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ARRANGEMENTS FOR A PERIODIC VISITING MISSION TO
TRUST TERRITORIES IN WEST AFRICA IN 1958

Letter dated 27 June 1958 from the representative of the United Kingdom
on the Trusteeship Council addressed to the Secretariat

New York, 27 June 1958

I have the honour to transmit, for circulation to members of the Trusteeship Council, a memorandum by the Government of the United Kingdom of Great Britain and Northern Ireland concerning the future of the Cameroons under United Kingdom administration. The memorandum contains a proposal which the Council will wish to consider in connexion with item 6 of its agenda for the current session.

(Signed) A.B. COHEN

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The Future of the Cameroons under United Kingdom
Administration

1. Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland invite the attention of the Trusteeship Council at its 22nd Session to certain matters affecting the Trust Territory of the Cameroons under United Kingdom administration which have a bearing on the Council's consideration of Item 6 of their Agenda - "Arrangements for a periodic visiting Mission to Trust Territories in West Africa in 1958".
2. Under Article 2 of the Trusteeship Agreement Her Majesty is designated as Administering Authority for the Territory and responsibility for its administration is vested solely in Her Majesty's Government in the United Kingdom. Under Article 5(a) of the Agreement, the Administering Authority is bound to administer the Territory as an integral part of its territory, and, at the time the Agreement was concluded, it was made clear that it was the intention of Her Majesty's Government to administer the Territory as part of Nigeria, because this was the only practical method of administration.
3. This is the method of administration that has been used, and it has in fact meant that the day to day Government of the Trust Territory has been conducted by the United Kingdom Government through the Nigerian Government. But to preserve the characteristics of the Territory as a territory under the International Trusteeship system, the Governor of Nigeria, (now the Governor-General of the Federation of Nigeria), as the personal representative of the Administering Authority, has been vested with certain additional powers in respect of the Trust Territory which adequately safeguard its special status. While, therefore, the Cameroons has not been left behind in the political progress of its neighbour its separate existence has been carefully maintained.
4. When Her Majesty's Government in the United Kingdom relinquish their powers of administration in the Federation of Nigeria, it will no longer be possible for them, in accordance with the Trusteeship Agreement, to administer the Cameroons as a part of Nigeria. It is therefore necessary to consider what arrangements should then be made for the administration of the Trust Territory; these arrangements must involve either the modification or the termination of the present Trusteeship Agreement.

5. The United Kingdom Government assume that the United Nations, as the other principal party to the Trusteeship Agreement, will wish to give careful thought to this matter, involving as it does the future of the inhabitants of the Trust Territory, and that they will wish to ascertain, by appropriate means, the facts of the situation and in particular the views of the inhabitants themselves. These processes cannot be hurried, since adequate time for discussion of the issues involved must be allowed both to the inhabitants of the Trust Territory and to the United Nations. Even though it is not yet possible to state precisely when these new arrangements will be needed, they should be put in hand soon, since Her Majesty's Government have undertaken, in 1960, to fix a date for the independence of the Federation of Nigeria, if asked to do so by the Nigerian Parliament.

6. The United Kingdom Government therefore reports the situation to the Trusteeship Council at its present session in order that the Council may consider as a first step instructing its forthcoming Visiting Mission to West Africa to include in its Report observations which may be helpful when a decision comes to be taken by the United Nations and the Administering Authority upon the method of consulting the peoples of the Trust Territory about their future.

7. The Trusteeship Council will, in considering this question, have in mind the history and development of the Trust Territory as explained in the Annual Reports of the Administering Authority and in its statements before the Council. In particular, the Council will recall that the Trust Territory falls naturally into two sections, the North and the South. The Northern section has a total area of 17,500 square miles, and has always been administered together with the adjacent Provinces of the Northern Region of Nigeria. Its inhabitants are closely connected ethnically with the people of that Region. The people of the Southern Cameroons, on the other hand, have no natural connection, ethnic or otherwise, with those of the North. They were in fact administered for many years as part of the Eastern Region of Nigeria, though in recent years they have had status approximating to that of a separate Region within the Federation.

8. Both parts of the Trust Territory have shared, in different ways and in accordance with the different wishes of their inhabitants, in the political advances made in Nigeria, including the new constitutions introduced in 1947

and 1951. As a result of Constitutional Conferences in London and Lagos in 1953 and 1954, in which representatives of both parts of the Territory participated, a Federal Constitution of Nigeria was introduced; and from 1st October, 1954, a Southern Cameroons Government was established separate from the Government of the Eastern Region of Nigeria. The Northern Cameroons, however, at the request of its representatives, continued to be administered as part of the Northern Region.

9. The present constitutional position in the two parts of the Trust Territory reflects the advances made as a result of the decisions of the 1957 Constitutional Conference; it is set out in some detail in the following paragraphs.

10. The position of the Southern Cameroons is largely that of a region within the Federation. The Executive Council, which is the principal instrument of policy, has an unofficial majority consisting of a Premier and four other Ministers, charged with responsibility for various departments of government. The Premier is the person who appears to the High Commissioner of the Southern Cameroons (the Governor-General of the Federation of Nigeria in his capacity as representative of the Administering Authority for the Trust Territory) to be best able to command a majority in the Southern Cameroons House of Assembly, and it is on the Premier's recommendation that the other Ministers are appointed and assigned departmental responsibilities. The Commissioner of the Southern Cameroons is normally bound to act in accordance with the advice of the Executive Council, the only exceptions being where he deems it necessary to act otherwise in the interests of public faith, public order or good government, a conception which includes the Administering Authority's obligations under the Trusteeship Agreement. These changes represent a major constitutional advance. Previously unofficial members of Executive Council had no responsibility for particular departments of government and no majority on the Council; and although the Commissioner was required to consult the Council on all matters of importance, he was not bound to act in accordance with their advice.

11. These changes have already been put into effect, while legal provision has been made for changes in the composition of the House of Assembly, which will be brought into effect after the general election planned for early in 1959. The Southern Cameroons House of Assembly will then be enlarged from 13 to 26 elected members. The Deputy Commissioner, the Finance Secretary and the Legal

Secretary, at the request of the Southern Cameroons delegates to the Constitutional Conference, will remain ex-officio members of the House and there is to be provision for two special members, to be nominated by the High Commissioner after consultation with the Premier, to represent interests not otherwise adequately represented. The Commissioner will cease to preside when a Speaker is appointed and the Native Authority members will disappear. The 26 elected members are to be elected from single member constituencies by secret ballot and universal adult suffrage. As the tax qualification has been abandoned, the principal difficulty in the way of giving women the vote has disappeared, and they are now eligible to vote and to stand as members of the House.

12. Although the Native Authorities will no longer have special representation in the House of Assembly it was felt by all the Southern Cameroons delegates at the Conference that there ought still to be a means by which the traditional authorities could express their view on public affairs. Accordingly provision has been made for setting up a Southern Cameroons House of Chiefs. Its functions are to be consultative and advisory and it will not be a part of the Legislature, but it will be free to discuss any matter including any Bill before the House of Assembly and its resolutions will be laid on the table of the House of Assembly for the close consideration of the Government.

13. The representatives of the Northern Cameroons joined with the other delegates from the Northern Region of Nigeria in their statement at the Conference that they did not want immediate regional self-government for the Northern Region. Since then, however, the Government party has asked that this should be granted in March, 1959, and in preparation for it two of the three official members have been withdrawn from the Executive Council and from the Northern House of Assembly. The only remaining official member is the Attorney-General who has been retained on account of his special qualifications. The Governor continues to preside over the Executive Council, but subject to the Governor's constitutional obligations to maintain public faith, public order and good government, the main responsibility for the conduct of Northern Regional affairs has already passed into the hands of the elected representatives of the people. In order that the interests of the Northern part of the Trust Territory may be more fully safeguarded, the Government has recently enlarged the composition of the Northern Cameroons Consultative Committee by the addition of

representatives from the remoter districts and has constituted it a formal committee of the Executive Council thus indicating the importance which the Government attaches to its work.

14. At the Constitutional Conference, which is likely to resume its work late in 1958, the Government of the Southern Cameroons have asked that consideration should be given to granting them full Regional self-government.

15. Thus neither section of the Trust Territory has fallen behind the Federation of Nigeria in the advance of that country towards full self-government and ultimately independence. In these circumstances, Her Majesty's Government have promised that the inhabitants of both the Northern and Southern sections of the Trust Territory will be given an opportunity freely to express their own wishes about their future. At the Constitutional Conference in 1957, the Secretary of State for the Colonies, Mr. Lennox-Boyd, made it quite clear that there could be no question of obliging the Cameroons to remain part of an independent Nigeria contrary to the wishes of the people although there were many who thought that continued association with Nigeria might be the best prospect for them.

16. Her Majesty's Government attach great importance to the consultation of the peoples of the Northern and Southern sections of the Cameroons about their future, and feel that it is not too soon to begin now the process leading up to it. The outcome of this consultation will, in turn, result in modification or termination of the Trusteeship Agreement.

17. Her Majesty's Government suggest, accordingly, that it would be appropriate and useful for the forthcoming Visiting Mission to West Africa to make an assessment for the Council of this situation, and that a passage on the following lines should be included to that end in the Mission's terms of reference:

"The Visiting Mission should include in their report their views on the method of consultation which should be adopted when the time comes for the people of the Northern and Southern Sections of the Cameroons under United Kingdom Administration to express their wishes concerning their future."
