

UNITED NATIONS TRUSTEESHIP COUNCIL



Distr.
GENERAL

T/OBS.5/3
12 February 1953
ENGLISH
ORIGINAL: FRENCH

PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION

Observations of the French Government as Administering Authority

Secretariat note: These observations refer to the following petitions:

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1. Petition from the Comité régional de l'Union des populations du Cameroun, Foumban (T/PET.5/114)

(1) The Administering Authority submits the following considerations in reply to the complaints contained in this document which constitute various attacks against the paramount chiefs of the Bamoun region.

(2) It is perfectly true that the paramount chiefs were appointed by the Administering Authority after the war, in order to diminish the excessive power wielded by local feudal potentates. At that time Sultan NJOYA tried to oppose this system with all the means at his disposal. The numerous instances of extortion forced us to take action in order to enable the country to develop democratically. Some notables were sentenced and the sultan was banished.

(3) These events were set forth in detail in the French Government's 1924 report to the League of Nations. Reference was made to them again in a recent petition (T/PET.5/108).^{1/} The opposition to the paramount chiefs is in no way exceptional; palace intrigue, quarrels and revolutions, frequently of a bloody nature, run through the whole of Bamoun history. It is to be noted, however, that, since a final flare-up in 1933, there have been no more serious disturbances at Foumban. The intrigues which subsequently developed have been dealt with fairly and without serious repercussions, thanks to the arbitration of the French administration, which was accepted because of its justice and impartiality.

(4) Contrary to the petitioner's claim, France has never allowed the paramount chiefs to assume ownership of the land; on the contrary they were appointed to contend with the feudal landlords.

(5) The policy of the Administering Authority is to encourage individual holdings, certainly not by any violent action but by promoting development which derives from the feelings of the people. This question of land, too, has been mentioned in previous petitions (particularly T/PET.5/108). When a dispute arises, it is sufficient for the party who considers himself wronged to request arbitration by the competent courts.

^{1/} Secretariat note: See T/1016, section VI.

(6) The petitioner then claims that the lands owned by Europeans were granted to them without the real owner being consulted. Every palaver is held in the presence of the paramount chief, representing the community, the sultan who sits in the Territorial Assembly, the chief of the region or sub-division, representing the Territory, and all the notables or heads of families who claim ownership of the land in question. Efforts are made, not to establish the existence of holdings acquired by conquest, but to find the real occupier, if he exists - which has not always been the case, because more often than not it was desert land that was developed by European colonization.

(7) Obviously this democratic procedure encounters opposition from landlords who claim the land by right of conquest or of sovereign ownership and who grant the farmer only usufruct of the land which he cultivates. It is noteworthy that the UPC in this instance reproaches the Administering Authority for gradually abolishing a system of land tenure based on serfdom and for changing tradition by substituting development for conquest as a basis of ownership.

(8) At its last session, the Territorial Assembly expressed an unfavourable opinion about the institution of the regional councils to which the petitioner refers at the end of his complaint. Rural communes mixtes are being established in the Cameroons and are distinctly more politically advanced than the regional councils.

(9) The penultimate paragraph of the petition implies that the paramount chiefs, who are assessors in the customary courts, "seize" the land from the lawful owners. The court is merely encouraging individual ownership as a gradual development and thus cannot but displease the owners of feudal holdings.

(10) Behind a facade which may seem democratic, the UPC is thus playing the game of the reactionary elements, who advocate the re-establishment of absolute feudal authority. In a country where the Administering Authority is trying to transform the system gradually from a medieval to a democratic one, it is annoying that such claims are made in an attempt to disrupt a development which has fortunately taken root and of which the Bamoun farmer is the main beneficiary.

2. Petition from the General Assembly of the Central Committee of the Union des populations du Cameroun (T/PET.5/118)

- (1) The Administering Authority submits the following observations on the petitioners' allegations.
- (2) The parties in question protest against alleged expropriation of land and devastation of crops in the West Cameroons and quote two specific cases to support their claims.

(3) SIMO Maurice case at Bayangam

(a) The Administering Authority supplied authenticated information on this question in connexion with a previous petition (T/PET.5/102).^{1/}

(b) In this case the Administration endeavoured to ensure respect for the owners' rights. The Trusteeship Council considered the complaint and, at its 411th meeting, adopted a resolution requesting the petitioners to accept the solution proposed by the Administering Authority, namely, that they should appeal to the competent courts.

(4) CHOLLIER-COUHERT case

(a) The petitioners protest against the devastation of their lands by the oxen of Mr. CHOLLIER and Mr. COUHERT which, they allege, destroy the crops and pollute the water used by the villagers.

(b) The pasturelands of the Elong country have been used by herds of cattle since 1928; the indigenous inhabitants of the neighbouring villages are well accustomed to this system and the presence of the herds has never caused any difficulty between the indigenous inhabitants and the stock-breeders. It has happened that a few stalks of corn, manioc or other crops were destroyed by the oxen. In such cases Mr. CHOLLIER and Mr. COUHERT never made any difficulties about paying damages and there has never been any legal action in this connexion in spite of the difficulty of assessing how much damage was caused by the oxen and how much by all kinds of wild animals (buffaloes, wart-hogs, water hogs, monkeys, antelopes etc.).

^{1/} Secretariat note: See T/973, section 3.

(c) It should also be noted that most of the fields are surrounded by fences, hedges or stakes which the oxen cannot cross. The damage cannot therefore be occasioned except in unfenced areas, which are in the minority. In any case it cannot assume the proportions which the petition would seem to imply. Otherwise the peasants would long ago have appealed to the courts for damages.

(d) Contrary to the petitioners' claims, the presence of the oxen offers certain advantages. Firstly, advantages for the soil: as is well known, oxen, which fertilize the land and carry the seed, are responsible for the existence of the shrub plantations which are found in all mountain pasture lands and which fix the soil and the vegetation by greatly restricting the effects of erosion. A further advantage is that they supply the country with meat. All the butchers in the neighbourhood are supplied with fresh meat by Mr. CHOLLIER and Mr. COUHERT, who are the sole purveyors. If their herds were withdrawn, the people would be deprived of their fresh meat supply.

(e) In regard to the matter of water pollution, Mwanguel village is watered by two streams which flow down the mountainside. The oxen may have contributed to the pollution of the water, but it must not be forgotten that these two streams flow, like all others in the region, through forest channels where they are contaminated by all kinds of animal and vegetable waste. At Mwanguel, as everywhere else in Africa, the water must be filtered to be fit for drinking.

(f) Again, the undoubtedly large degree of human pollution must be borne in mind for it is very difficult to make the villagers abandon their custom of bathing and of washing their clothes and dishes in the streams which furnish the drinking water supply, so that the districts at the highest altitudes may contaminate the water which then serves the districts and villages situated below.

(5) The numerous names appearing in the document call for some observations. The list contains 81 names (with only 54 signatures). In addition to members of the U.P.C. and of the Nkongsamba C.G.T., there are at least 47 names of Bamiléké, who are strangers to the region and can have no traditional right to any land; again, there are the names of 20 inhabitants of villages situated

more than one day's walking distance from Mwanguel who know practically nothing about the matter. There are hardly seventeen Elongs altogether and they are not from Mwanguel. The list can hardly be regarded as containing representative elements of the population.

(6) The members of the U.P.C. are the only ones to raise this matter. During a recent visit to Mwanguel of the representative of the Administration, no one raised the question at the meeting of the notables and heads of families. The pointlessness of the petitioners' claims is self-evident. The U.P.C. is apparently trying by every means systematically to stir up trouble from which it hopes to benefit, but so far it has not adduced such fictitious and false arguments as those presented in this petition.
