

# UNITED NATIONS TRUSTEESHIP COUNCIL



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AD HOC COMMITTEE OF PETITIONS

Seventh session

Addendum to the draft second report of the ad hoc  
Committee on Petitions

Chairman: Mr. MELCHOR P. AQUINO (Philippines).

9. PETITION FROM MR. DANIEL KEMAJOU CONCERNING THE CAMEROONS UNDER  
FRENCH ADMINISTRATION (T/PET.5/82)

A. Summary of the petition

The petitioner, who is the delegate of the Mungo Region to the Cameroons Representative Assembly and a member of the Assembly of the French Union, protests against the policy of subjection applied by the Administering Authority. He is of the opinion that there is no valid reason for this policy:

(a) From the political point of view, for the Territory should not, in principle or in practice, be severed from the Administration of metropolitan France, nor should the Territory be divorced from the partnership between the mother country and Trust Territory, or - most important - from its own administration. The French Government's annual reports clearly show the French usurpation of the Territory's entire administration. The principal authority of the Territory is a representative assembly under the aegis of a High Commissioner, who is, however, the chief territorial officer possessing virtually full powers.

(b) From the economic point of view, because the so-called Exclusif system means that the local market is exclusively reserved to the products of metropolitan France which meet with no competition. The working of the forests is almost entirely in the hands of Europeans or under concession to European companies, the population or the representative assembly being unable to voice its views concerning areas exceeding 25,000 hectares. The same is true of the mining industry and all other great commercial and banking undertakings.

/The same applies  
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The same applies to the system of State lands (régime domanial). Certain lands, though not unoccupied or uncultivated, are likely to form the subject of concessions to third parties, i.e. Europeans, at the expense of those who cultivate them under the local system of property, even though this property should be respected as required by the United Nations Charter, the French Constitution and the Trusteeship Agreements.

Status of the Territory. The petitioner states that the French Government had modified a number of decrees or had replaced them by other decrees which are unconstitutional.

He mentions further that the Trusteeship Agreement suffers from one principal flaw. Under this Agreement France is able to divest herself of her obligations whereas no such possibility exists for the Trust Territory. He proposes that the Trusteeship Council should remedy this situation either by means of a referendum after a specified period or else by means of applying to the Cameroons Representative Assembly for its opinion after a period which should likewise be specified.

The petitioner proceeds to point out that the entire administration of the Cameroons is exclusively in the hands of Europeans.

Representative Assembly. The petitioner states that the Cameroons Representative Assembly is anxious that the scope of its functions should be enlarged so as to be able to some extent to act as a check upon the supreme authority of the High Commissioner. He requests firmly settled privileges for this Assembly, immunity, inviolability and guarantee of the freedom of expression for its members, a fully independent status for the Assembly so as no longer to be subject to the mandatory authority of the High Commissioner; the Assembly should be competent to settle its own agenda instead of constantly having first to refer to the opinion of the chief territorial officer and so as to be able to take decisions concerning any matter which the Assembly feels it should consider, such matters to include inter alia the question of the unification of the Cameroons under British administration, with the Cameroons under French administration. The Assembly should be able itself to verify the credentials of its members and lastly should be placed in a position where it would no longer be subject to the jurisdiction of the Council of Ministers of the French metropolitan Government, which, by simple decree, can dissolve or suspend the Territorial Assembly.

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Status of the inhabitants. The petitioner states that the only right which the individual native is recognized to possess is the right to comply, the right to submit to and respect the administrative authorities. The franchise is not extended to all the inhabitants of the Territory; it should be extended forthwith to all the workers, whether members of trade unions or not, and without any condition as to occupational qualifications, as well as to all those who have attended a teaching establishment irrespective of the duration of such attendance.

In addition, the petitioner considers that from now on the inhabitants of the Cameroons should receive Cameroon nationality (the qualifying words "under French administration" or "French Union" being added).

The petitioner asks that a campaign should be instituted against illiteracy and disease. He asks for new and numerous schools, colleges and apprenticeship courses and for an increase in the number of hospitals and clinics of which there are now unfortunately very few.

The petitioner concludes with a request for an urgent appeal to all the United Nations agencies, particularly UNESCO, to help in the achievement of these demands.

B. Summary of the observations of the Administering Authority

The Administering Authority submitted its observations on this petition in the form of an oral statement by its representative to the ad hoc Committee on Petitions at its third meeting on 26 June 1950. He stated that the document in question was really a declaration of principle rather than a petition and was without positive requests. Speaking of various specific matters raised in the petition he noted that the petitioner asked for certain powers and privileges for the Representative Assembly of the Territory which went beyond the powers and privileges enjoyed by such assemblies in sovereign countries. With regard to the question of a separate Cameroons nationality, he stated that such a conception derived from the Trusteeship Agreement and was a possibility rather than an actuality; in fact, the inhabitants are considered as Cameroonians under French Trusteeship. With regard to land, he explained that land tenure was passing through a period of evolution from collective to individual ownership.

C. Action taken by the ad hoc Committee

This petition was examined and discussed at the third meeting of the ad hoc Committee on 26 June 1950. The relevant discussion is contained in document T/AC.24/SR.3.

At its fourth meeting, the Committee adopted the draft resolution which is reproduced below as Resolution 8.

10. PETITION FROM MR. ERNEST EYGUM  
CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION  
(T/PET. 5/48)

A. Summary of the petition

The petitioner states that in April 1949 he was sentenced to a fine of 20,000 francs, which he has paid, and that by the same sentence he was barred from carrying on his occupation as forwarding agent; in July 1949 the Administrative Council increased the fine to 300,000 francs.

He finds this additional penalty excessive, all the more as he is now deprived of the means to maintain his family.

He appeals to the United Nations to intercede on his behalf.

B. Summary of the Observations of the Administering Authority

The Administering Authority submitted its observations on this petition in the form of an oral statement by its representative to the ad hoc Committee on Petitions at its third meeting on 26 June 1950. He stated that the fine originally imposed (amende transactionnelle) was the result of an administrative procedure normally followed in order to avoid criminal prosecution in such cases, and that the increase from 20,000 to 300,000 francs in the petitioner's fine was due to indications brought before the authorities concerning other reprehensible acts committed by the petitioner. If the petitioner did not agree to pay the fine he was free to submit the case to the regular courts. The special representative thought that the consequence of an action in the courts would probably be graver for the petitioner than the payment of the fine against which he complained. He added that the petitioner, contrary to his statement, was not barred from carrying on his occupation of forwarding agent, which simply required a licence.

C. Action taken by the ad hoc Committee

This petition was examined and discussed at the third meeting of the ad hoc Committee on 26 June 1950. The relevant discussion is contained in document T/AC.24/SR.3.

At its fourth meeting, the Committee adopted the draft resolution which is reproduced below as Resolution 9.

## RESOLUTION 8

### PETITION FROM MR. DANIEL KEMAJOU CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its sixth session the petition from Mr. Daniel Kemajou, (T/PET.5/82), in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned, which designated Mr. H. Laurentie as special representative.

Having taken note of the statement of the special representative of the Administering Authority concerned on this petition,

#### The Trusteeship Council

Decides to inform the petitioner that the questions of a general character raised in his petition such as the revision of the Trusteeship Agreement, the status of the Territory and its inhabitants, the Representative Assembly, customary land rights, freedom of trade and medical and public health facilities, have been and will be examined in connexion with its examination of the annual reports of the Administering Authority on the administration of the Territory,

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council, and in addition to send to the petitioner, the resolutions adopted by the Council at its sixth session on the revision of the Trusteeship Agreement (resolution 191 (VI)) status of the Territory (resolution 193 (VI)), the Representative Assembly (resolution 194 (VI)), customary land rights (resolution 211 (VI)), freedom of trade (resolution 213 (VI)) and medical and public health services (resolution 227 (VI)).



RESOLUTION 9

PETITION FROM MR. ERNEST EYOUNG CONCERNING THE  
CAMEROONS UNDER FRENCH ADMINISTRATION

Acting under Article 87. b of the Charter and in accordance with its  
rules of procedure,

Having accepted and examined at its sixth session the petition from Mr. Ernest  
Eyoung (T/PET.5/48), in consultation with France as the Administering  
Authority concerned, which designated Mr. H. Laurentie as special  
representative,

Having taken note of the statement of the special representative of the  
Administering Authority concerned to the effect that if the petitioner  
disagreed with the fine (amende transactionnelle) of 300,000 francs  
he could bring the case to the competent regular courts; and that  
the petitioner was not barred from carrying on his occupation as  
forwarding agent,

The Trusteeship Council

Decides that under the circumstances no action by the Council is called for on  
this petition;

Invites the Secretary-General to inform the Administering Authority and  
the petitioner of this resolution in accordance with rule 93 of  
the rules of procedure for the Trusteeship Council.

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