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PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION

Observations of the French Government as Administering Authority

Note by the Secretariat: These observations relate to the following petitions:

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1. Petition from the population of Mvog-Mbi (T/PET.5/469)

Taxation

The Administering Authority denies the petitioner's allegations.

Suppression of rights

In 1952 and 1953 Mr. OTTO Belibi, as a member of the Mvog-Belibi community, was granted co-ownership rights in respect of two holdings.

He made a third application for the grant of property rights in a holding also claimed by two other persons. The normal procedure is being followed.

The various holdings comprised in Yaoundé airfield were dealt with in 1935, 1950 and 1951 in accordance with the normal classification procedure, the owners receiving compensation for their losses in each case.

Education

The petitioner's assertions are fantastic.

2. Petition from the Chairman of the local committee of the Union des Populations du Cameroun of Nkomakondo Babimbi (T PET.5/470)

With regard to the case of Mr. Penda Pierre the Administering Authority refers to its earlier observations, especially in connexion with petition T/PET.5/365.^{1/}

Observations have also been submitted on the facilities in Babimbi Subdivision and the Sakbayémé ferry.

3. Petition from Mr. Abraham Mbock (T/PET.5/471)

It is true that a construction firm building a bridge damaged some crops belonging to the petitioner.

An official report on the damage was drawn up, and Mr. MBOCK will receive compensation for his losses in accordance with the regulations in force.

1/ Note by the Secretariat: See T/OBS.5/44.

Mr. MBOCK, who is sixty years of age and has only two dependants, his elder brother's widow and her son, is correctly assessed for taxation.

The Administering Authority has submitted elsewhere its observations on the subject of the hospital and the Sakbayémé ferry.

4. Petition from Mr. David Richard Tagne (T/PET.5/472)

1. Mr. Moteyo applied for a passenger transport licence in September 1954, and in accordance with the regulations his file was transmitted to the Directorate of Public Works for submission to the Traffic and Transport Board. The Board rejected Mr. Moteyo's application having regard to the fact that on 5 July 1954 the applicant had been sentenced to imprisonment for one month and a fine of 5,000 francs for destruction of title deeds, violence and assault and battery.

2. Mr. Fosso François, an ex-serviceman, had since 24 January 1951 been operating under a licence to sell non-alcoholic drinks for consumption off the premises. By letter No. 2016 RWI of 5 December 1953 his licence was extended to cover the sale of non-alcoholic drinks for consumption either off or on the premises.

By a letter of 31 July 1954, Mr. Fosso François informed the Chief Regional Officer of the Wouri that he was giving up the use of his licence for financial reasons.

3. The Administering Authority has already replied concerning: the stallage tax regulations in the Bamiléké region (cf. T/PET.5/327)^{1/}; the Fouban incidents (cf. T/PET.5/211)^{2/}; the Mbouroukou incidents (cf. T/PET.5/232)^{3/}; the dismissal of Ndjimoffira (cf. T/PET.5/210)^{4/};

Notes by the Secretariat:

1/ See T/OBS.5/51.

2/ See T/OBS.5/18.

3/ See T/OBS.5/26.

4/ See T/OBS.5/17.

and the dispersal of a UPC meeting held on the public thoroughfare at Douala on 7 November 1954 (cf. T/PET.5/367)^{1/}

4. The Administering Authority has already submitted its observations concerning Kom Daniel and Kame Sakeo in reply to petition T/PET.5/245.^{2/-}

5. Mr. Kamsi Joseph was dismissed in due form in accordance with the provisions of the Labour Code (cf. reply to T/PET.5/473).^{3/}

5. Petition from Mr. Isaac Nkazu (T/PET.5/473)

Douala airfield

It is true that the Territorial Assembly agreed in principle to the sale of Douala airfield to the French State, but this arrangement was discarded in favour of a more flexible one. Under a new decision adopted by the Territorial Assembly at its 1955 budgetary session, a new agreement was drawn up providing for the lease of Douala airport to the French State for a term of ninety-nine years.

The Fouban incident of March 1953 and the Njimoffira and Mouchili cases

The Administering Authority has already submitted its observations on these incidents in connexion with petitions T/PET.5/211, T/PET.5/210 and T/PET.5/320.^{4/}

Wrongful dismissals

It has been found on investigation that the three employees mentioned by the petitioner were dismissed quite properly in accordance with the

Notes by the Secretariat

1/ See T/OBS.5/52.

2/ See T/OBS.5/29 and Add.2.

3/ See section 5 of this document.

4/ See T/OBS.5/18, T/OBS.5/17 and T/OBS.5/50.

provisions of the Labour Code; and neither Mr. Kamsi nor Atangana lodged a claim with the Labour Inspectorate. Mr. Fouda, who was dismissed after several warnings for repeated unpunctuality and absence without good reason, initially appealed to the Labour Tribunal but later withdrew his claim for damages.

Incidents of 5 and 7 November at Douala

The Administering Authority submitted its observations on these matters in connexion with petitions T/PET.5/367, T/PET.5/440 and T/PET.5/457.^{1/}

Inadequacy of health, educational and highway facilities

The Administering Authority gives an account in its annual report of the progress made in the Territory with regard to economic and social advancement. Both for financial and for human reasons such advancement, which has certainly not yet attained all its goals, is of necessity gradual. In this connexion the Administering Authority is glad to note the petitioner's interest in the economic and social development of his own region, but must point out that his statements are tendentious. While the Bamiléké region is the most densely populated in the Territory it is also among those best equipped with dispensaries, schools, roads and so forth.

6. Petition from Mr. Pierre Mandeng (T/PET.5/476)

On 11 January 1955 Mr. MANDENG Pierre reported a case of house-breaking at the premises of the C.G.T.

In the investigation of the case particular attention was given to the suspects indicated by Mr. MANDENG Pierre, but the offender or offenders could not be traced.

^{1/} Note by the Secretariat: See T/OBS.5/52 and T/OBS.5/66.

7. Petition from Mr. Isaac Penda (T/PET.5/481)

1. SIMO ZACHARIE, an ex-serviceman, did not die in battle but passed away at Yacundé on 8 September 1943 as the result of a cerebral haemorrhage

The Minister for Ex-Servicemen and War Victims stated in a letter of 19 May 1952 that as the circumstances of death had been other than those specified in Ordinance No. 45-2717 of 2 November 1945, the entry "Died for France" ("Mort pour la France") could not be made on the death certificate in respect of SIMO ZACHARIE.

Furthermore, at the time of his death the above-named had not accumulated sufficient service to entitle his widow to a pension.

No application for relief for SIMO ZACHARIE's family has ever reached the Ex-Servicemen's Office. If such an application were lodged action could be taken on it.

2. In July 1940 Mr. GALY held office as Director of the Sûreté at Douala. Having refused on 27 August 1940 to join Free France, he was arrested and interned in the Territory. In 1943 he enlisted in the navy as interpreter and cipher officer, and took part in several campaigns. Mr. ENEL's case is unknown to the administrative authorities.

3. It is absolutely untrue that the children of ex-servicemen have been expelled from school, except in cases of manifest inaptitude.

4. There is no wage discrimination between equally qualified European and African inspectors.

5. The implication that the authorities are hostile to ex-servicemen is entirely groundless.

6. There is no SAP in the Douala urban area.

7. The rate of taxation is fixed by decision of the Territorial Assembly of the Cameroons.

8. There is no dressing-station at Bonadjo. The equipment of the Laquintinie hospital and of the local maternity homes is already adequate but is constantly being improved.

9. Mr. KEMAJCU, Customary Chief of the Bazou chiefdom, is far more representative of a Bamiléké community than Mr. Penda Isaac.

10. On the subject of Douala airfield the Administering Authority has already given its reply in connexion with petition T/PET.5/473.^{1/}

8. Petition from Mr. Louis Yapta (T/PET.5/483)

1. Observations on forestry control in the Territory (felling permits) have already been submitted.
2. Trade in foodstuffs is entirely unrestricted except when, owing to a poor crop in a producing area, there might be a shortage if too much food was exported.
3. Carriers' licence and taxation rates are fixed by order at the decision of the Territorial Assembly of the Cameroons. The Department of Direct Taxation decides which rate to apply to a particular carrier on the basis of his annual turnover.
4. The rate of insurance contracts is a matter of private law. Every carrier must be insured.
5. The 6 per cent tax to which the petitioner refers represents the turnover tax fixed by decision of the Territorial Assembly of the Cameroons (General Code of Taxes in the Cameroons, article 503). In the case mentioned by the petitioner this tax is perfectly legitimate, as it applies to all commercial, industrial or artisanal services rendered within the Territory (General Code of Taxes in the Cameroons, articles 508 and 510).
6. Observations on the subject of the Douala airfield have already been submitted in connexion with petition T/PET.5/473.^{1/}
7. The incident of 13 January 1954 concerns the arrest of a gang of smugglers by the British authorities in the Territory under British administration. The Administering Authority of the Cameroons under French Administration has no special observations to make on this case.

^{1/} Note by the Secretariat: See section 5 of this document.

9. Petition from Mr. Isaac Yila (T/PET.5/485)

1. Mr. KEMAJOU Daniel, Paramount Chief of the Bazou community, is far better qualified to represent the views of Bamiléké traders than a Bamiléké who emigrated to Douala many years ago.
2. Observations concerning the periodic markets in the Bamiléké region and the stallage taxes have already been submitted in connexion with petitions T/PET.5/319 and T/PET.5/327.^{1/}
3. Observations on the subject of Douala airfield have already been submitted in connexion with petition T/PET.5/473.^{2/}
4. Observations on the Fouban and Mbourcukou incidents were submitted in connexion with petitions T/PET.5/211 and T/PET.5/232.^{3/}
5. Observations on the dismissal of Mr. MOUCHILI and Mr. KAMSI were submitted in connexion with petitions T/PET.5/320, T/PET.5/475 and T/PET.5/473.^{4/}

10. Petition from Mr. Joseph Innocent Kamsi (T/PET.5/486)

1. Mr. KAMSI Joseph, who had been employed by the CFAO as a storeman since 1 February 1936, was dismissed on 30 April 1954. The employer gives the following reason for his dismissal: One storeman's post had become redundant after a reorganization of the company, and Mr. KAMSI was dismissed as being the least satisfactory employee in that category. Mr. KAMSI received paid leave and due notice. He lodged no claim with the Labour Inspectorate or the Labour Tribunal.

Notes by the Secretariat:

- 1/ See T/OBS.5/50 and T/OBS.5/51.
- 2/ See section 5 of this document.
- 3/ See T/OBS.5/18 and T/OBS.5/26.
- 4/ See T/OBS.5/50, T/OBS.5/66 and section 5 of this document.

2. On 13 January 1954 a gang of smugglers from the Cameroons under French Administration was arrested by the British authorities between Pendja and Mboudji. The smugglers having offered resistance, the British customs officers used their weapons. As the incident occurred in the Territory under British administration, the Administering Authority of the Cameroons under French Administration has no special observations to make on the case.
3. Observations concerning the strike at the Douala Vocational School have already been submitted in connexion with petitions T/PET.5/224 and T/PET.5/236.^{1/}
4. The Administering Authority has already replied regarding the incidents at Fcumban on 25 March 1953 (cf. petition T/PET.5/211).^{2/}
5. Observations on the subject of Douala airfield have already been submitted in connexion with petition T/PET.5/473.^{3/}

Notes by the Secretariat:

- 1/ See T/OBS.5/28.
- 2/ See T/OBS.5/18.
- 3/ See section 5 of this document.