



UNITED NATIONS TRUSTEESHIP COUNCIL



Distr.
LIMITED

T/CCM.5/L.28
11 December 1953
ENGLISH
ORIGINAL: FRENCH

COMMUNICATION FROM MR. HERMANN YENE CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION

(Circulated in accordance with rule 24 and supplementary rule F of the rules of procedure for the Trusteeship Council)

YENE Hermann,
Restaurant-owner,
P.O. Box 416,
Yaoundé, Cameroons.

Yaoundé, 31 October 1953

To the President and Members of the United Nations
General Assembly,
New York.

In petition T/PET.5/131, I drew the attention of the Members of the United Nations to the injustice done me by the Administering Authority for the Cameroons. That petition was the subject of a resolution adopted by the Trusteeship Council at its 483rd meeting on 21 July last.

I have the honour to rectify, or rather to refute, the fanciful allegations of the French representative and the Administering Authority's observations on a number of points raised in my petition.

This case has given rise to general indignation and has created much disturbance throughout the Cameroons. It has called forth the most gloomy comments in some of the Territory's periodicals, including one by Dr. AUJOUAT, a Minister of the French Republic, who outspokenly denounced brutality of the police and the injustices of the judicial authorities in the Cameroons. The two articles published by Dr. AUJOUAT have never been contradicted by the Administration, the judicial authorities or the police. This eminent Frenchman, who cannot be accused of bias, himself complained of the atrocious acts and the inefficiency of the judicial services in the Cameroons. Dr. AUJOUAT also regretted that the

judicial authorities had continually refused to hear his evidence, which would certainly have saved my case. Why was Dr. AUJOLAT not allowed to testify? Obviously it was because the authorities, in defiance of equity, wished to convict me at any price, in spite of my innocence. I also send you herewith two copies of the newspaper "Le Cameroun de demain" ^{1/} which throw some light on the accusations made against the Administering Authority for its oppressive and discriminatory treatment of the peaceful indigenous inhabitants.

I wish to contradict most categorically the specious arguments adduced by the Administering Power, to the effect that racial discrimination did not play any part in this affair and does not exist in the Territory.

(1) I brought against the two police officers a complaint supported by documentary evidence (photographs and medical certificate) for assault and battery upon myself. The court rejected the complaint and accepted that of the guilty party - the police.

(2) As the victim was a Negro child, no attempt was made at the time of the accident to draw up a report or conduct an inquiry by which alone the criminal responsibility could have been validly placed with the driver, against whom there was prima facie evidence enough. The French representative referred to some inquiry, but none, to my knowledge, was ever held; and the alleged inquiry seems somewhat apocryphal, since none of the eye-witnesses of the accident was given a hearing. Instead of making an inquiry the police were busy rounding up the inhabitants of the Awae quarter.

(3) A comparison may be made between the case of the European named PERNY, who, for wilful and premeditated murder, was sentenced, by the court's indulgence, to two years' imprisonment with stay of execution and to payment of damages to the amount of ten thousand francs, and my own case, in which, for an alleged offence of assault and battery, I was sentenced to four months' rigorous imprisonment and to payment of damages amounting to two hundred thousand francs. No other murderer has ever been dealt with so leniently by a court. The case described above shows quite clearly that racial discrimination in all its forms still exists in the Territory.

^{1/} Note by the Secretariat: The documents referred to as annexes are in the Secretariat files and are available to members of the Trusteeship Council on request.

For the reasons set forth above, I assert that racial discrimination played an important part in my case and any accusation that discriminatory practices were applied is valid and well-founded.

I also refute 'the police officers' ingeniously fabricated contention that I tried to escape through an open window and that, held by two inspectors of police, I fought violently, injuring the two police officers, who had to use force to overcome me. This contention is both stupid and devoid of all plausibility. There was no question of my trying to escape through the window or of any violence against the police officers: it was merely an odious plot on the part of the police, who wished to avenge themselves by cruelly mishandling me.

Although efforts are being made to make you believe that the points raised in my petition come within the competence of the courts, it should be noted that justice is no longer impartial in the Cameroons when a white man and a coloured man are the parties to litigation.

The United Nations should recommend the Administering Power to desist from such injustices, which are incompatible with the aims of the International Trusteeship System.

(Signed) YENE
