensation in the form of, first, that part of the Ngoa-Ekélé tract which had not yet been used by the Administration, and, secondly, fair compensation for the losses the Community had sustained.

47. The members of the Community were not anti-French. They were happy that their land had been able to accommodate troops that had fought for the liberation of France. It was because of that, that it spontaneously refrained from claiming the whole of the land of which it had been deprived, particularly as there were ways of safeguarding both its own and the Administration's interests. According to the representatives of the Administering Authority, a good deal of the Ngoa-Ekélé tract had not been used by the Administration. That was the part which the Community was asking to have restored to it with a formal guarantee that it should remain in undisturbed possession.

48. The Community also claimed a fair price for the lands it had lost to the Administration. In that connexion, it would like the schedule of rates established by the Administration to be applied. With regard to assessment for the plantations and the dwellings which it had had to abandon on that land, it would rely on the Fourth Committee to have a survey made on the spot, if possible, by representatives sent for the purpose.

49. After presenting its petition, the Ngoa-Ekélé Community had learned from an order of 15 February 1941, which had appeared in the *Journal Officiel du Cameroun* of 1 March 1941, preceded by a public announcement in the *Journal Officiel du Cameroun* of 1 October 1940, that 83 hectares, 90 ares, situated on the Ngoa-Ekélé plateau had been classified as private domain of the Territory. Those announcements in the *Journal Officiel du Cameroun* did not entitle the Administering Authority to claim that the rights of the holders of that land had been respected. That view was borne out by three considerations: first, the small amount allocated as compensation for expropriation, even though no compensation had been paid for the loss of the enjoyment of the land; secondly, the time at which the expropriation had taken place, namely the war, when the inhabitants of the Cameroons had not enjoyed the minimum legal guarantee which they had obtained as a result of the post-war reforms; thirdly, the number and content of the requests and claims made by chiefs and notables victimized by the order of 15 February 1941, which showed that the order had always been regarded as a provisional measure, justified only by the exigencies of the war. Moreover, the Ngoa-Ekélé Community was justified in claiming that the palavers mentioned in the notice published in the *Journal Officiel du Cameroun* of 1 October 1940 had not taken place. No inhabitant of the Atemengue Plateau who had been old enough at the time could remember any such event.

50. In conclusion, the inhabitants of the Cameroons placed all their trust and hopes in the United Nations, the Trusteeship Council and the Fourth Committee of the General Assembly. They firmly believed that the Fourth Committee would spare no effort to settle a matter which had been grieving the Community for years.

51. Mr. LAWRENCE (Liberia) proposed that the full text of Mr. Ndzinga's statement should be circulated as a Committee document.

*It was so decided.*[1]

52. Mr. DORSINVILLE (Haiti) asked Mr. Ndzinga exactly how much land had finally been expropriated by the French Administration.

53. Mr. NDZINGA (Ngoa-Ekélé Community) said that in all the expropriated land amounted to 117 hectares.

54. Mr. DORSINVILLE (Haiti) wished to know whether the price offered in compensation had been calculated according to the value of the land at the time of the expropriation. He asked how much the French Administration had paid for the land and how much the petitioner considered that it was worth.

55. Mr. NDZINGA (Ngoa-Ekélé Community) said that the Community had not actually been paid for its land or for the buildings and crops on the land.

56. Mr. DORSINVILLE (Haiti) asked what the petitioner considered a fair price for the crops and buildings on the property.

57. Mr. NDZINGA (Ngoa-Ekélé Community) said that the French Administration had laid down rules governing the price of land. He felt that the Committee should determine what would be a fair price for the buildings and crops.

58. Mr. DORSINVILLE (Haiti) said that he understood that the Community wished to regain some of the expropriated land. He asked how much of the 117 hectares they wished to reoccupy.

59. Mr. NDZINGA (Ngoa-Ekélé Community) said that the Community wished to be paid for the 117 hectares of land that had been expropriated. A certain amount of that land was still vacant, and the Com-

[1] Subsequently circulated as document A/C.4/255.

munity felt that that part should be properly surveyed and its boundaries marked, and returned to the Community for its use.

60. Mr. DORSINVILLE (Haiti) said that he understood that the Ngoa-Ekélé Community consisted of seventy families, now scattered among several other communities and occupying a much smaller area of land than that which had been expropriated. He asked under what conditions they were living on the land they now occupied.

61. Mr. NDZINGA (Ngoa-Ekélé Community) said that the Community had been granted only thirty hectares of land in exchange. Several members of the Community had settled on small parcels of land granted to them by other communities.

62. Mr. DORSINVILLE (Haiti) asked whether the thirty hectares in question were already occupied when granted to the Community.

63. Mr. NDZINGA (Ngoa-Ekélé Community) said that the land had been previously occupied and the resultant overcrowding had been such that several members of the Community had been unable to settle on it.

64. Mr. DORSINVILLE (Haiti) asked whether the thirty hectares granted in exchange were good land.

65. Mr. NDZINGA (Ngoa-Ekélé Community) said that the land in question could not be farmed and was not fertile.

66. Mr. LAWRENCE (Liberia) asked why the land of the Ngoa-Ekélé Community had been alienated by the French Government.

67. Mr. NDZINGA (Ngoa-Ekélé Community) said that the action had been taken in time of war, for the purpose of installing troops.

68. Mr. LAWRENCE (Liberia) said that he understood that the Community wished the unused balance of the land to be returned to it.

69. Mr. NDZINGA (Ngoa-Ekélé Community) said that since not all the land had been put to use, the Community wished to have the vacant land returned to it because it was very fertile.

70. Mr. MENDOZA (Guatemala) asked the petitioner whether the Community whose land had been expropriated had gone to the local courts to have the wrong redressed.

71. Mr. NDZINGA (Ngoa-Ekélé Community) said that the affair had been taken to the Territorial Assembly when that body had been constituted. The Community had then been told that the case was closed.

72. Mr. MENDOZA (Guatemala) said that the question seemed to him to be a purely legal matter and he wondered whether the Ngoa-Ekélé Community had ever gone to court, not simply approached a political body.

73. Mr. NDZINGA (Ngoa-Ekélé Community) said that the expropriation had taken place in time of war when there were no courts functioning. The Community had made several written protests to the Administration but their letters had gone unanswered.

74. Mr. MENDOZA (Guatemala) asked whether, when the war had been over and the courts reinstituted, the Community had gone to court and if not, why not.

75. Mr. NDZINGA (Ngoa-Ekélé Community) said that after the war the Community had been told that the proper body to approach was the newly constituted Territorial Assembly.

76. Mr. MENDOZA (Guatemala) said that he had asked his question because he considered that it was extremely difficult for the Fourth Committee to make any recommendation on what was essentially a legal matter before any decision in that respect had been handed down by an appropriate legal body.

77. Mr. BOZOVIC (Yugoslavia) asked whether any person in the Administration or in the Territorial Assembly had advised the petitioners to take their case to court.

78. Mr. NDZINGA (Ngoa-Ekélé Community) said that the Community had never been advised to do so. When it had tried to contact the Administration in the Trust Territory, there had been no reply. He himself had recently been in Paris where he had approached the Minister concerned with a view to explaining the Community's claim. He had wished to make it clear that the Community was not in any way opposed to the French Administration and would be quite satisfied if the matter could be settled in France or in the Cameroons under French administration. He had been told that the case had been closed in 1940, when the Community had accepted the compensation.

79. Mr. BOZOVIC (Yugoslavia) felt that the normal procedure when an appeal was addressed to a body which was not competent to deal with it was for that body to advise the appellant to take the case to a competent body. The Administering Authority had told the petitioners that their case was closed. He asked whether that information had prevented the petitioners from taking the case to court.

80. Mr. NDZINGA (Ngoa-Ekélé Community) said that it had.

81. Mrs. MENON (India) thought that the petitioner had stated his case clearly. He had come to the United Nations because he had been unable to obtain redress from the Administering Authority. She would like to hear the Administering Authority's views and why it had been unable to redress the petitioners' grievances.

82. Mr. PIGNON (France) replied that the land in question had been expropriated in the public interest. Such expropriation was always painful unless the persons concerned were speculators, which the Ngoa-Ekélé Community were not. The Administering Authority had needed the land which was situated near the town of Yaoundé for the justified purpose mentioned by the petitioner. The expropriation had been carried out under the legislation in force which, incidentally, was the same as under the Mandates System and the same as in France, except in so far as the denomination of the authorities was concerned. The regular process of expropriation had been followed: a palaver had been held, notice of the classification proposal had been published and a deed of notification had been drawn up. That procedure was described in detail in his Government's observations (T/Obs. 5/14). The Administering Authority had never disputed the Community's *bona fide* ownership of the land. The Community had been given every opportunity to state its views. At the time of the expropriation in 1940, it had accepted the settlement of 300,000 francs, which had of course been worth more in those days. He did not know the value of the land, but the fact remained that the Community had accepted the compensation and that it had been paid. The Community could have applied to the court. It was competent to decide whether or not the compensation was sufficient and would have

investigated the matter and appointed surveyors to examine the land. Since the petitioners had failed to object at the time, their subsequent appeals to the Administering Authority had no legal basis. Their claims had, however, been given favourable consideration and they had been granted approximately the same amount of land on an *ex gratia* basis. The main reason underlying the petition was the fact that, as a result of the extensive urban development of Yaoundé, the price of land had risen considerably and the Community was sorry that it no longer owned the land in question.

83. Mrs. MENON (India) asked whether she was correct in understanding that the petitioners did not recognize the 300,000 francs as payment for the value of the land; they considered it damages for moral injury.

84. Mr. NDZINGA (Ngoa-Ekélé Community replied that that was correct.

85. Mrs. MENON (India) asked the representative of the Administering Authority whether the petitioners had brought that point to the notice of the French Administration at the time.

86. Mr. PIGNON (France) explained that there was never any question of damages in the case of expropriation in the public interest. What had been paid was an expropriation indemnity. The question of moral injury was not pertinent.

87. Mrs. MENON (India) asked the representative of the Administering Authority whether there was any means by which the land not yet utilized could be returned to the petitioners, as they requested, without harming the interests of the Administering Authority.

88. Mr. PIGNON (France) replied that legally speaking the vacant land could be declassified. He regreted that he was unable to say whether it would be practical to do so.

89. Mrs. MENON (India), Mr. ALLOUNI (Syria), Mr. BOZOVIC (Yugoslavia), Mr. RYCKMANS (Belgium), Mr. SCOTT (New Zealand) and Mr. L. S. BOKHARI (Pakistan) reserved their right to question the petitioner after they had seen his statement in writing.

90. In reply to questions by Mr. KUCHKAROV (Union of Soviet Socialist Republics) and Mr. WINIEWICZ (Poland), Mr. BUNCHE (Secretary of the Committee) explained that on 28 September 1953 the Secretariat had sent telegrams to the Evolution sociale camerounaise (ESOCAM), the Coordination des indépendants camerounais (INDECAM), the Union des populations du Cameroun (UPC) and the Ngoa-Ekélé Community informing them that their requests for oral hearings had been granted and requesting them to inform the Secretariat of the names of their representatives and to make the necessary arrangements for their journey to New York. By 11 October 1953, telegrams had been received from all four bodies appointing their representatives. On 3 November 1953, the Secretariat had sent a telegram to the M'Balmayo Office of the Union des populations du Cameroun (UPC) informing it that its request for an oral hearing had also been granted and that it should telegraph the name of its representative. On the same date, all the petitioners had been informed that their representatives should arrive in New York during the week beginning 23 November 1953.

91. The petitioner from the Ngoa-Ekélé Community had just been heard by the Committee. The representative of ESOCAM had reached New York and would be prepared to make a statement to the Committee on Monday, 30 November. The Secretariat had exchanged several letters with INDECAM regarding the credentials of its representative which had been submitted, withdrawn and then resubmitted. Nothing had been heard from that organization since 4 November 1953. The representative of the UPC, Mr. Um Nyobe, had reached Paris on 26 October 1953 and had applied for a visa to enter the United States. The Secretariat had received two letters from him, dated 4 November and 20 November respectively, informing it that the visa had not yet been granted. It had brought the situation informally to the attention of the United States Mission, which had indicated that it was giving the matter its full attention and doing everything within its power to expedite the granting of the visa.

The meeting rose at 1.50 p.m.

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