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EXAMINATION OF PETITIONS

Draft Fourth Report of the Ad Hoc Committee on Petitions

Chairman: Prince Wan Waithayakon
(Thailand)

1. The Ad Hoc Committee on Petitions, established by the Trusteeship Council at the 1st meeting of its ninth session, and composed of the representatives of Argentina, Belgium, New Zealand, Thailand, the Union of Soviet Socialist Republics and the United States of America, examined at its 13th and 14th meetings on 12 and 13 July 1951, the following petitions concerning the Cameroons under British administration referred to it by the Council:
 - I. Petition from the Ex-Servicemen's Union, Victoria (T/PET.4/68)
 - II. Petition from the Bakweri Land Committee (T/PET.4/69 and T/PET.4/69/Add.1)
 - III. Petition from Mr. Joseph Ngu (T/PET.4/70) and Petition from the French Cameroons Welfare Union (T/PET.4/71 and T/PET.4/71/Add.1).
2. Brigadier E.G. Gibbons participated in the examination as the special representative of the Administering Authority.
3. The Ad Hoc Committee submits herewith to the Council its report on these petitions.

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I. Petition dated 17 September 1950 from the Ex-Servicemen's Union, Victoria (T/PET.4/68)

A. Summary of the Petition

1. The petitioners present various comments on the observations of the Administering Authority (T/489) on their previous petition (T/PET.4/18), which was disposed of at the sixth session of the Council.^{1/}

(a) They point out that the ex-servicemen of their division represent only one-quarter, rather than a majority (as stated by the Administering Authority), of the members of the Victoria Division of the Ex-Servicemen's Welfare Association Council, and maintain that it is because they are in the minority that they have not succeeded in their programme.

(b) They claim that their request for a paid full-time secretary for the Ex-Servicemen's Welfare Association Council has been refused for lack of funds.

(c) They complain that, although there are hostels and clubs for ex-servicemen in various towns in Nigeria, there are none in the Cameroons; the reading room said to be available to them in Victoria is not used since it houses the Native Appeal Court and the offices of the President of the Federated Council, and there are no reading rooms in the Territory.

(d) They point out that, in spite of the Administering Authority's statement to the contrary, Native Authorities have not been allowed to grant loans to ex-servicemen; furthermore, a loan requested from the Eastern Regional Development Board in April 1950, in order to reduce unemployment, has not yet been granted.

(e) Finally, they charge that the Cameroons Development Corporation has embarked upon a scheme of mass dismissals of ex-servicemen in its employ, ^{that} and the Preventive Services will not employ ex-servicemen without "the requisite educational qualifications".

2. They therefore request (a) that the Nigerian Ex-Servicemen's Welfare Association Council of the Victoria Division should have a majority of ex-servicemen; (b) that the organization should have a full-time

^{1/} In resolution 133 (VI) dealing with this petition, the Council, having taken note of the observations of the Administering Authority (T/489) and the statement of the special representative that strenuous efforts had been and would continue to be made by the Administering Authority to help homecoming servicemen, expressed the hope that such efforts would be continued and, if necessary, increased.

secretary; (c) that the government should establish hostels, clubs and reading rooms for them; (d) that the loans requested by and on behalf of ex-servicemen should be given sympathetic consideration; and (e) that the Cameroons Development Corporation and the Civil Preventive Services should be advised by the Administering Authority to "temper with justice their present policy of discrimination against the Ex-Servicemen in respect to employment."

B. Observations of the Administering Authority

3. The Administering Authority gave detailed information on the various points raised in the petition.^{1/} It was stated that:

- (a) the Nigerian Ex-Servicemen's Welfare Association had been set up by an ordinance of the Nigerian Government as a statutory body, with participation limited to ex-servicemen. The attendance figures of the Victoria Divisional Council of the Nigerian Ex-Servicemen's Welfare Association had shown that at all meetings save the first held between November 1947 and October 1950 African ex-servicemen had been in a majority. The Ex-Servicemen's Union of Victoria was a private body with a variable membership.
- (b) the appointment of a full-time paid secretary for the Victoria Divisional Council had been refused unless the Victoria Divisional Council could raise the necessary funds. In a similar instance, it had been said that such an appointment would divert money which might be spent on indigent ex-servicemen, and that, as a matter of principle, duties performed by Divisional Councils should be honorary.
- (c) the relatively small numbers of ex-servicemen in any one centre and the difficulties of transportation mitigated against the formation of ex-servicemen's clubs in the Trust Territory. In Victoria Division there were increasing welfare facilities provided by the Cameroons Development Corporation, and the use of the reading room in question depended on clearance as to whether it would be in use for judicial purposes.

^{1/} T/928 and T/AC.41/SR.13

- (d) that the Native Authorities had been discouraged from granting loans in view of their limited financial resources, but that other organs such as the Eastern Regional Development Board had adequate facilities. The application in question was still being considered by the Board, which had requested further information from the applicants concerning the project.. Grants-in-aid had been given to ex-servicemen who had undertaken training at the Government Farm, Bambui, and loans had been given to three ex-servicemen who had undertaken a textile training course at Aba. Loan applications from ex-servicemen capable of engaging in business or agriculture would receive most sympathetic consideration.
- (e) there had been no mass dismissals of ex-servicemen, or of any other workers by the Cameroons Development Corporation, and the labour demand of the Corporation was steadily increasing. It was impossible to give job priority to ex-servicemen lacking in essential qualifications when other suitable candidates were available, and dismissals of ex-servicemen might have occurred on grounds of incompetence, but not as calculated discrimination.

4. The Administering Authority stated that there would seem to be nothing to add to the resolution previously adopted on this subject by the Council.

C. Action taken by the Ad Hoc Committee

5. This petition was examined and discussed at the 13th and 14th meetings of the ad hoc Committee on 12 and 13 July 1951. The relevant discussion is contained in documents T/AC.41/SR.13 and SR.14.

6. [The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council note that the Administering Authority had not taken the appropriate measures to act on the requests of the petitioners as expressed in their previous petitions, and that it recommend that the Administering Authority take immediate measures to satisfy the requests of the petitioners. As a result of the rejection of this proposal by the Committee by

he was not in a position to support the draft resolution.]

7. At its 14th meeting, the Committee adopted by

the draft resolution which is reproduced below as Resolution I,

II. Petition dated 26 May 1951 from the Bakweri Land Committee (T/PET.4/69 and T/PET.4/69/Add.1)

A. Summary of the Petition

8. In a cablegram the Secretary of the Bakweri Land Committee states that the Committee has handed the special representative of the Administering Authority resolutions for consideration during the next session of the Trusteeship Council.

9. In the letter (T/PET.4/69/Add.1) outlining the resolutions the petitioners make the following points:

(a) In spite of their appreciation for the proposed measures for the alleviation of the land shortage and the social regeneration of the Bakweri people, they resolve not to co-operate until the Administering Authority makes an unequivocal and categorical statement to the effect that the Bakweri people are the sole legal owners of the lands in the Victoria Division in which plantations are now being operated by the Cameroons Development Corporation.

(b) The Bakweri lands cannot be justly "owned by the whole Trust Territory" as suggested by the special representative of the Administering Authority, while the rest of the Trust Territory's lands are not being operated in the interest of every member of the Territory.

(c) Although the Administration claims to have bought the lands from the Custodian of Enemy Property for the "natives" as a good gesture, the petitioners contend that the statement that the rents now being paid to the Governor serve to meet the cost of buying the plantations from the Custodian belies the Administering Authority's good intentions. Claiming that such a procedure "would summarily mean that the Bakweri lands have bought themselves back", the petitioners request that the rents be paid to them and not to the Governor, since the lands are not crown lands.

(d) The petitioners further request that all missionary bodies and trading firms be informed that the Bakweri people through the Governor of Nigeria may demand the parcels of land held by them on the payment of compensation as may be determined adequate.

B. Observations of the Administering Authority

10. The Administering Authority stated^{1/} that the subject matter of this

^{1/} T/933 and T/AC.41/SR.13

petition had already been exhaustively examined by the Visiting Mission to West Africa, 1949 and by the Trusteeship Council, and that the Council had commended the policy of the Administration in its rejection of the claims of the Bakweri Land Committee: the implementation of the recommendations of the Council concerning the solution of the special difficulties confronting the Bakweri people had been delayed by the refusal of the Bakweri Land Committee to co-operate. The Land Committee continued to maintain its original position and evidently hoped to achieve its end by continued attrition. Such a short-term victory would operate to the detriment of the long-term development of the Trust Territory, and the Administration remained anxious to implement the recommendations of the Council as soon as the attitude of the Bakweri representatives would allow. The geographical position of the Bakweri would now begin to bring them special benefits as provided in the welfare measures of the Cameroons Development Corporation, and the Community Development Training Centre at Man o' War Bay, Victoria provided concrete evidence of the Administration's determination to assist the Bakweri.

11. It was stated that younger and more intelligent elements of the Bakweri were beginning to see that the policy of the Committee was not in their best interests, and the Administration had hopes that the attitude of the Bakweri might change in the future. Political elements in the southern Cameroons were also endeavouring to influence the attitude of the Bakweri in the direction of co-operation with the Administration.

C. Action taken by the Ad Hoc Committee

12. This petition was examined and discussed at the 13th and 14th meetings of the ad hoc Committee on 12 and 13 July 1951. The relevant discussion is contained in documents T/AC.41/SR.13 and SR.14.

13. [The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council invite the Administering Authority to return to the Bakweri lands alienated from it in various ways, including the lands now occupied by the Cameroons Development Corporation and by religious missions and trading firms. As a result of the rejection of this proposal by the Committee by

, he was not in a position to support the draft resolution.]

14. At its 14th meeting, the Committee adopted by
the draft resolution which is reproduced below as
resolution II.

III. Petitions from Mr. Joseph Ngu (T/PET.4/70) and the French Cameroons
Welfare Union (T/PET.4/71 and T/PET.4/71/Add.1) dated 16 June 1951 and
6, 10 and 16 June respectively.

A. Summary of the petitions

15. The French Cameroons Welfare Union (T/PET.4/71 and Add.1) refers to its
previous petition^{1/} addressed to the Visiting Mission to Trust Territories in
West Africa and states that in spite of the assurances given the Council by the
special representative that immigrants from the French Cameroons enjoyed equal
privileges with the local inhabitants of the British Cameroons, and the Council
consequent decision to take no action, the "real political situation" as
concerned the immigrants at that time was far from satisfactory. They state
that the actual number of the immigrants' representatives in both the Native
Authority Councils and the Native Courts of the Victoria Division was not only
negligible but was not at all commensurate with the total immigrant population
actually resident in that Division, and claim that there has been no change in
this situation under the new Nigerian Constitution. The petitioners protest
against their exclusion from participation in the new Constitution stating that
they are neither entitled to choose their own candidates at the primary or
village election nor allowed to vote for the candidates of the local
inhabitants. They claim the right to vote on the grounds that they pay head
and income taxes and thus are being taxed without representation, that the total
adult male population of immigrants living in the Victoria Federated and the
Bakweri Clan Native Authority areas compares favourably with that of the
native population (total indigenous adult males in these areas in 1949 being
4,494, of whom 3,451 were immigrants and the majority from the French
Cameroons) and that the immigrant population is the main stay of the economy of

1/ T/PET.4/19 - 5/8 and Resolution 172 (VI)

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the southern divisions of the Cameroons Province. They therefore request that, in view of the fact that the French Cameroons immigrants are scattered in the Victoria Division, the French Cameroons Welfare Union be constituted a primary electoral unit and that they be allocated seats at the Divisional Electoral Meeting compatible with their numbers.

16. They further complain that they are discriminated against in the question of appointments to the public service of the Cameroons under British administration and that, in spite of the fact that they contribute a considerable part of the revenue from which scholarships for Cameroons youths are financed, their children are discriminated against in the granting of scholarships.

17. Finally, they protest against the frontier between the two Cameroons stating that it should not be allowed to form a bar to the enjoyment of human rights by the people living on either side of it. They request the Trusteeship Council to conduct a referendum at an early date to ascertain the wishes of the indigenous population with regard to the question of the abolition of the frontier control and the unification of the Cameroons.

18. Attached to the petition is a letter dated 12 June 1951 from Mr. G. Osborn District Officer, Victoria Division in which he informs the petitioners that with regard to their request concerning the right to vote in the primary elections, the electoral officer is prepared to accept on the electoral roll the name of any person who can show that he or his father was born in the Victoria Division, a provision which should dispose of the difficulties of a considerable number of persons of French Cameroons origin. With regard to the rest he states that their only recourse is to apply for naturalization as British subjects.

19. In a cablegram sent on behalf of the French Cameroons immigrants of Kumba (T/PET.4/70) Mr. Joseph Ngu claims that the French Cameroons immigrants, who number several thousand in Kumba Division, strongly protest against their exclusion from voting and from nominating candidates in the forthcoming elections. He states that such action is contrary to the policy outlined to the Trusteeship Council at its sixth session in Geneva and earnestly requests that the Government revise its electoral procedure in the light of its declared policy.

B. Observations of the Administering Authority

20. In an oral statement,^{1/} the special representative outlined the position of French immigrants in the Cameroons under British administration with regard to electoral rights. As had been explained to the Visiting Mission to West Africa in 1949 and to the sixth session of the Trusteeship Council, the French immigrants did share similar civic rights with the indigenous population, although they did suffer from certain social disabilities inherent in changes of residence. In the past year a new problem had arisen in connexion with the formal method of election introduced in the new Nigerian constitution, as distinct from elections for Native Authorities and similar bodies. The status of British subject or British protected person was a necessary qualification for voting, and persons born in the French Cameroons or having acquired French citizenship were automatically disqualified if they did not acquire subsequently the status of British subjects or British protected persons. The preliminary requirement for naturalization was a period of residence of five years, and after the completion of the naturalization papers and the subsequent enquiries as to the character and previous record of the applicant citizenship would normally be granted. There were no educational requirements for citizenship. A delay of as long as two years might elapse between the application and the final granting of citizenship. There was very little knowledge of the procedure of naturalization among the French immigrants but the Administration was planning to publicize the procedure, and it was considered that persons who were sufficiently advanced as to desire the vote were capable of considering the procedure and that the District Officers were available to assist the applicants.

21. The suggestion of the creation of a special electoral unit for French immigrants was considered as impractical, as the immigrants were scattered and a constituency should be a geographical unit.

C. Action taken by the Ad Hoc Committee

22. This petition was examined and discussed at the 13th and 14th meetings of the ad hoc Committee on 12 and 13 July 1961. The relevant discussion is contained in documents T/AC.41/SR.13 and SR.14.

23. At its 14th meeting, the Committee adopted by

the draft resolution which is reproduced below as resolution III.

^{1/} T/AC.41/SR.13

RESOLUTION I

PETITION FROM THE EX-SERVICEMEN'S UNION, VICTORIA (T/PET.4/68)
CONCERNING THE CAMEROONS UNDER BRITISH ADMINISTRATION

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

Having accepted and examined at its ninth session the petition from the Ex-Servicemen's Union, Victoria (T/PET.4/68), in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned, which designated Brigadier E.G. Gibbons as special representative,

Having taken note of the written observations of the Administering Authority (T/928) as well as of the oral statement of the special representative to the effect that:

(a) at all but the first of the meetings of the Victoria Divisional Council of the Nigerian Ex-Servicemen's Welfare Association African ex-servicemen had been in the majority;

(b) the appointment of a full-time paid secretary for the Victoria Divisional Council would, unless the Council could itself raise the necessary funds, divert money which might be spent on indigent ex-servicemen; and, as a matter of principle, duties performed by Divisional Councils should be honorary;

(c) the Administering Authority was satisfied that in the Victoria Division adequate social facilities existed for ex-servicemen if they wished to avail themselves of them;

(d) one application for a loan of £4,000 from the Eastern Region Production Development Board was still under consideration; the Board having found it necessary to ask for further information; grants-in-aid had been given to ex-servicemen who had undertaken training at the Government Farm, Bambui, and loans had been given in March 1951 to 3 ex-servicemen who had undertaken a textile training course; loan applications from ex-servicemen capable of engaging in business or agriculture would receive most sympathetic consideration;

(e) there had been no mass dismissal of ex-servicemen by the Cameroons Development Corporation, though some might have been dismissed on grounds of incompetence;

The Trusteeship Council

Alternative A: (Belgium, New Zealand, United States of America)

1. Draws the attention of the petitioners to the observations of the Administering Authority;
2. Reiterates resolution 133(VI) adopted at its sixth session on the previous petition from the Ex-Servicemen's Union in which it expressed the hope that the efforts which the Administering Authority was making to help home-coming servicemen would be continued and, if necessary, increased, so that any legitimate grievance on the part of the ex-servicemen might eventually be met;

Alternative B: (Union of Soviet Socialist Republics)

1. Notes that the Administering Authority has not taken the appropriate measures to act on the requests of the petitioners as expressed in their previous petition;
2. Recommends that the Administering Authority take immediate measures to satisfy the requests of the petitioners;

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

RESOLUTION II

PETITION FROM THE BAWKERI LAND COMMITTEE
(T/PET.4/69 and T/PET.4/69/Add.1)

CONCERNING THE CAMEROONS UNDER BRITISH ADMINISTRATION

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

Having accepted and examined at its ninth session the petition from the Bawkeri Land Committee (T/PET.4/69 and T/PET.4/69/Add.1), in consultation with the United Kingdom of Great Britain and Northern Ireland as the Administering Authority concerned, which designated Brigadier E.G. Gibbons as special representative,

Having taken note of the written observations of the Administering Authority (T/933) as well as of the oral statement of the special representative to the effect that the Trusteeship Council had already fully examined this problem and that the Administering Authority was endeavouring to implement the Trusteeship Council's recommendation,

The Trusteeship Council

Alternative A: (Union of Soviet Socialist Republics)

1. Invites the Administering Authority to return to the Bawkeri lands, alienated from it in various ways, including lands occupied by the Cameroons Development Corporation, religious missions and trading firms;

Alternative B: (Belgium, New Zealand, United States of America)

1. Reiterates its previous resolution 174 (VI) on the question of the Bawkeri and other lands held by the Cameroons Development Corporation, as raised in certain petitions;
2. Draws the attention of the petitioners to the recommendations on land, the Bawkeri problem and the Cameroons Development Corporation and its operations adopted by the Council at its ninth session in connexion with its examination of the 1949 and 1950 annual reports on the administration of the Territory, the text of which reads as follows: (1)

"The Council, noting with approval the steps taken by the Administering Authority in accordance with its previous recommendation regarding the Bawkeri land problem; but noting with concern the inability of the Administering Authority's team of experts thus far to persuade the Bawkeri to abandon their claim to outright ownership of the lands leased by the Cameroons Development Corporation and to accept the scheme to resettle Bawkeri farmers on lands excised from the Corporation's

plantations, expresses the hope that various development projects in the area, such as the Man o'War Bay scheme, may succeed in providing a changed atmosphere and lead to a realization on the part of the Bawkeri leaders of the beneficial effect on their situation of the operations of the Corporation, as well as to their acceptance of the resettlement scheme.

"The Council, noting with approval that three indigenous inhabitants of the Territory have been appointed to membership in the Cameroons Development Corporation, expresses the hope that the Administering Authority will progressively increase indigenous participation in the Corporation as well as in other economic bodies.

"The Council notes with approval the policy of the Administering Authority to elaborate projects of expenditure of the Corporation's profits in full consultation with local development committees; notes further that this policy is in accordance with the Visiting Mission's recommendation, endorsed by the Council, that measures be taken to explain more clearly to the people the significance of the Corporation and to accelerate their participation in its operation and control; urges the Administering Authority to extend the use of such committees; and expresses the hope that in areas where these committees are well established the implementation of development projects may go forward at an accelerated rate."

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

RESOLUTION III

PETITION FROM MR. JOSEPH NGU (T/PET.4/70) AND PETITION FROM THE
FRENCH CAMEROONS WELFARE UNION (T/PET.4/71 AND T/PET.4/71/Add.1)

CONCERNING THE CAMEROONS UNDER BRITISH ADMINISTRATION

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

Having accepted and examined at its ninth session the petitions from
Mr. Joseph Ngu (T/PET.4/70) and the French Cameroons Welfare Union (T/PET.4/71
and T/PET.4/71/Add.1), in consultation with the United Kingdom of Great Britain
and Northern Ireland as the Administering Authority concerned, which designa-
ted Brigadier E.G. Gibbons as special representative,

Having taken note of the oral statement of the special representative
to the effect that:

(a) the new Nigerian Constitution had necessitated a more formal method
of electing representatives than had formerly been followed, and a necessary
qualification of any voter was the status of British subject or British
protected person;

(b) the only recourse for a person not having such status, and therefore
disqualified from voting, was to seek naturalization;

(c) before applying for naturalization such person must have been
resident in the Territory for at least five years, and the formalities
involved in acting upon such an application might take up to two years;

The Trusteeship Council

1. Notes that close cooperation between the Administering Authority and
those elements of the population from the Cameroons under French administra-
tion is important to the development of the Territory;
2. Requests the Administering Authority to furnish in its next annual report
additional information on the question of the status of residents of the
Cameroons under British administration who are immigrants from the Cameroons
under French administration, namely: the composition of this immigrant popula-
tion, the length of time they remain in the Territory, the proportion of this
population which has come to the Territory recently and the proportion which
has been resident there for a long time, the number of immigrants who have
asked to acquire the status of British subjects and the results of their
requests, and the length of time required for an immigrant not only to be
naturalized but to vote;

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3. Urges the Administering Authority to make every effort to ensure that the petitioners understand the procedures for acquiring naturalization and the right to vote;

4. Decides to place these petitions on the agenda of the session of the Trusteeship Council, at which the requested information is available, and to re-examine them at that time;

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