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COMMUNICATION FROM THE KAMERUN NATIONAL CONGRESS/KAMERUN PEOPLE'S PARTY
ALLIANCE CONCERNING THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION

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KAMERUN NATIONAL CONGRESS/KAMERUN PEOPLE'S PARTY
ALLIANCE.

Buea, Southern Cameroons,
April 4, 1960

To the Right Honourable
The Secretary of State for the Colonies,
Colonial Office,
Church House,
London, England.

Through His Excellency
The High Commissioner for the Southern Cameroons, Lagos.
and

His Honour
The Commissioner of the Cameroons, Buea.

Sir,

The Future of the Southern Cameroons and Related Matters.

I am directed by the National Executive Committee of the K.N.C./K.P.P.
Alliance to refer to Chapter III Section 82 - (a) (4) Page D56 of the Nigeria
(Constitution) Orders in Council, 1954 to 1958, - L.N. 16 of 1959, which reads:-

".....(a)(4). The High Commissioner for the Southern Cameroons may at
any time by Proclamation published in the Official Gazette of the Southern
Cameroons prorogue or dissolve the House of Assembly of the Southern
Cameroons:

"Provided that, unless it has been sooner dissolved, he shall in any
case dissolve the House at the expiration of five years from the date of
the first sitting of the House after any dissolution",

and to confirm the following telegram despatched to His Excellency the High Commissioner for the Southern Cameroons on the 19th of March and copied to the Secretary-General of the United Nations, New York, U.S.A.,^{1/} and yourself:-

"Govgen Lagos

Kamerun national Democratic Party no longer commands majority in Assembly Position now KNDP 13 KNC/KPP 13 x Grave issues facing territory like administrative separation from Nigeria involving transfer federal subjects to Southern Cameroons x Impending Plebiscite and precarious financial position territory are controversial and momentous subjects of high magnitude no Government without clear and undisputed majority can unilaterally undertake to implement x Notwithstanding parity votes of elected members in Assembly KNDP refuses resigning neither have they suggested formation National Government x Stalemate continues contrary tenets of parliamentary democracy x Under these circumstances we call for immediate dissolution of Assembly x Copied COLSEC and UNATIONS

Endeley Opposition Leader".

2. Although our cable is self-explanatory, we would, for the sake of clarity, reproduce hereunder a Statement I issued with the advice and consent of the National Executive Committee of the Alliance on the 19th of March - a statement which has given rise to the cable quoted in the preceding paragraph:-

"After the results of the last General Election in the Southern Cameroons, the United Nations Organisation rightly observed that the Kamerun National Democratic Party with 14 elected seats against 12 of the KNC/KPP Alliance in the Southern Cameroons House of Assembly, did not have a secure parliamentary position nor a clear mandate to pursue its policy in regard to the future of the Territory (Paragraph 215 of the Visiting Mission's report on the Cameroons under United Kingdom Administration 1958/ Supplement No. 2 refers).

"2. In the course of the implementation of its policy, the Kamerun National Democratic Party had become unpopular in the Territory to the extent that even in Parliament, it no longer commands a majority of elected members, the position now being the KNDP 13 and KNC/KPP Alliance 13.

"3. There are grave issues facing the Territory, like the administrative separation from the Federation of Nigeria by 1st October, 1960 - which involves the transfer of Federal subjects to the Government of the Southern Cameroons - the impending Plebiscite, and the very precarious financial position of the Territory. These are controversial and momentous subjects of such magnitude that it becomes imperative for whichever party is running the Government from now to the time of the plebiscite to have a clear and undisputed majority of elected members in the Parliament.

"4. Notwithstanding the parity of the votes of the elected members in the Assembly, the KNDP have refused to do the obvious thing that is either to resign or to suggest the formation of a National Government. The stalemate continues contrary to the best tenets of parliamentary democracy.

"5. Under these circumstances, the KNC/KPP Alliance calls upon His Excellency the High Commissioner of the Cameroons to dissolve the House of Assembly immediately to enable the parties to seek fresh mandates from the electorate".

Paragraph 215 of the printed report on the Cameroons under United Kingdom Administration by the last United Nations Visiting Mission to West Africa, 1958, (Trusteeship Council Official Records: Twenty-third Session (30th January - 30th March, 1959 - Supplement No. 2)) reads, 'inter alia':-

x x x

".....But in addition, and this may be of larger importance, the Government will have to take into account the political aspects of the matter. In the first place it may have to determine, in view of a strong opposition in the House of Assembly equally firmly committed to continued association with Nigeria, whether its political situation is sufficiently secure and its mandate sufficiently clear to enable it to pursue separation from Nigeria. The Mission has noted in this connexion that the leaders of the opposition alliance have already requested an immediate meeting of the House of Assembly on the grounds that because of the closeness of the election results the policy of the new government party 'needs restating and testing' on the floor of the legislature".

x x x

His Excellency the High Commissioner has returned the following reply to our statement reproduced above:-

"I have received a copy of a statement issued by the KND/KPP Alliance dated the 19th March, 1960, and signed by you and calling upon me to dissolve the House of Assembly. The power to dissolve the House rests with the Commissioner, see section 82(4) of the Constitution Order, except in so far as I may give him directions.

"I understand that up to date the Government has not been defeated in the Assembly and under normal constitutional practice as I know it there is therefore no immediate reason for me to give any such directions".

This is in effect an echo of the statement made by His Honour The Commissioner of the Cameroons at an interview all members of the Opposition had with him at Buea on 21 March, 1960. We are unable to share His Excellency's view.

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3. In the circumstances created by the 'Crossing of the Carpet' by Mr. J.M. BOJA, member for Wum West Constituency, there would seem to us to be only two courses of action open to the Administering Authority, viz., to persuade the K.N.D.P. Government to resign forthwith and thus enable the two main political groups in the House of Assembly - which now have 13 elected members each - to seek fresh mandates from the electorate, or for His Excellency to dissolve the House in accordance with the provisions of Section 82-(a)(4) of the Nigeria (Constitution) Orders-in-Council, 1954-1958, (L.N.16 of 1959). We are strengthened in this argument by the fact that, having regard to the irreconcilable nature of our respective policies as regards the future of this territory, our parties cannot coalesce in order to form a National Government. Aside from this consideration, the K.N.D.P. have since taking over the government of this territory some fourteen months ago embarked upon an iniquitous programme of intimidation, victimization of political opponents and political jobbery of a tall order for the purpose of gaining an unmerited ascendancy at the forthcoming plebiscite - depredations which are crying out to the high heavens, and which are so repugnant to public conscience and morality as to render any collaboration of our two parties impossible. Thus the remedy of the situation lies in the dissolution of the House of Assembly. With your permission, we would furnish a catalogue of these heinous and tyrannical acts later in this communication. In this connection, it is relevant to quote the following from a communication addressed to His Excellency the High Commissioner on July 22, 1959:-

"During an interview with you and members of the Opposition parties at the Commissioner's Lodge, Buea, on the 16th July, 1959, I raised the question of how the Police Force in the Southern Cameroons was being used by the Government Party to harass and intimidate supporters of the K.N.C. and K.P.P. with the sole intention of weakening our followership. I mentioned how a number of unwarranted and unnecessary searches and arrests had been made for which no substantial charges had followed....."

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4. It is pertinent to mention here, in relation to the present respective voting strength in the House of Assembly, that the specious argument is being freely used by the Government that the K.N.D.P. still possess a majority of votes in the House of Assembly, for Mrs. J.N. Mua, wife of a defeated K.N.D.P. candidate in the last General Election and the special member appointed by His Excellency on the

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recommendation of Premier J.N. Foncha to represent the interests of the women of this territory - a term which includes the women owing allegiance to our party - invariably votes for and with the K.N.D.P. on all, and every political issue. This is a highly unsatisfactory state of affairs. We question very strongly whether Mrs. Mua's propensity to vote exclusively, rightly or wrongly, for the K.N.D.P. could in reason be deemed to "represent the interests of all the womenfolk in the Southern Cameroons, who are not otherwise adequately represented in the House" (cf. Chapter III Section (a) 36 Page D 31 of the Nigeria Constitutional Instruments, 1954-58). In this connection, we would invite reference to the arguments adduced in our letter of the 4th of April, 1959, addressed to His Excellency the High Commissioner, and His Excellency's reply as communicated to us in his Secretary's letter No. 1526/82 of April 30, 1959, which reads:-

"I am directed by His Excellency the High Commissioner to acknowledge the receipt of your petition of the 4th April in which you protest against the appointment of Mrs. J.N. Mua as a Special Member of the Southern Cameroons House of Assembly, and ask that the appointment should be annulled.

"2. I am directed to inform you that His Excellency has received and considered the petition, that the appointment was made after consultation with the Premier of the Southern Cameroons and that His Excellency does not intend to revoke it".

5. The issue on which a decision is urgently required is not, in our opinion, a defeat of the K.N.D.P. Government in the House of Assembly, but on the problem of the K.N.D.P.'s right to speak with the same voice as it did after the last election on questions of major policy such as the future of this territory. Can they now claim to speak for the majority of the people of this territory under the present circumstances where there is parity of elected, repeat elected, members between Government and Opposition. It must not be forgotten that Mr. J.M. Boja resigned from his party for two reasons:-

- (a) That his people urged him to leave a party that advocated Unification with the Republic of Cameroun, and
- (b) that he, Mr. Boja, was personally not impressed by the K.N.D.P. policy on the future of the territory, for there appeared to be a lot of conflict among the party leaders over party policy.

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6. Under normal circumstances, it would be proper to await a defeat of the K.N.D.P. in the House of Assembly, because it will be a normal battle between Government and Opposition as to who should run the government. But we are all aware of the fact that the political atmosphere in the Southern Cameroons is now abnormal in-as-much as the parties are committed to widely divergent policies as to the future of the territory, and while these views remain unresolved, the territory continues to suffer in every respect.
7. Mr. Foncha has not the honour to realise the shameful position in which he places himself by clinging to office when he no longer enjoys the confidence of the electorate. One may assume that he is not sufficiently conversant with the ethics of parliamentary democracy. He needs, therefore, to be told in no uncertain language by responsible persons what is expected of him, instead of being defended by local officialdom to sustain a shameful position.
8. Our considered view is that another election might resolve the present deadlock as it will definitely be contested on what is now known to be the avowed policies of the two opposing parties in the legislature.

It is not a far-fetched supposition - judging from what emerged from our recent interview with His Honour The Commissioner of the Cameroons (vide paragraph 2 above) - that local administrative officers are under the erroneous impression that the majority of our people do in fact support the K.N.D.P. policy of secession from the Federation of Nigeria and unification with the Cameroun Republic - an impression which officialdom would seem to have communicated abroad. This is a misleading and dangerous assumption. Since the "proof of the pudding is in the eating", we earnestly request you to use your good offices with a view to effecting the dissolution of the Southern Cameroons Legislature in order, among other things, to test and give the lie to the much-vaunted popularity of the K.N.D.P. Government.

9. In our letter dated the 28th of November, 1959, addressed to His Honour the Commissioner of the Cameroons, we requested him to convene a meeting of the Southern Cameroons House of Assembly before Christmas 1959 to deal with the following matters, which appeared to us to be of national significance:-

- (a) the K.N.D.P. Government to restate its policy in the light of the Resolution on the future of the Southern Cameroons, passed by the General Assembly of the United Nations on October 9, 1959:

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- (b) to debate the expenditure of public funds on the newly established Ministries for which no financial provision was made either in the approved Estimates for 1959/60, or in the first Supplementary Estimates for 1959/60, and which was unilaterally approved by the Executive Council:
- (c) to debate Sir Sidney Phillipson's report on the financial and economic implications of our secession from the Federation of Nigeria.

We quote parts of our communication to the Commissioner of the Cameroons:-

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"When the K.N.D.P. came into power early this year, the new Government made a clear statement of policy which was reflected in the speech from the Throne. This policy statement was fully debated as well as a motion by the Minister of Works and Transport, which was passed on the 12th February, 1959. It is clear that the recent resolution of the General Assembly is in conflict with Government intentions, and the people of the Southern Cameroons are entitled to know what the Premier's new programme is in respect of the resolution itself and the investigations that were ordered to examine the implications inseparable from executing his original policy. It will also be remembered that after the earlier decision of the General Assembly in February this year, the Premier reported to the House of Assembly.

"We are of the opinion that the recent decision of the General Assembly on the future of the Territory is very far-reaching in its effect and in-as-much as it involves a possible choice for the British sector to re-unify with the French Cameroons, which attains her independence in the New Year, it becomes, in our view, almost obligatory for the Government to declare his policy, without any equivocation whatsoever, before January 1, 1960.

"The Order-in-Council bringing the decisions of the last Nigerian Constitutional Conference into operation has recently been signed by Her Majesty, and as a result the Premier, Mr. Foncha, has created two new Ministries. As far as we remember, no provisions were made in the Estimates for meeting these new expenditure which is bound to be heavy as new offices and additional posts will have to be created to serve the new Ministries. Are we to understand that Government intends to introduce this expenditure through the back door without seeking the sanction and authority of the Legislature as provided for under the Finance Law? Could these matters be classified as emergency requirements too?

"We are convinced, Your Honour, that the subjects listed above are of sufficient public interest and urgency to deserve an emergency meeting of the Legislature to deliberate upon them, and we appeal to Your Honour to use your good offices to advise the Executive Council to summon an early meeting of the Southern Cameroons House of Assembly.

"We are in duty bound to make it quite clear that any attempts on the part of Government to cover itself in a smoke screen of secrecy at a time like this can only be interpreted as an indication of loss of confidence. The remedy for this is an immediate dissolution of the House to enable them

to seek a new mandate from the electorate. No Government that is worth its salt can circumvent the normal parliamentary channels in stating its policy or in implementing measures designed to serve the public interest.

"We sincerely hope that our request will be given due consideration in the interest of preserving the high traditions of parliamentary democracy in the Southern Cameroons".

10. In a letter addressed to us on December 18, 1959, in reply to our communication to the Commissioner, Mr. J.N. Foncha, Premier of the Southern Cameroons, stated that our request had been considered by the Executive Council but the Government did not consider that the reasons adduced by us were "sufficient to justify the summoning of a meeting of the House of Assembly before the next normal meeting, due to take place in March, 1960". The "Hansard" of the recent sitting of the House will, in our opinion, testify to the fact that this "decision" of the Executive Council was a transparent attempt by the K.N.D.P. to postpone the evil day.
11. We recognize the fact that you are fully conversant with the factors which led up to the creation of a separate and distinct Legislature for the Southern Cameroons as well as the democratic principles upon which the day-to-day running of business of the government of this trust territory is founded. You may, however, hold us excused for venturing - for the purpose of a better understanding of our representations as contained in this communication - to give a brief exposition of the Nigeria Constitution as it affects this territory and as we understand the same.
12. The Southern Cameroons House of Assembly, like any other Legislature in the British Commonwealth of Nations, is founded on those fundamental principles of democracy for the sake of which the Mother of Parliaments at Westminster has jealously guarded freedom, justice and the rule of law and order through the centuries. It is on the guarantee that political leaders in the Southern Cameroons are sufficiently mature to uphold the rule of law and order, and respect the fundamental freedoms and the supremacy of Parliament that Her Majesty's Government in the United Kingdom gave way to our agitation for the establishment of a Legislature and the progressive introduction of the ministerial system of government in this territory. Our continuous representations in **Constitutional** Conferences with Nigerian Political Leaders have resulted in a written Constitution which we regard as the source of government authority. Through it final authority

becomes vested in the people through their votes. Thus by the elective process the electorate give their representatives the power to carry out their duties and functions under the law.

13. Our Constitution also includes guarantees for fundamental human rights and privileges which cannot be abridged or tampered with under any circumstances. It assures the people that all men are equal before the law and have equal rights to its protection. In order to safeguard those fundamental principles our Government must operate on the three standards and/or branches upon which all representative governments function, namely:-

- (1) The Legislature which originates and passes the laws;
- (2) The Executive which administers the laws; and
- (3) The Judiciary which interprets these laws and settles disputes.

In order to prevent any of these branches of Government becoming dominant through the acquisition of too much power the authority given to each in any representative democracy is limited by checks and balances.

14. We may be permitted to characterize ourselves as honest and experienced Opposition. Thus we are alarmed at the way and manner in which the K.N.D.P. have been blundering with the basic principles of representative government since they came into power some fourteen months ago. A series of events which have occurred since then, and the general conduct and utterances of the responsible Ministers of State have forced us and other right-thinking people to the inevitable conclusion that they have become power-drunk and gone off the rails and are heading for a direction which has no respect for the supremacy of the Legislature or the rule of law and order. We have now reached a stage where the Executive is in fact usurping the functions of the Legislature and Judiciary. To them their duty is not to run a government of the people, for the people, and by the people, but a government for only those citizens who either voluntarily or coercively acknowledges the K.N.D.P. as demi-gods. In other words, they are working towards 'Totalitarianism' by using their public offices not for the common good but for the indoctrination and propagation of their party ideology, and the pursuit of their selfish ambitions. And the first move in this direction is to weaken the centre of political gravity of representative government which is the Legislature by breaking it down with contempt as if it is a mere "debating society" or "talking shop".

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17. MAL-ADMINISTRATION

(a) Victimization of Political Opponents:-

Since the K.N.D.P. came to power, a good number of people have been ruthlessly removed from their employment or offices not because they have been found wanting, but for the simple reason that they are not members or supporters of the K.N.D.P. Tribal discrimination has now become the order of the day, and key positions in the Territorial Public Service are now the exclusive preserve of people of grassland origin.

(b) Political Jobbery:-

It is a common practice in this territory today for Ministers of the K.N.D.P. Government and no less a person than the Premier himself personally to influence the employment or promotion of their friends, relatives, and party-men even regardless of whether or not they possess the necessary qualifications for the jobs. The "employment" files in this territory - particularly in the respective Ministries in Buea - are replete with instances of this despicable practice. The same tactics are being employed in the award of government scholarships. Officials, Chiefs and Councillors suspected of holding political opinions contrary to those held by the K.N.D.P. are rigourously persecuted. Instances are not lacking where defaulting officials and even criminals have not only been retained in the Public Service, but they have not been arraigned in a Court of Law.

(c) Appointment and Deposition of Chiefs:-

The K.N.D.P. Government has embarked upon the puerile and unwholesome practice of appointing Chiefs and attempting to depose those who show the least leaning to the Opposition Party contrary to the long-standing processes prescribed by Native Law and Custom, and also contrary to the provisions of the Law providing for the Appointment and Deposition of Chiefs. Instances can be quoted 'ad lib'.

(d) Government Contracts:-

It is an open secret that a group of K.N.D.P. men (including even Civil Servants and Ministers) have established a "Contractors' Union" through which the K.N.D.P. diverts surreptitiously public funds to their party coffers.

(e) The Sale of the Cameroons Development Corporation:-

One of the greatest disservices to the people of the Southern Cameroons by the K.N.D.P. Government is what one might rightly term the "Sale of the Cameroons

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Development Corporation" - an institution which was established for the "general benefit of the people of the Southern Cameroons" in 1946. We maintain with all the emphasis at our command that this deal is clean contrary to the aims and objects of the Law establishing the Cameroons Development Corporation as will be found in the Debates of the then Legislative Council of Nigeria, October - December, 1946, and the report of the First Visiting Mission of the United Nations to the Cameroons under British Administration, 1949. When we were running the Government of this territory, we vehemently opposed this deal, which we felt, was to the disadvantage and inimical to the vital interests of our people, and gave our reasons for opposing it. These reasons still hold good, and the Natives of Victoria and Kumba Divisions, who are the original owners of the lands comprising the Cameroons Development Corporation, would require an explanation why this important and far-reaching transaction was concluded without the advice and consent of the Southern Cameroons Legislature.

(f) Sir Sidney Phillipson's report on the financial and economic implications of Southern Cameroons' secession from the Federation of Nigeria:-

The warning of the Opposition of the appointment of yet another Fiscal Commission (namely, Sir Sidney Phillipson's Commission) on the finances, etc., of the Southern Cameroons was not heeded. Sir Sidney Phillipson's conclusions were not to the liking of the K.N.D.P. Government. They were so ashamed of the disclosures and findings contained in that report that they not only refused to publish it, but they were also at great pains not to allow it to be debated in the Legislature. Moreover, news had percolated early this year that the K.N.D.P. had despatched a one-man Economic Mission comprising the Acting Financial Secretary, Southern Cameroons, to the Colonial Office. The Cameroons public would like to know the results of this mission. One need not emphasise the fact that the financial position of this territory is extremely precarious and would continue to be so so long as the present Government continues to move from certainty to uncertainty. It does not, in our view, require the wizardry of a mathematician to know this. The K.N.D.P., in their ignorance and confusion by essaying to break away from the Federation of Nigeria, are throwing away a sure and stable source of accretion of much-needed funds to this territory, and plunging our country into uncertainty, obscurity and economic ruin. Speaking

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quite frankly, one might go on the whole day compiling this shameful catalogue of the oppressive and repressive acts of the K.N.D.P. in their reckless use of power in complete disregard of law and order and the basic principles of decency that must underline the conduct of any parliamentary democracy.

18. We make no apology for writing at such a length, for the issues involved are of so far-reaching significance as to demand a disclosure of all well-known facts.

We have the honour to be,

Sir,

Your obedient Servants,

(Sgd.) N. N. MBILE

N. N. Mbile,
DEPUTY LEADER OF THE OPPOSITION, SOUTHERN
CAMEROONS HOUSE OF ASSEMBLY.

(Draft approved by the Leader of the
Opposition now on toru).

c.c. The Secretary-General, United Nations, Lake Success, New York, United States
of America.
