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PETITIONS CONCERNING THE CAMEROONS UNDER
FRENCH ADMINISTRATION

Observations of the French Government as Administering Authority

Note by the Secretariat: The observations relate to the following petitions, which have been summarized in the working paper prepared by the Secretariat (T/C.2/L.121). The observations follow the order of the petitions in that document.

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1. Petition from the Association of the Women of Eséka (T/PET.5/254)

This petition, which has necessitated a great deal of fruitless research, declares that in October 1953 a Chief Subdivisional Officer forced Mrs. Rosalie MANYIM, Chairman of the Association of the Women of Eséka, to send a petition to the United Nations denouncing a political movement.

The Chief Subdivisional Officer categorically denies that he did anything to force either the petitioner or any other person to send a letter to the United Nations.

Efforts have been made to reach Mrs. Rosalie MANYIM, both in the Subdivision of Eséka, from which she comes, and in the neighbouring region, where she is supposed to have gone to receive treatment at the Enongal Hospital, but no trace of her has been found. The Administering Authority is thus unable to give any further details regarding the petitioner's complaints.

2. Petition from Mr. Pierre Yem Mback (T/PET.5/273)

The Administering Authority has already made observations on Mr. Yem Mback's earlier petitions (T/PET.5/241 and Add.1)^{1/}. His new petition, T/PET.5/273, adds nothing fresh to his earlier complaints.

The registered letter which he sent in November 1953 addressed to Mr. HOO-UNINATION and which was despatched in the normal way by the Posts and Telecommunications Service, was returned to sender by the United States Post Office, but Mr. Yem Mback refused to accept it. Upon requesting information from the Postmaster-General in Washington, the Director of the Posts and Telecommunications Service was informed that this letter had been delivered on 7 July 1954 to the address given. The local service cannot be held responsible if the address was not sufficiently explicit.

The petitioner complains that he was threatened by the representative of the Public Prosecutor's Department, at the hearing on 7 April 1954 because of his belonging to a political party. Since the oral addresses of magistrates

1/ Note by the Secretariat: See document T/OBS.5/29, section 5.

of the Public Prosecutor's Department are not recorded, it is not possible to produce written evidence to refute the libellous statement made about the magistrate in question. The records of the hearing do not, however, indicate any intervention by the Presiding Magistrate or by the Counsel for the defence, who would certainly have protested against any unwarranted remarks.

Yem Mback's complaint that Inspector Mbock carried out a search of his house on 10 November 1952 without a search warrant is also without foundation. The search was carried out in accordance with the regulations by the police inspector entrusted by the Ebolowa Magistrate with the preliminary investigation. The petitioner lodged no complaint in this connexion and if any glaring mistake had been made in the course of the preliminary investigation counsel for the defence would undoubtedly have made use of it.

Mr. de Stadieu, assistant to the Chief Regional Officer, to whom the petitioner refers a number of times, saying that he encouraged the police inspector to get rid of him, is held in great respect by the people under his administration and his fine conduct in the Allied armies during the last war is hardly compatible with the behaviour Yem Mback attributes to him, that of an instigator of criminal police intrigues.

3. Petitions from various branches of the UPC in the Mungo Region (T/PET.5/280, 281, 282, 283, 285, 286, 287, 288, 289, 291, 293)

The Administering Authority's observations relate to all the petitions received from various branches of the UPC in the Mungo Region on the subject of a number of events which took place in this area in June and July 1954. Some of the petitions refer to earlier events but no reference will be made to those because observations have already been made upon them in reply to other petitions.

Certain complaints are common to a number of petitions; in order to make the observations as clear as possible, therefore, general complaints or those most frequently mentioned will be dealt with first and afterwards the specific grievances mentioned in particular petitions.

General complaints

I. Police oppression following a meeting held by Mr. Um Nyobe at Dibombari on 7 June 1954 (T/PET.5/280, 282, 287, 293).

The information meeting held by Mr. Um Nyobe on 7 June 1954 took the form of a public meeting, leaflets having been widely distributed calling on the people to attend it. Sosso Eyoun, the Village Chief, and two notables were seriously molested after they had urged that the meeting should be kept strictly private because no preliminary notification of it had been given.

The local police force was unable to restore order and reinforcements were sent to help it. On 8 June those responsible for the incidents of the day before were arrested, taken to the local police headquarters for interrogation and released the same day. In consequence of the Village Chief's complaint that he had been molested, seven of the accused were ordered by the Mbanga magistrate to pay a fine of 5,000 francs.

II. Authorization given by the Administering Authority for the holding of a public meeting by the USC at Dibombari on 7 July 1954 (T/PET.5/280, 285, 293).

Permission to hold this meeting was given in the normal way after notification had been received within the requisite time in a letter from the organizer of the meeting to the Chief Subdivisional Officer. The meeting was orderly and no special police measures were called for.

III. Prohibition of a public meeting of the UPC at Dibombari (T/PET.5/281, 283, 285, 286, 287, 291, 293).

No prior notification of this meeting was received. The authorities only heard of it when posters were put up inviting the people to attend. On 6 July 1954 the Chief Subdivisional Officer decided to prohibit the meeting in order to prevent the recurrence of the events of 7 June, especially as any such incidents were likely to be much more serious because of the lively displeasure of the local people who are loyal to their chief.

IV. Prevalence of "military" action (T/PET.5/281, 283, 288, 289, 293).

The petitioners contend (in T/PET.5/281, 289) that the village of Njombe was subjected to military occupation on 6 July and that houses were surrounded by troops and shots fired. This is untrue: what happened was that a squad of police guards passed through the village without any show of force and withdrew an hour later. This was simply part of the squad's normal training. No police force passed through the villages of Djungo and Mombo round that date.

V. Arrest of Kingue Abel (T/PET.5/280, 281, 282, 283, 285, 286, 287, 288, 289, 291, 293).

The public meeting at Dibombari which was prohibited by order of the Chief Subdivisional Officer on 6 July 1954 was nevertheless held by Mr. Kingue Abel on 8 July. Kingue Abel was therefore arrested as he left the meeting, which had been prohibited by law, and taken to police headquarters, where particulars were taken of his contravention of the order issued by the Chief Subdivisional Officer. He was released immediately afterwards. It should be noted that the interrogation took place at police headquarters and not at the prison, as is stated in T/PET.5/288. Moreover, the action taken against Kingue Abel cannot have been for the purpose of preventing him holding his meeting, since he was not arrested until after the meeting.

VI. Speech delivered by the Chief Regional Officer on 14 July 1954 (T/PET.5/286, 287, 289).

The petitioners protest against a speech made by the Chief Regional Officer of the Mungo Region on 14 July 1954, which they consider to have been an incitement to hatred of and opposition to a political movement. These assertions are completely false. The Chief Regional Officer made a traditional 14th of July speech, in which he stressed the need for all the different communities to unite to carry out constructive economic and social work. He warned his hearers against trouble-makers but mentioned no names. The UPC is free, if it wishes, to interpret these general phrases as an attack upon itself.

VII. Attacks upon the persons of Um Nyobe, Kingue Abel and others (T/PET.5/286, 291).

The incidents referred to in these petitions have already been the subject of observations made by the Administering Authority in connexion with petitions T/PET.5/211, 232 and 245.

VIII. Inventory of industrial plantations (T/PET.5/280, 281, 282, 283, 285, 286).

The inventory of industrial plantations to which the petitioners refer is a purely administrative measure required by the technical services in order to find out the production capacities of each village, with a view to constructing cocoa-roasting ovens and a coffee factory in the Loum Region and to decide whether the construction of tracks through the cocoa plantations, as proposed, would be worth while.

Contrary to what the petitioners allege, these measures have no short- or long-term fiscal implication. Moreover, their complaints about the Administration's neglect of planters are out of place.

Their allegations are refuted by the constant increase in production in these areas, the construction of new coffee factories, improvements in the techniques used for cocoa preparation and the constant assistance given by the Provident Society, all of which prove to what good purpose the planters' contributions to the African Provident Society are used.

The inventory is being conducted under the direction and physical supervision of an officer of the agricultural services, in order to avoid any possibility of corruption. No complaint has been made of any specific cases of the extortion and misappropriation which the petitioners mention in such vague terms.

Individual complaints

I. Lack of a dispensary in the Abo Region (T/PET.5/293)

Contrary to the statement made in the petition, there has been no increase in 1954 in the taxes paid by the inhabitants of this district, who number 15,000 and not 18,000. The district is perfectly well served (all villages, without exception, are accessible by motor road) and there is a medical post and a maternity clinic nearby at Bonabéri and a fully equipped dispensary at Mbanga.

A dispensary is shortly to be constructed at Bwelelo, the district centre.

II. Lack of a dispensary at Nlohé (T/PET.5/283)

The village of Nlohé, which has 3,000 inhabitants, and not 6,000 as the petitioners maintain, admittedly has no dispensary, but this village is only five kilometres south of the Lom medical post and fifteen kilometres south of that of Manjo.

III. Lack of water at Lom (T/PET.5/282)

The three villages of Lom are supplied with water from springs in the immediate vicinity. At one of these, a catchment basin was built and a reservoir installed in April 1954, so as to provide Lom-Chantiers-route with water. The damming and piping of water from another spring have first priority in the 1955 rural works programme for the village of Lom-Chantiers-gare.

IV. Dismissal of Mr. Lambo François (T/PET.5/237)

Lambo François was employed as a driver by the modernization section of the Dibombari Palm Plantation.

His employer dismissed him after he had been condemned by the Mbanga magistrate for committing acts of violence against his Paramount Chief and because of the disturbance he had caused at his place of work. Lambo François did not complain to the Inspector of Labour against wrongful dismissal.

V. Extortion by Lingo Joseph, administrative chief (T/PET.5/282)

The petitioners are no doubt referring to Lingo Jacob, Chief of the Dschang Group at Loum-Chantiers. He was sentenced to one month's imprisonment for disobeying the provisions of order No. 47 of 5 February 1951 concerning tax regulations.

The territorial Administration has so far received no complaint from the people about the extortions of which he is accused. The investigation which has been carried out has produced no information supporting these charges.

4. Petition from various "Comités de Base" of the UPC (T/PET.5/295)

The petitioners protest against the action of Youmbi Michel, Fonkouankem Village Chief, in allowing Bamiléks from outside the chiefdom to come and settle on land belonging to the chiefdom. A number of disputes about lands have been taken to the Customary Courts and, on appeal, to the Court of Second Degree. The courts have applied the Bamiléké custom, which permits chiefs to grant lands to "foreigners" with the agreement of the notables of the chiefdom.

The petitioners also express wishes regarding the organization of the judiciary, the independence of the Cameroons and the unification of the two Trust Territories which were formerly the German Cameroons. These questions are considered by the Trusteeship Council during its annual examination of the report on the administration of the Territory.

They also mention a number of occurrences about which observations have already been made in reply to earlier petitions (T/PET.5/211, 232, 280).^{1/}

1/ Note by the Secretariat: See T/OBS.5/18, section 2, T/OBS.5/26, section 3, and section 3 of this document.

5. Petition from the "Association des notables Camerounais", local branch of Bafang (T/PET.5/290)

The Association des notables Camerounais raises a number of questions concerning the election of Chiefs and Notables and the replacement and transfer of officials. These questions touch upon the Administering Authority's general policy and are dealt with in the report on the administration of the Territory which it submits each year for consideration by the Trusteeship Council.

It should be pointed out, however, that missionaries are not officials and that their appointment and transfer are not therefore in the hands of the Administering Authority.

With regard to the deprivation of the rights of the Notables listed in the petition, it may be said:

- (1) that Kangang Gabriel, a Fontouni Notable, was not officially appointed Sous-chef de Quartier either by the Village Chief or by the Chief Subdivisional Officer. There has therefore been no deprivation of rights. If there is any rivalry, the Chief Subdivisional Officer will later institute a further enquiry to consider whether it would be advisable to appoint a Sub-chief for the district in question;
- (2) that Miafo Tchoula is still Chef de Quartier of Poumbo;
- (3) that Zaboutchi, Zatcheuna, Tafoyomani, and Zetchokoangam have never been Chefs de Quartier and are unknown to the Administration;
- (4) that Nwamba sob Foguen, a Bana Notable, died in 1945.

Furthermore, the Association des notables Camerounais which sent this petition, has not been registered and therefore has no legal existence.

6. Petition from Mr. Jacob Goumawa (T/PET.5/303)

The Administering Authority has already given its observations on the petitioner's complaints in its reply to his petition T/PET.5/158. The Trusteeship Council has already considered petition T/PET.5/158; the Administering Authority's response to resolution 930 (XIII) is annexed to these observations.^{1/}

The Administering Authority has already submitted its observations on petitions concerning the Region "attacks" of the Chief Regional Officer of Mungo on the UPC and the "arrest" of Mr. Kingue Abel (which took place on 8 July and not 8 June 1954) (petitions T/PET.5/280, 281, 282, 283 et seq.).^{2/}

Notes by the Secretariat:

1/ See T/OBS.5/41, section 1.

2/ See section 3 of this document.

The Administering Authority categorically denies the petitioner's assertion that it "systematically sabotaged" the elections. Mélong has a population of 2,523, according to the last census (and not 7,000, the figure given by the petitioner), among whom there are 1,631 electors whose ballot papers were distributed by the Chief Subdivisional Officer in person in each village, in the presence of representatives of the candidates, including that of the UPC. The Administration cannot be blamed for the relatively large number of abstentions. No complaint was made when the elections were taking place.

7. Petition from the "Comité central" of Ebougsi (T/PET.5/306)

The Administering Authority wishes to observe that the road in question is more important than the terms of the petition would suggest.

It is in fact a cross-road which runs from Ebougsi to Bissogo and links two of the principal routes serving the cocoa markets, one of which, running from Okola to Bafia, provides a connexion with the Baniéké country.

Since the Commune is responsible for the upkeep of the two main roads, the Chief asked the villagers of Ebougsi, in the interests of the village itself, to clear the linking road. The petitioners objected but, contrary to their allegations, they have never been summoned before the Chief Subdivisional Officer, nor have they been forced to work.

Moreover, the road has not been cleared.

8. Petition from Mr. Michel Owona (T/PET.5/267 and Add.1)

The two petitioners protest against various rulings and orders given by the local courts concerning the parentage of a little girl called NGO Marie. Every possible recourse, including an appeal by Owona and an appeal by the State Counsel General, has been exhausted and the judgments given have become final and irrevocable. It is impossible now for Mr. OWONA to open this case afresh, for it cannot be reconsidered.

The rulings referred to by the petitioner are the following:

- (1) Ruling of the Court of First Degree at Saa on 17 June 1950, assigning the child NGO Marie to Mr. MBIDA Martin.

(2) Ruling of the Court of First Degree at Saa on 23 June 1952, rejecting OWONA Michel's claims to the child NGO Marie.

(3) Ruling "on appeal" by OWONA of the Court of Second Degree at Yaoundé on 23 December 1952, declaring the said appeal inadmissible, because Mr. OWONA Michel did not appeal from the court ruling of 23 June 1952 within the period laid down.

(4) Order of the Special Ratification Chamber (Chambre spéciale d'homologation) regarding the appeal of the State Counsel General, declaring the said appeal unfounded.

There is, moreover, a flagrant error in OWONA Michel's petition, where he states that the State Counsel General "rescinded" the ruling of the Court of Second Degree of 23 December 1952 in accordance with a written instruction. An instruction by the State Counsel General can have no more legal effect than to request the rescinding of a ruling; it cannot itself rescind the ruling.

9. Petition from Mr. Samuel Ntchame Zo'o (T/PET.5/274/Add.1-7)

In his letter of 31 August 1954, circulated as Addendum 1, the petitioner protests against the marking out of his lands. The demarcation of the lands belonging to the Ntimban Ndo community, to which Ntcham Zo'o Samuel belongs, was undertaken by decision of the judicial authorities so that they could be divided up among the members of the community and in order to find out what belonged to Ntcham Zo'o Samuel, with a view to their possible sale. Entitlement to this plot of 12 hectares was recognized by ruling of the Court of Second Degree at Ebolowa, and a land registration certificate issued.

The petitioner also refers to a sum of 100,000 francs paid by Mr. Exarchos to the receiver. Mr. Ntcham Zo'o Samuel had in fact sold a plot of land (No. 19) to Mr. Exarchos, in accordance with normal procedure, before the institution of the bankruptcy proceedings, but as the purchaser had not completed the formalities for the transfer of the land registration certificate at the time of the adjudication of bankruptcy, the plot passed to the receiver. It was in order to retain his right to the land that, after the creditors and the trustees had met and reached agreement, Mr. Exarchos paid an additional sum of 100,000 francs to the receiver.

The Administering Authority cannot interfere with the proceedings of the courts and cannot, therefore, reply to all the petitioner's grievances concerning the proceedings taken against him.

10. Petition from Mr. Tchinda, Chief of Bamendjinda (T/PET.5/296)

The petitioner complains that he was imprisoned without trial after violent clashes had taken place between the inhabitants of his chiefdom and those of a neighbouring village, and that he suffered losses in goods and persons during the period of his detention.

The following observations are relevant:

Tchinda was not imprisoned either at Dschang or at Bafang. He has not spent eight years and seven months in prison.

In 1946 he was sentenced by the Court of Second Degree at Dschang to four years' imprisonment and five years' local banishment for his part in an armed rebellion. In fact, early in 1946, when he was Chief of Bamindjinda, he led the people of his village in a number of attacks on the neighbouring village, demolishing huts and burning crops. Moreover, he refused to make good the damage caused and in June 1946 he repeated his armed attacks.

His sentence of four years' imprisonment was reduced to six months and he was released on 18 December 1949. The sentence of local banishment pronounced by the court continued to operate up to 18 December 1954. He therefore lives at Bafang with his family.

After his conviction the petitioner was no longer Chief and Bamiléké custom prescribes that property in the chiefdom and traditionally attached to the function of Chief shall pass into the possession of the new Chief.

The petitioner knows the customs and had no right to ask for the restoration of property to which he is no longer entitled. If he thinks there are certain articles to which the transfer does not apply, there are judicial means open to him for obtaining them.

Furthermore, the petitioner has certainly seen his family since 1946, for he has been resident at Bafang since his release in 1949 and six of his children died there.

11. Petition from Mr. Ntapié, Chief of Balafié (T/PET.5/301)
Petition from Mr. Pierre Ngameni Ntapié (T/PET.5/309)

An ancestor of Ntapié, who was ousted from the succession of his brother, the Chief of Fondjomekwet, left that chiefdom and came and settled at Batouni, where he asked the Chief for asylum. The Chief made him Sous-chef de quartier of Bamekoua. In 1907 Ntapié, his sixth descendant, took charge of the Bamekoua quartier.

In 1926, following disturbances caused by Ntapié, who was then at loggerheads with the Chief of Batouni and was trying to return to Fondjomekwet as Chief, it was decided that each of the two Chiefs should retain in his circonscription those Ntapié descendants who had settled there, and this Ntapié thus became Chef de quartier at Balafi at Fondjomekwet.

In 1936 he instigated fresh disturbances which had to be put down by force. On 7 January 1937, the Bafang Court of First Degree sentenced him to five years' imprisonment and five years' local banishment for insubordination, rebellion and serious acts of public disorder (the judgment was ratified by the Ratification Chamber (Chambre d'Homologation) in session at Douala by order No. 32 of 17 February 1937). By order No. 404 of 28 February 1940 he was set free conditionally and ordered to live at Fondjomekwet.

He repeated his offence in 1942 and was sentenced to five years' imprisonment and five years' local banishment for breaches of the peace, by judgment No. 4 of 4 February 1943 given by the Bafang Court of First Degree and confirmed by a judgment given by the Dschang Court of Second Degree on 20 May 1943. The sentence of local banishment was to expire on 3 May 1952.

As for the "list of losses suffered" which Ntapié attaches to his petition, there is nothing to be done about the articles he refers to, for they are customary property attaching to the function of chief and do not belong to the individual. Since Ntapié is no longer Chief he can no longer lay claim to them.

With regard to the twenty-two wives, thirty sons, twenty-one daughters and eight servants who he says have died, it is not possible to determine the circumstances of their deaths.