

UNITED NATIONS TRUSTEESHIP COUNCIL



LIMITED

T/AC.41/L.10
19 July 1951

ENGLISH

ORIGINAL: FRENCH

Ninth Session
Item 5 of the agenda

EXAMINATION OF PETITIONS

Draft fifth 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 first 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 during its 14th, 15th and meetings on 13, 16 and July 1951, the following petitions concerning the Cameroons under French administration referred to it by the Council:

- I. Petition from Mr. N. Skouloukos (T/PET.5/69 and T/PET.5/69/Add.1)
- II. Petition from the Comité directeur de l'Union des populations du Cameroun (T/PET.5/83)
- III. Petition from the Comité du village d'Akomnyada (Subdivision de M'Balmayo) de l'Union des populations du Cameroun (T/PET.5/85)
- IV. Petition from the Comité régional du Moungo de l'Union des populations du Cameroun (T/PET.5/86)
- V. Petition from Mr. Moussa Montie, Propaganda Secretary, Comité régional du Bamoun at Fouban of the Union des populations du Cameroun (T/PET.5/87)
- VI. Petition from Mr. Mathias Mbongue Minyangadou (T/PET.5/88)
- VII. Petition from the Comité directeur de l'Union des populations du Cameroun and the Bureau de l'Union des syndicats confédérés du Cameroun (T/PET.5/89 and T/PET.5/89/Add.1)
- VIII. Petition from the Comité directeur du Kumzsé (T/PET.5/90)

- IX. Petition from the Kumzé, Traditional Assembly of the Bamileke People (T/PET.5/92)
- X. Petition from Mr. Jean Mouen (T/PET.5/93)
- XI. Petition from Mr. Djoumessi Mathias, President of the Comité directeur du Kumzé (T/PET.5/94)
- XII. Petition from the Comité régional du Bamoun de l'Union des populations du Cameroun (T/PET.5/95)
- XIII. Petition from Mr. Kamsi David (T/PET.5/96 and T/PET.5/96/Add.1)
- XIV. Petition from the Comité du Nord-Ouest Cameroun de l'Union des populations du Cameroun (T/PET.5/97)
- XV. Petition from Mr. Constantin Alega Amougou (T/PET.5/98)
2. Mr. C. M. Watier participated in the examination as Special Representative of the Administering Authority.
3. The Special Representative of the Administering Authority said that he was prepared to examine petitions T/PET.5/95, T/PET.5/96 and T/PET.5/96/Add.1, which had not been received within the time limits specified in rule 86, paragraph 1, of the rules of procedure; he was not, however, as yet able to consider petitions T/PET.5/97 and T/PET.5/98 which had also not been received within the specified time limits. The Committee decided to recommend that the Council should defer consideration of the latter two petitions.
4. The Ad Hoc Committee submits herewith to the Council its report on the petitions examined.

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I. Petition from Mr. N. Skouloukos (T/PET.5/69 and T/PET.5/69/Add.1) dated 25 November 1949 and 19 June 1951.

A. Summary of the petition

5. In a letter addressed to the Visiting Mission, dated 25 November 1949, the petitioner states that in 1935 he was commissioned to operate the government transports for the mail, European and indigenous staff and material. The devaluation of the franc in 1936 allegedly brought him serious financial difficulties, and he appealed to the Governor asking for an amendment of his transport tariffs, but the appeal was denied. He claims that his losses amounted to 318,000 francs and were responsible for delays in his transport services, for which the Government fined him 188,200 francs. He maintains that he brought the case before the Conseil du Contentieux Administratif and at the same time a Government Commission de Révision des Marchés was ordered to study and report on the subject. Later, he contends, he was offered a sum of 115,000 francs by the Governor-General as an indemnity but was still expected to pay the fine, which exceeded the amount of the indemnity by 73,000 francs. The Conseil d'Etat in Paris in 1944 upheld the decision of the lower court, and the petitioner had to pay the 188,200 francs in fines. The question of his indemnities, he states, is still pending.

6. He claims a sum of money totalling 2,000,000 francs CFA to cover the refunding of the money he had paid in fines (188,200 francs), the payment of the sum accorded him by the Commission de Révision des Marchés (200 000 francs) and "the exchange difference between 1937 and 1949 increased by the legal interest".

7. In a further letter dated 19 June 1951, the petitioner informs the Trusteeship Council that Mr. Watier, the Special Representative of the Administering Authority, came to see him in an attempt to settle the matter. No solution was reached owing to the uncompromising attitude of the local administration, since in reply to his compromise proposal to settle all his claims against the administration for the sum of 750,000 francs CFA, the administration offered no more than 200,000 francs. He therefore asks the Council to see that a just and final settlement of this long drawn-out question is reached.

/B. Observations

B. Observations of the Administering Authority

8. In an oral statement ^{1/}, the Special Representative declared that the matter dealt with in the petition should be divided into two parts: the question of the administrative fine imposed upon the petitioner and that of the indemnity claimed by the latter.

9. The question of the fine had been finally settled in 1944 by a decision of the Conseil d'Etat. As regards the indemnity, the administration was prepared to pay him a sum of 115,000 francs computed on the basis of the recommendations of the Commission de Révision des Marchés of 1939, but the petitioner had asked that this sum should be increased by a devaluation coefficient which would bring it up to 750,000 francs CFA. The administration was unable to admit the argument relating to the devaluation of the franc, since under French law the gold clause did not operate in the case of public debts. In a spirit of compromise, however, the administration had recently offered the petitioner an indemnity of 200,000 francs CFA, but it appeared from Mr. Skouloukos' letter to the Trusteeship Council of 19 June 1951, that he had rejected that proposal. The question of indemnities could, if the petitioner wished, be submitted to the courts.

C. Action taken by the Ad Hoc Committee

10. This petition has already been examined by the Ad Hoc Committee on Petitions at the sixth ^{2/}, seventh ^{3/} and eighth ^{4/} sessions of the Trusteeship Council and has on each occasion been deferred until the Council's next session.

11. At the present session of the Council, this petition was examined and discussed at the fourteenth and twentieth meetings of the Ad Hoc Committee on 13 and 24 July 1951. The relevant discussion is contained in documents T/AC.41/SR.14 and T/AC.41/SR.20.

12. At its twentieth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution 1.

^{1/} T/AC.41/SR.14

^{2/} Document T/L.79, p. 6

^{3/} Document T/L.91, p. 5

^{4/} Document T/L.157, p. 3

II. Petition from the "Comité Directeur de l'Union des populations du Cameroun" (T/PET.5/53), dated 14, 18, 24 and 25 April 1950.

A. Summary of the Petition

13. In a cablegram dated 14 April 1950 and a subsequent letter the petitioners protest the arrest of the Secretary-General of the Union des populations du Cameroun and two members of its Comité directeur. They state that the arrests occurred when the persons in question presented to the Authorities of Dschang two motions of protest adopted by the Congress of the UPC. Asserting that the only reason for the arrests was the political opinions of those arrested, the petitioners request the United Nations to intercede with the Administering Authority for the release of the prisoners and if possible to send a commission of inquiry to the Cameroons to witness forced labour and restrictions on freedom of association and of political opinion. Attached to the letter are the two motions of protest adopted by the Congress of the UPC and a letter from the President of the UPC to the Procureur de la République concerning the hearing of the case.

14. A second cablegram dated 24 April 1950 and two subsequent letters dated 25 April 1950 allege continuous mass arrests, including that of the President of the UPC, said to be motivated by the sending of the previous cablegram. The petitioners claim that the charges brought against them are false and maintain that the real purpose of the arrests is to impede the progress of their movement and to convict all of its active members so as to prejudice the results of the 1951 elections. They claim further that the separation of administrative and judicial powers does not truly exist. Two resolutions are attached, one from the Central Committee of M'Balmayo protesting arbitrary procedures on the part of the administration and, in particular, those carried out by a certain officer; and the other from the Cantonal Committee of the village of Ekounou, Region of Nyong and Sanaga, complaining of administrative repression and denouncing in particular the land policy of the local administration.

B. Observations of the Administering Authority

15. In an oral statement the Special Representative gave details of the incidents which had occurred on the occasion of the UPC Congress at Dschang and of the arrests referred to in the petition.

/16. Grégoire Momo

16. Grégoire Momo was arrested and prosecuted in April 1950 for preparing and using false certificates during the revision of the electoral lists. Pursuant to the protest of the UPC Congress against this arrest, Riben Oum Nyobe, Jacques Ngom, Jean Nthep, André Nyobe, Edouard Kembou, Pers Bayingonog and Abel Kingue were arrested for written contempt of court, the first four also being charged with sedition. Lastly, proceedings were also instituted against Mathias Djoumessi, Zacharie Mbonombo, Simon Tinkin and Hamed Nzoko for libelling a magistrate through the open mails.

17. Early in May the Chambre des mises en accusation ordered the provisional release of Djoumessi, Nzoko and Tinkin. Judgment was pronounced in the case of Oum Nyobe, Jacques Ngom and Jean Nthep, the first two being acquitted and the third being sentenced to twenty days' imprisonment. Moreover, the cases involving libel and contempt of court were referred from the justice de paix at Dschang to the Tribunal correctionnel.

18. The Special Representative also stated that the petitioners' allegations that the administration was pursuing a policy of repression and was restricting freedom of association were not supported by any specific examples. They were statements of policy made by the local branches of the UPC in accordance with instructions received from the Comité directeur.

C. Action taken by the Ad Hoc Committee

19. This petition was examined and discussed at the fourteenth and twentieth meetings of the Ad Hoc Committee on 13 and 24 July 1951. The relevant discussion is contained in documents T/AC.41/SR.14 and T/AC.41/SR.20.

20. The representative of the Union of Soviet Socialist Republics proposed that the Committee should insert in the resolution a passage stating that the Trusteeship Council recommended that the Administering Authority should put an end to its anti-democratic policy with regard to the indigenous population permitting racial discrimination and a crude violation of the rights and interests of the indigenous population; recommended that the Administering Authority return to the indigenous population lands alienated from it by various means; and instructed the Second United Nations Visiting Mission to West Africa to investigate on the spot complaints with regard to forced labour and restrictions of freedom of association.

/21. After

21. After the Committee had rejected this proposal by the Soviet Union representative said that he would be unable to vote in favour of the draft resolution.

22. At its twentieth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution IX.

III. Petition from the "Comité du Village d'Akomnyada (Subdivision de M'Balmayo) de l'Union des populations du Cameroun" (T/PET.5/85) dated 26 June 1950.

A. Summary of the Petition

23. The petitioners state that their community, comprising a number of villages, was designated in 1947 as a part of the forest reserve and charge that despite their formal opposition to this act, the Administering Authority has persisted in its action. They further charge that in their fight against the inclusion of their area in the forest reserve the population of the community which numbers only 2,000 persons has been fined over two million francs.

24. They request that the United Nations intervene with the French Government on their behalf.

B. Observations of the Administering Authority

25. In an oral statement^{1/}, the Special Representative explained that the forestry reserve of Akomnyada had been classified in accordance with the regular procedure under the decree of 3 May 1946 establishing the forestry system of the Cameroons.

26. That classification had given rise to no protests except that of Mr. Amougou Constantin, who had received satisfaction. The classification of forests in an area having a very stable population could not inconvenience the inhabitants, whose acquired rights were scrupulously respected; and furthermore the present regulations represented the minimum safeguard necessary if the future of the country's forests was not to be seriously jeopardized.

27. Moreover, even though the laws in force provided for the jurisdiction of tribunaux correctionnels in the matter, the Administration, in an effort at appeasement, had had recourse only to simple police court measures. Proceedings had been taken in twenty-seven cases, and fines and terms of imprisonment had been imposed, the severest penalties not exceeding 6 days' imprisonment or 1,000 francs fine. The total amount of the fines imposed was 21,600 francs, and not 2 million francs, as the petitioners stated. Those fines had had to be imposed to convince the inhabitants that the infractions of the decree for the classification of the forestry reserve must cease. In their classification of the forest of Akomnyada the local authorities had based themselves on the recommendations of the Trusteeship Council, which had already stressed the need for the Administering Authority to take account of the needs of the Territory without neglecting traditional communal rights.

/C. Measures

C. Measures adopted by the Ad Hoc Committee

28. This petition was examined and discussed at the fourteenth and twentieth meetings of the Ad Hoc Committee on 13 and 24 July 1951. The records of the discussions relating to it are to be found in documents T/AC.41/SR.14 and T/AC.41/SR.20.

29. [The representative of the Union of Soviet Socialist Republics proposed that the Committee should insert in the resolution a passage in which the Trusteeship Council recommended that the Administering Authority should return to the indigenous population of the Akomnyada community lands alienated from it under the pretext of the classification of forests, and that it should not permit any further alienation of lands belonging to the indigenous inhabitants.]

30. [The Committee rejected this proposal by and the representative of the Union of Soviet Socialist Republics said he could not vote for the draft resolution.]

31. At its twentieth meeting, the Committee adopted by the draft resolution the text of which is reproduced below as Resolution III.

IV. Petition from the "Comite regional du Moungo de l'Union des populations du Cameroun" (T/PET.5/86) dated 9 September 1950

A. Summary of the petition

32. The petitioners complain that the Chief of the Moungo region refused to give them the use of the administration building to report to the people on the resolutions adopted by the Trusteeship Council on their previous petition and cite this incident as a striking example of the lack of freedom of association in the Cameroons. They further charge that the people are subjected to oppression by "a sort of militarized police and forest rangers", and suggest that a United Nations office in the Cameroons is essential in order that the facts which they bring to the attention of the United Nations may be verified.

33. Attached to the petition are two motions of protest adopted at general meetings of the association criticizing the activities of the police, protesting against the destruction of crops by the forest rangers, complaining of the extortion of money from market boys for the issue of licences and of the censorship of UPC mail, and protesting against the land and forest policy of the Administration. Also attached is the text of a letter addressed to the Directeur des affaires politiques at Yaoundé in which several further similar cases of injustice are quoted.

B. Observations by the Administering Authority

34. In an oral statement^{1/}, the Special Representative made the following points:

(a) The regional Chief had refused to make the administration building available for a public meeting of the Union des Populations du Cameroun, and his refusal was in order;

(b) The establishment of a permanent United Nations office in the Cameroons had been discussed by the Trusteeship Council, which had decided that no action should be taken;

(c) Two successive inquiries by the Administration had revealed no specific accusations of police brutality, and in particular it had proved impossible to establish whether blows had been inflicted on Miaffo Yacob Mbanga;

/(d) Crops

(d) Crops planted in a forest reserve despite the Administration's prohibition had been pulled up by the forest rangers in accordance with the existing regulations, which were intended to protect the country's forests. The plantations had not been in full production and furthermore were not producing edible crops;

(e) At certain markets a small fee was charged for the right to sell. Such a fee was generally charged in all countries;

(f) An administrative inquiry had shown that the Chief of the Mbanga Sub-Division had never asked for money from market boys;

(g) It was untrue that the indigenous inhabitants had been denied the exercise of their land rights and that forest timber was a monopoly of the European inhabitants.

(h) No complaint had reached the Administration on the subject of the censorship of UPC mail at the Mbanga post office.

C. Measures adopted by the Ad Hoc Committee

35. This petition was examined and discussed at the fourteenth, fifteenth and twentieth meetings of the Ad Hoc Committee on 13, 16 and 24 July 1951. The record of the relevant discussions is to be found in documents T/AC.41/SR.14, T/AC.41/SR.15 and T/AC.41/SR.20.

36. [The representative of the Union of Soviet Socialist Republics proposed that the Committee should insert in the resolution a passage in which the Trusteeship Council recommends that the Administering Authority should put an end to its anti-democratic policy which, as appeared from the petition, led to the crude violation of the rights and interests of the indigenous population.]

37. [The Committee rejected this proposal by . The representative of the Union of Soviet Socialist Republics said he could not vote for the draft resolution.]

38. At its twentieth meeting, the Committee adopted by the draft resolution the text of which is reproduced below as resolution IV.

V. Petition from Mr. Moussa Montie, Propaganda Secretary, "Comité régional du Bamoun" of the "Union des populations du Cameroun" at Fomban (T/PET.5/87), dated 16 October 1950

A. Summary of the Petition

39. The petitioner complains that the paramount chiefs are appointed members of the Council of Notables ex-officio without election and charges that some of these chiefs have taken other people's property with the backing of the colonialists.

40. He also states that the United Nations Visiting Mission should pay another visit to the Cameroons, although the gendarmerie has allegedly prevented the population from gaining peaceful access to the members of the last Mission.

B. Observations of the Administering Authority

41. In an oral statement^{1/}, the Special Representative stated that the petitioner was Propaganda Secretary of the UPC at Bamoun and observed that the petition was motivated by political considerations, the tactics being to claim credit for any reform that was undertaken.

42. Thus the petition was to be related to the submission to the Assemblée représentative of the Cameroons of an administration proposal to replace the Conseils de notables by elected regional councils with more extensive powers. Consideration of the proposal had been deferred by the Assemblée représentative to its first regular session in 1951.

43. So far as the Bamoun supreme chiefs were concerned, the Special Representative explained that they were appointed in accordance with customary procedure by the traditional notables of the villages in their chiefdoms. In accordance with its general policy in matters of African local government, the Administration merely confirmed the appointment unless the new chief could definitely not be accepted for serious reasons, such as alcoholism or lunacy.

44. With regard to the petitioner's allegation regarding access to the members of the Visiting Mission, the Special Representative said it was without foundation. The Bamoun gendarmerie consisted of only one gendarme and nineteen guards.

/C. Measures

^{1/} T/AC.41/SR.15

C. Measures adopted by the Ad Hoc Committee

45. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee on 16 and 24 July 1951. The record of the relevant discussions is to be found in documents T/AC.41/SR.15 and T/AC.41/SR.20.

46. [The representative of the Union of Soviet Socialist Republics proposed that the Committee should insert in the resolution a passage in which the Trusteeship Council instructed the second United Nations Visiting Mission to West Africa to investigate this petition on the spot with particular attention to the complaint of the petitioners that the gendarmes had interfered to prevent the indigenous population from contacting the first Visiting Mission.]

47. [The Committee rejected this proposal by
The representative of the Union of Soviet Socialist Republics said he could not vote for the draft resolution.]

48. At its twentieth meeting, the Committee adopted by
the draft resolution the text of which is reproduced below as resolution V.

VI. Petition from Mr. Mathias Mbongue Minyangadou (T/PET.5/88) dated 8 November 1950.

A. Summary of the Petition

49. The petitioner, whose previous petition (T/PET.5/77) was examined by the Trusteeship Council at its seventh session ^{1/} again asks that the land which was taken from him be restored by the French Government and offers further evidence in support of his request. He claims that his land was misappropriated from its true owner and sold by the Administration in 1928 as a sequestered enemy property. He contends that if this land had really been German property, the German Administration would have left boundary marks, and further points out that the boundary marks at present on the property are solely marks set up by the French Lands Service and that the French Administration uses only the 1911 plan and not the general plan drawn up by the German Government in 1905.

50. He also reports that he was summoned to the Duala Sub-Division to pay a sum of 3,000 francs to the State Property Office for marking the boundaries of his lands. In this connexion, he indicates that the land "had always been marked" contrary to his wishes, i.e., omitting the disputed portion, and lodges a strong protest against this procedure.

B. Observations of the Administering Authority

51. In an oral statement ^{2/}, the Special Representative pointed out that the matter to which the petition referred had already been examined by the Council, which had decided to inform the petitioner that he could have the question of the title to the land decided by the normal procedure laid down by the laws of the Territory for establishing title to land. The petitioner had not acted on that advice. In the circumstances, the Special Representative felt that no action on the petition was required.

/C. Action

^{1/} Petition T/PET.5/77 concerned a long-standing dispute between the petitioner and the Administration of the Territory over the legal title to certain land. At the seventh session of the Trusteeship Council, the Ad Hoc Committee on petitions examined this petition at its second meeting (T/AC.34/SR.2 and T/L.91) and the Council decided at its 19th meeting to inform the petitioner that he could have the question of the title to the land decided by the normal procedure laid down by the laws of the Territory for establishing title to land [Resolution 237 (VII)].

^{2/} T/AC.41/SR.15

C. Action taken by the Ad Hoc Committee

52. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee held on 16 and 24 July 1951. The discussions relating thereto are reported in documents T/AC.41/SR.15 and T/AC.41/SR.20.

53. The representative of the Union of Soviet Socialist Republics proposed that the Committee should insert a passage into the resolution to the effect that "the Trusteeship Council recommends that the Administering Authority return to the indigenous population lands alienated from it under various pretexts".]

54. The Committee, in rejecting this proposal of the USSR representative by stated that it could not vote in favour of the draft resolution.]

55. At its twentieth meeting the Committee adopted by the draft resolution, the text of which is reproduced below as resolution VI.

/VII. Petition

VII. Petition from the "Comité directeur de l'Union des populations camerounaises" and the "Bureau de l'Union des syndicats confédérés du Cameroun" (T/PET.5/89 and T/PET.5/89/Add.1), dated 12 and 17 October 1950

A. Summary of the petition

56. Referring to the hundred and forty-fifth meeting of the Fourth Committee of the General Assembly the petitioners refute the statement of Mr. Senghor, representative of France, to the effect that there is no racial discrimination in the Trust Territories under French administration, and that the provisions proposed by the unions have been embodied in the new labour code. They state that racial discrimination still exists in the Cameroons in the administration of justice, in wages, in business etc., and that the labour code is not acceptable to the unions. They further complain that the trade unions are actively repressed in the Cameroons, and cite numerous examples in support of their contention.

57. On behalf of the Cameroonian workers, the Union des syndicats confédérés du Cameroun requests the Trusteeship Council to recommend that the French Government:

(a) carry out in good faith the most recent recommendations made by the Trusteeship Council at its sixth session;

(b) abandon the policy of repressing the Union des syndicats confédérés du Cameroun which is the most representative trade union organization in the Territory;

(c) institute labour exchanges for all the workers' trade unions;

(d) issue before 1 January 1951 a democratic labour code unambiguously forbidding the forced labour still existing in disguised forms, and guaranteeing the right to strike which is embodied in the French Constitution;

(e) repeal the decree of 19 November 1947, which, by granting to heads of sub-divisions the power to impose certain penalties, in effect re-established the regime of the Indigénat;

(f) set aside for the indigenous inhabitants of the Cameroons a large number of scholarships for legal studies and employ a sufficient number of regular magistrates to permit the decentralization of the administrative and judicial powers;

/(g) respect

(g) respect the paramount interests of the native population in such matters as land tenure, and suppress all forms of racial discrimination; and

(h) expand the communications system and increase the number of schools and clinics in order to ensure the Territory's social and economic progress.

58. The Union des populations du Cameroun makes similar charges in its own resolution. It further states that the French Administration is trying to prevent the people from exercising their right of petition, and cites various recent cases of judicial action against members of the UPC.

B. Observations of the Administering Authority

59. In an oral statement^{1/} the Special Representative replied to the different points raised in the petition.

60. If the advisers of the various tribunals were taken into account, he said, more than 60 per cent of the magistrates in the Cameroons were indigenous inhabitants. While the chefs de subdivision, for budgetary reasons, continued to act as juges de paix with ordinary jurisdiction, yet their decisions were subject to appeal to tribunals on the bench of which sat only regular magistrates. There would be more Cameroonian magistrates when the students now following their courses of study in France as scholars from the Territory had obtained their degrees in law.

61. Admittedly in some shops there were still some notices stating "European office", and "African office", but that was a survival from a former state of affairs and the local authorities were endeavouring to have them removed.

62. Article 2 of the proposed Labour Code, which had been attacked by the petitioners, had already been amended by the National Assembly.

63. In reply to the petitioners' charges concerning the repression of trade union activities, the Special Representative stated that none of the cases referred to could be construed as interference with trade union rights. In the case of Jacques N'Gom, the prosecution had been for contempt of court; in the case of Simon Tinkin and Grégoire Momo, the charge had been fraud. In

/the case

the case of the two planters of Eséka who were members of a trade union organization, the charge had been one of defamation. Similarly there had been valid grounds for the proceedings instituted against certain organs of the UPC; the Voix du Cameroun had been prosecuted for making defamatory statements, the UPC of Dschang for contempt of court and the Comité of the UPC for defamation. These cases involved attempts at public agitation rather than the exercise of trade union rights.

C. Action taken by the Ad Hoc Committee

64. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee held on 16 and 24 July 1951. The discussions relating thereto are reported in documents T/AC.41/SR.15 and T/AC.41/SR.20.

65. The representative of the Union of Soviet Socialist Republics proposed that the Committee should insert a passage in the resolution to the effect that "the Trusteeship Council recommends that the Administering Authority put an end to its anti-democratic policy which permits racial discrimination and a crude violation of the rights and interests of the indigenous population, and recommends further that the Administering Authority take immediate steps for granting the requests of the petitioners."

66. The Committee having rejected this proposal by the USSR representative stated that he could not vote in favour of the draft resolution.

67. At its twentieth meeting, the Committee, by adopted the draft resolution reproduced below as resolution VII.

VIII. Petition from the "Comité directeur de Kumzé" (T/PET.5/90) dated 10 and 14 November 1950

A. Summary of the petition

68. Referring to the discussion on the question of freedom of trade held by the Ad Hoc Committee on Petitions at its twenty-second meeting on 23 March 1950 (T/AC.20/SR.22, pages 12-13), the petitioners contend in a first motion that freedom of trade does not yet exist in the Cameroons and, in refutation of the Administering Authority's statements, cite three instances of unsuccessful applications made by Africans for licences for the sale of goods and trade.

69. They request the intervention of the United Nations in the matter of refusal of licences in the Moungo region, and further complain of lack of freedom of cultivation, particularly in the Moungo region where a French official has ordered young coffee shrubs to be pulled up.

70. In a second motion, the petitioners request the arrest and trial of an employer who allegedly fired on his African night-watchman.

B. Observations of the Administering Authority

71. In an oral statement^{1/} the Special Representative denied the petitioners' allegation that freedom of trade did not exist in the Cameroons. The three cases referred to in the petition were not relevant. The refusal of a licence for the sale of hygienic beverages in the case of David Kamsi did not involve any restriction of the freedom of trade but was a measure of supervision over the consumption of alcohol in the interests of public health. In the case of the applications for licences by Daniel Kom and Joseph Talkou, the authorities did not consider it advisable to grant the applications since the applicants were already holders of a retail trading licence for their shop at N'Kongsamba.

72. So far as the Martino-Lele case was concerned, the Special Representative stated that investigations had been begun to enquire into the circumstances in which Martino had accidentally wounded his employee Lele. The investigating magistrate had, however, released Martino on parole. The authorities would not interfere with the judicial proceedings nor contemplate any administrative measures against Martino, such as expulsion from the Territory, until a judicial decision had been given.

/73. As regard

^{1/} T/AC.41/SR.15

73. As regards the uprooting of young coffee shrubs, the Special Representative referred to his comments on the petition contained in document T/PET.5/86.

C. Action taken by the Ad Hoc Committee

74. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee held on 16 and 24 July 1951. The discussions relating thereto are reported in documents T/AC.41/SR.15 and T/AC.41/SR.20.

75. The representative of the Union of Soviet Socialist Republics proposed that the Committee should insert a passage into the resolution to the effect that "the Trusteeship Council recommends that the Administering Authority put an end to its anti-democratic policy which permits a crude violation of the rights and interests of the indigenous population, particularly as regards trade and agriculture."7

76. The Committee having rejected this proposal by the USSR representative stated that he could not vote in favour of the draft resolution.7

77. At its twentieth meeting the Committee by adopted the draft resolution reproduced below as resolution VIII.

IX. Petition from the "Kumzse" Traditional Assembly of the Bamileke People (T/PEF.5/92), dated 7 December 1950

A. Summary of the petition

78. The petitioners transmit to the United Nations four resolutions adopted by the third congress of the Kumzse.

79. A Political Resolution denounces the hostile attitude of the officials of the Bamileke region towards members of the Kumzse, and the policy of division pursued by the French authorities. The resolution requests (a) the replacement of the Council of Notables by a regional council, elected by universal suffrage; (b) the establishment of communities under indigenous mayors; (c) the inclusion of all the Bamileke in the electoral lists; (d) a Bamileke representation in the Representative Assembly in proportion to the density of the population; (e) the dismissal of the "informers" in the administrative and judicial services of the Bamileke region; (f) a wider distribution of notices of competitive examinations for posts.

80. An Economic Resolution requests (a) the recognition of the land rights of the Bamileke living in the Mounjo region; (b) the completion of the Nkongsamba-Dschang Road; (c) the establishment of a training centre for mechanics, carpenters, masons, etc. in each sub-division; (d) the development of co-operative societies; (e) the promulgation in the Journal officiel du Cameroun of the order abolishing restrictions of profitable crops (coffee) in the Bamileke region.

81. A Social Resolution calls for (a) a better administration of justice in the Bamileke region; (b) the improvement of the conditions of prisoners; (c) the emancipation of Bamileke women; (d) an increase in the number of schools; (e) the compulsory education of girls; (f) the improvement of medical and health services (g) the restoration of the provident societies to indigenous control; and (h) the abolition of the customs system between the two zones of the Cameroons and the liberalization of exchange regulations so as to alleviate frontier difficulties. It also protests against the fines which were imposed on the inhabitants of one village for failing to participate in the building of a school.

82. A fourth resolution complains of the interference of the local administration in the membership and resignation of members of the Kumzse.

B. Observations of the Administering Authority

83. In an oral statement^{1/} the Special Representative replied to such grievances as he had been able to perceive in the petition which hardly mentioned

/any precise

any precise facts.

84. In the first place he repudiated the charge that the authorities had urged members of the Kumzse to resign from their party. He explained that the reason why some persons who had resigned had sent their cards to the administrative authorities had simply been that they desired the protection of the authorities against the violence with which the Kumzse threatened deserters.

85. After pointing out that all the claims made in the "economic resolution" were covered by administrative regulations and required no special reply, the Special Representative commented on the "social resolution". The fines referred to therein had not been levied on the inhabitants of the village of Fotouni for refusal to participate in the building of the school but for failure to register births. The other charge that schoolgirls had been forced to appear naked in public as a punishment was perfectly absurd since, according to Bamileke custom, women of all ages went absolutely naked.

86. With regard to co-operative societies the Special Representative said that the Administration was trying to encourage the co-operative movement. It had been necessary, however, to set up an auditing service for the accounts of the co-operative society owing to the faulty financial management of some of them.

C. Action taken by the Ad Hoc Committee

87. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee on 16 and 24 July 1951. The relevant discussion is contained in documents T/AC.41/SR.15 and T/AC.41/SR.20.

88. [The representative of the Union of Soviet Socialist Republics proposed that the Committee should insert in the resolution a passage in which the Trusteeship Council recommended that the Administering Authority put an end to its anti-democratic policy which permitted a crude violation of the rights and interests of the indigenous population, and further recommended that the Administering Authority should accede to the requests of the petitioners and particularly that it should institute in the Territory an autonomous regime based on democratic principles.]

89. The Committee having rejected this proposal by the representative of the Union of Soviet Socialist Republics said that he would be unable to vote for the draft resolution.

90. At its twentieth meeting the Committee adopted, by the draft resolution reproduced below as resolution IX.

/X. Petition

X. Petition from Mr. Jean Mouen (T/PET.5/93) dated 31 December 1950

A. Summary of petition

91. The petitioner whose previous petition (T/PET.5/1) was examined by the Trusteeship Council at its fifth session (resolution 91 (V)) takes exception to Mr. Laurentie's statement to the Council that he (the petitioner) was not married to Régine Ngo Bogmis and to prove the contrary communicates to the Council a number of documents among which are (1) a true copy of a judgment of the Court of Second Instance of Edea regarding the divorce between Jean Mouen and Régine Ngo Bogmis, which grants the repayment of the dowry to Jean Mouen and admits his paternal right to the child Ngo Mouen, and (2) a copy of an order of the Court of Indictment (Chambre des mises en accusation) of the Supreme Court of Appeal for the Cameroons dismissing the case brought by Jean Mouen against Henri Belton for assault and violence.

92. The petitioner complains that so far he has neither his wife, nor the dowry, nor his four children, nor the damages claimed and alleges that the case against Henri Belton has been shelved because all the old French settlers in the Cameroons regard the latter as a friend and do not wish to prosecute him.

B. Observations of the Administering Authority

93. In an oral statement ^{1/} the Special Representative explained that the petitioner had two separate complaints: the divorce and the charges against Belton. These two cases had been conclusively settled by the competent courts of the Territory and it was impossible to reverse judicial decisions.

C. Action taken by the Ad Hoc Committee

94. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee, on 16 and 24 July 1951. The report of the relevant discussion is contained in documents T/AC.41/SR.15 and T/AC.41/SR.20.

95. At its twentieth meeting, the Committee adopted by the draft resolution reproduced below as resolution X.

/XI. Petition

XI. Petition from Mr. Djoumessi Mathias, President of the "Comité directeur de Kumzsé" (T/PET.5/94) dated 7 March 1951

A. Summary of petition

96. The petitioner submits to the United Nations a land dispute between Mr. Tedontago and Mr. Satong and requests its intervention in the matter.

97. He states that Mr. Tedontago owned 3 parcels of land, a family property for four generations, that he ceded two of these parcels to the French Administration and the Compagnie pastorale, and was living on the remaining land with his whole family and, that, as a result of a law suit brought against him by Mr. Satong, the second degree tribunal of Dschang, confirmed by the Supreme Tribunal of the Cameroons, issued an order dispossessing him of it.

98. Attached are (1) a petition of certain members of the Bafou group, Dschang Sub-division calling for the cancellation of this judgment and (2) copies of three letters transmitting this petition to the High Commissioner of the French Republic in the Cameroons, the Public Prosecutor of the French Republic in the Cameroons and the Administrator for the Colonies in charge of the District of Bamileke.

B. Observations of the Administering Authority

99. In an oral statement^{1/} the Special Representative explained that the petition referred to a land dispute which had been settled by the customary courts of the area. The case had first been tried by the customary first degree tribunal, and then, as the result of an appeal, by the second degree tribunal. Finally, the President of the Chambre d'annulation had confirmed the decision.

C. Action taken by the Ad Hoc Committee

100. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee on 16 and 24 July 1951. The relevant discussion is reported in documents T/AC.41/SR.15 and T/AC.41/SR.20.

101. At its twentieth meeting, the Committee adopted, by the draft resolution reproduced below as resolution XI.

/XII. Petition

^{1/} T/AC.41/SR.15

XII. Petition from the "Comité régional du Cameroun de l'Union des populations du Cameroun" (T/PET.5/95) dated 14 March 1951.

A. Summary of petition

102. The petitioners charge Njimulu, the Supreme Chief of Mfente with resorting to "practices which are contrary to personal liberty". In support of their accusation they cite seven cases where Njimulu allegedly robbed various persons of their belongings and ask for an impartial inquiry to be held on these cases.

103. The petitioners also state that complaints against Supreme Chiefs are not examined by the Administration and that, armed with every kind of immunity, these chiefs declare that they are authorized by France to do anything they wish in their domain and are not obligated to restore to any of their subject the property they have taken from them. The petitioners request that the United Nations take action against this system.

B. Observations of the Administering Authority

104. In an oral statement^{1/} the Special Representative explained that the complaint referred to in the petition arose from a reorganization of the chefferies which took place in 1939 and which resulted in a re-distribution of certain lands. The cases all came within the jurisdiction of the customary courts, before which they had been brought some time previously. The court, influenced doubtless by pressure from certain chiefs had not yet handed down a decision. The plaintiffs had been invited to lodge an appeal with the second degree court which would settle the cases in the best interests of all concerned.

C. Action taken by the Ad Hoc Committee

105. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee on 16 and 24 July 1951. The relevant discussions are reported in documents T/AC.41/SR.15 and T/AC.41/SR.20.

106. [The representative of the Union of Soviet Socialist Republics proposed to the Committee the insertion in the resolution of a passage in which the Trusteeship Council recommended that the Administering Authority put an end

/to its

^{1/} T/AC.41/SR.15

to its anti-democratic policy which permitted a crude violation of the rights and interests of the indigenous population; and recommended to the Administering Authority to proceed immediately to an inquiry into the cases referred to in the petition with a view to compensating the petitioners without delay for damages caused them by the Chief Njimlu.]

107. [The Committee, having rejected this proposal by the representative of the Union of Soviet Socialist Republics said that he would be unable to vote for the draft resolution.]

108. At its twentieth meeting the Committee adopted, by the draft resolution reproduced below as resolution XII.

XIII. Petition from Mr. Kamsi David (T/PET.5/96 and T/PET.5/96/Add.1)
dated 24 April 1951 and 15 May 1951

A. Summary of Petition

109. The petitioner complains that although a certain number of persons have been granted restaurant-keeper licences, his applications for such a licence has so far received no favourable reply. He alleges that this unsuccess is due to his political associations, as he belongs to the Union des populations du Cameroun and appeals to the Trusteeship Council for redress against the discriminatory measures which the chief of the Mounjo Region has taken against him by withholding his restaurant-keeper licence.

110. He also points out that in connexion with its examination of the question of freedom of trade as raised in certain petitions at its sixth session, the Trusteeship Council heard a statement of the Special Representative of the Administering Authority ^{1/} to the effect that the Administration allowed African restaurants to obtain licences for the sale of alcoholic beverages with a low alcoholic content, and adopted a resolution ^{2/} whereby it expressed the hope that the Administering Authority would continue to demonstrate to the local population that there exists equality of commercial opportunity.

111. In a further communication (T/PET.5/96/Add.1) the petitioner claims that the provisions of Order No. 1674 of 11 April 1951 fixing the general security, health and police regulations for premises for the sale of beverages are deliberately and solely designed to exclude indigenous inhabitants from such premises.

112. In this connexion he recalls the resolution on the question of loans and subsidies adopted by the Trusteeship Council at its sixth session and states that this resolution should be fully applied and that the Crédit camerounais should grant loans to applicants without taking account of their political and other affiliation.

B. Observations of the Administering Authority

113. In an oral statement ^{3/} the Special Representative explained that the Administration had not refused the petitioner's application for a licence
/on grounds

^{1/} See document T/L.77, pages 33-34

^{2/} Resolution 213 (VI) of the Trusteeship Council

^{3/} T/AC.41/SR.15

on grounds of racial discrimination or political affiliation. The Administration would be entitled to refuse a licence to the petitioner on the grounds alone that he failed to fulfil certain requirements under the regulations, such as the possession of a building made of lasting materials. There was still less justification for his accusations when it was remembered that all applications for licences were being refused in N'kongsamba because the town already had a large number of establishments for the sale of beverages. A larger number of licences in N'kongsamba was held by Africans than by Europeans.

114. The Special Representative also stated that as a result of Trusteeship Council resolution 213 (VI) on the question of freedom of trade, the Cameroons Administration had issued regulations demonstrating to the local population that there existed equality of commercial opportunity between them and Europeans.

C. Action taken by the Ad Hoc Committee

115. This petition was examined and discussed at the fifteenth and twentieth meetings of the Ad Hoc Committee on 16 and 24 July 1951. The relevant discussion is reported in documents T/AC.41/SR.15 and T/AC.41/SR.20.

116. At its twentieth meeting, the Committee adopted, by the draft resolution reproduced below as resolution XII.

RESOLUTION I

PETITION FROM MR. N. SKOULOUKOS
(T/PET.5/69 and T/PET.5/69/Add.1)
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 ninth session the petition from Mr. N. Skouloukos (T/PET.5/69 and T/PET.5/69/Add.1) in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative to the effect that:

1. The question of the fine imposed on the petitioner has been finally settled by a decision of the Council of State;
2. As regards the compensation claimed by the petitioner, the French Administration is prepared to pay him a sum calculated on the basis of the recommendation of the Commission de révision des marchés but is unable, in determining the amount of the compensation, to take into account the consideration put forward by the petitioner, since under French legislation, the gold clause does not operate in the case of public debt;
3. The French Administration has, however, in a spirit of compromise offered to the petitioner a sum of 200,000 francs CFA which the latter did not feel able to accept;
4. The question of indemnity may be submitted to the courts if the petitioner so desires;

The Trusteeship Council

1. Draws the attention of the petitioner to the statement of the Special Representative of the Administering Authority;
2. Notes that the question of the fine imposed on the petitioner has been finally settled by the competent courts;
3. Decides to inform the petitioner that, if he is not satisfied with the amicable settlement proposed by the French Administration with regard to the compensation claimed by him, he may address himself to the competent court;
4. Decides that under these circumstances, the petition calls for no further steps on the part of the Council;
5. 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.

/RESOLUTION II

RESOLUTION II

PETITION FROM THE "COMITÉ CENTRAL DE L'UNION DES POPULATIONS DU CAMEROUN"
(T/PET.5/83) 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 ninth session the petition from the Comité central de l'Union des populations du Cameroun (T/PET.5/83) in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative;

Having taken note of the oral statement of the Special Representative to the effect that:

(a) as regards the arrests mentioned in the petition, the persons concerned were arrested, not for taking part in political meetings or sending petitions to the United Nations, but because they were charged with preparing and using false certificates, rebellion, contempt of court and libel;

(b) as regards the general questions raised in the petition, the petitioners have no specific grounds whatever for their allegations, but are making them as part of the policy of systematic opposition of the Union des populations du Cameroun to the French Administration;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

1. Recommends that the Administering Authority should put an end to its anti-democratic policy towards the indigenous population which permits a crude violation of the latter's rights and interests;

2. Recommends that the Administering Authority should return to the indigenous population lands alienated from it under various pretexts;

3. Instructs the second United Nations Visiting Mission to West Africa to proceed immediately to an inquiry into the complaints regarding forced labour and limitations of the freedom of association;

Alternative B (Belgium, United States of America)

As regards the arrests of certain members of the "Union des populations du Cameroun"

1. Draws the attention of the petitioners to the statement of the Special Representative;

/2. Decides

2. Decides that in the circumstances no further action by the Council is called for;

As regards the general questions raised in the petition:

3. Decides to inform the petitioners that the questions of human rights and fundamental freedoms, the separation of administrative and judicial power, forced labour and land tenure have been and will continue to be examined by the Trusteeship Council in connexion with its annual examination of the conditions in the Territory;

4. Points out to the petitioners that the second United Nations Visiting Mission to West Africa will probably visit the Cameroons under French Administration in 1952;

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.

/RESOLUTION III

RESOLUTION III

PETITION FROM "LE COMITE DU VILLAGE D'AKOMNYADA (SUBDIVISION DE M'BALMAYO) DE L'UNION DES POPULATIONS DU CAMEROUN" (T/PET.5/85) 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 ninth session the petition from the Comité du Village d'Akomnyada (Subdivision de M'Balmayo) de l'Union des Populations du Cameroun (T/PET.5/85) in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative to the effect that:

- (a) the forestry reserve of Akomnyada has been classified according to the regular procedure which gave rise to no objection on the part of the population;
- (b) the present regulations which scrupulously respect the acquired rights of the inhabitants represent the minimum safeguard necessary if the future of the country's forests is not to be seriously jeopardized;
- (c) the fines which had to be imposed to convince the inhabitants of Akomnyada that violations of the regulations must cease, amounted to 21,600 francs and not 2 million francs as the petitioners stated;
- (d) in their classification of the forest of Akomnyada the local authorities based themselves on the recommendations of the Trusteeship Council;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

1. Recommends that the Administering Authority should return to the indigenous population of the Akomnyada community the lands alienated from it under the pretext of classification of forests, and that it should not permit any further alienation of lands belonging to the indigenous inhabitants.

Alternative B (United States of America)

1. Draws the attention of the petitioners to the observations of the Administering Authority;
2. Decides to inform the petitioners that the question of classification of forests has been and will continue to be examined by the Trusteeship Council in connexion with its annual examination of the conditions in the Territory;

/3. Draws

3. Draws the attention of the petitioners to the recommendations on the question adopted by the Trusteeship Council at its sixth and ninth sessions which read as follows:

"Recommendation of the sixth session:

"The Council, in respect of the classification of forests, requests the Administering Authority to take into account the same principles, namely safeguarding the rights of communities and the economic advancement of the Territory;"

"Recommendation of the ninth session:

"The Council,

"Considering that the maintenance of adequate forest cover is an essential feature of any effective soil conservation programme, and

"Noting that the local population and their representatives in the Assembly have not yet understood the vital importance of maintaining forest cover for the future of the Territory,

"Recommends that the Administering Authority take effective steps to solve this complicated problem with the support of the indigenous inhabitants."

4. Recommends that the Administering Authority should, whenever necessary, take the appropriate measures to make additional arable land available to the indigenous population;

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.

RESOLUTION IV.

PETITION FROM THE "COMITE REGIONAL DU MOUNGO DE L'UNION DES POPULATIONS
DU CAMEROUN" (T/PET.5/86)

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 ninth session the petition from the Comité régional du Moungo de l'Union des populations du Cameroun (T/PET.5/86) in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative to the effect that:

- (a) the refusal by the Chief of the Moungo Region to allow the Union des populations du Cameroun to hold a public meeting in the administration building was perfectly legal and in no way represented a violation of freedom of assembly;
- (b) a fee such as that charged at certain markets in the Cameroons, when its amount is small, is generally charged in all countries of the world;
- (c) plantations producing non-edible crops planted illegally in a forest reserve by Bamileke immigrants had been pulled up by the forest rangers, in order to protect the country's forests and in accordance with the existing regulations;
- (d) the petitioners' allegations concerning police brutality, the arbitrary detention of indigenous inhabitants, the uprooting of food crops, the exploitation of forests, the land rights of the indigenous inhabitants, postal censorship and the extortion of funds from small African traders were absolutely unfounded;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

- 1. Recommends that the Administering Authority put an end to its anti-democratic policy which, as is clear from the petition, permits a crude violation of the rights and interests of the indigenous population;

Alternative B (Belgium)

- 1. Draws the attention of the petitioners to the observations of the Administering Authority;

/2. Reiterates

2. Reiterates its resolution 192 (VI), according to which no action by the Council is called for on the question of the establishment of a permanent supervisory commission in the Territory;
3. Decides to inform the petitioners that general questions, relating to such matters as police activities, land tenure, the forestry system and fundamental freedoms are being and will continue to be examined by the Council in connexion with its annual examination of conditions in the Territory;
4. Reiterates the hope, already expressed in resolution 200 (VI), that the Administering Authority will make every endeavour to ensure correct behaviour on the part of the police and the forest rangers towards the inhabitants and will punish abuses whenever they are discovered;
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.

RESOLUTION V

PETITION FROM MR. MOUSSA MONTIÉ, PROPAGANDA
SECRETARY, "COMITE REGIONAL DE BAMOUN DE L'UNION
DES POPULATIONS DU CAMEROUN"

(T/PET.5/87)

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 ninth session the petition from Mr. Moussa Montié, Propaganda Secretary of the Comite regional de Bamoun de l'Union des populations du Cameroun (T/PET.5/87), in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative that:

- (1) an administrative proposal for replacing the Councils of Notables by elected regional councils has already been submitted to the Assemblée représentative of the Cameroons;
- (2) in the Bamoun region, it is the custom for the supreme chiefs to be appointed by the traditional notables of the villages in their chiefdoms, and the Administration merely confirms such appointments;
- (3) the petitioner's allegation that the gendarmes prevented the people from contacting the members of the Visiting Mission is entirely unfounded;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

1. Instructs the Second United Nations Visiting Mission to West Africa to investigate this petition on the spot with particular attention to the complaint of the petitioners that the gendarmes had interfered to prevent the indigenous population from contacting the First Visiting Mission;

Alternative B (United States of America, New Zealand)

1. Draws the attention of the petitioner to the statement of the Special Representative of the Administering Authority;

/2. Draws

2. Draws the attention of the petitioner to the statement of the First Visiting Mission to West Africa that the various categories of the population were entirely free to express their opinions, present their petitions and make their complaints;

3. Further draws the attention of the petitioner to the recommendations relating to Councils of Notables which the Council adopted at its sixth and ninth sessions and which read as follows:

"Recommendation of the sixth session:

"The Council, noting the need for further political development below the level of the Representative Assembly, commends the Administering Authority for the steps already taken to reorganize the Councils of Notables by increasing the number of members of each council and broadening their representative character, and urges the Administering Authority to press forward with this reorganization, giving the fullest consideration to the possibility of vesting the councils with power to make decisions on certain matters as well as to give advice."

"Recommendation of the ninth session:

"The Council commends the Administering Authority for its plans to replace Councils of Notables with regional councils having more extensive powers and enlarged membership and expresses the hope that the completion of this reform will be reported to the Trusteeship Council on the occasion of the examination of the next annual report."

4. Informs the petitioner that the Second United Nations Visiting Mission to West Africa will probably arrive in the Cameroons under French Administration in 1952;

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.

/RESOLUTION VI

RESOLUTION VI

PETITION FROM Mr. MATHIAS MBONGUE MINYANGADOU (T/PET.5/88)
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 ninth session the petition from Mr. Mathias Mbongue Minyangadou (T/PET.5/88), in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative that the property rights of the petitioner can be recognized only in accordance with the procedure laid down by the law of the Territory and that the petitioner has not yet had recourse to that procedure,

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

1. Recommends that the Administering Authority should return to the indigenous population lands alienated from it on various pretexts.

Alternative B (Belgium)

1. Draws the attention of the petitioner to the statement of the Special Representative of the Administering Authority;
2. Reaffirms its previous resolution 237 (VII) whereby it informed the petitioner that in the opinion of the Council he could have the question of his title to the land decided by following the normal procedure;
3. 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.

RESOLUTION VII

PETITION FROM THE "COMITE DIRECTEUR DE L'UNION DES POPULATIONS DU CAMEROUN" AND FROM THE "BUREAU DE L'UNION DES SYNDICATS CONFEDERES DU CAMEROUN" (T/PET.5/89 and T/PET.5/89/Add.1) 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 ninth session the petition from the Comité directeur de l'Union des populations du Cameroun and from the Bureau de l'Union des Syndicats confédérés du Cameroun (T/PET.5/89 and T/PET.5/89/Add.1), in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative that:

- (a) indigenous judges, if the assessors of the various jurisdictions are included as such, constitute more than 60 per cent of all magistrates in the Cameroons, and will constitute an even greater percentage when the scholarship students from the Cameroons have completed their studies in France;
- (b) the Administration is attempting to eliminate the last traces of what might be interpreted as racial discrimination;
- (c) Article 2 of the draft labour code, the article complained of by the petitioners, has already been amended by the National Assembly;
- (d) the allegations of the petitioners concerning anti-trade union measures were not justified, since none of the cases cited could be regarded as obstructing trade union rights;
- (e) proceedings have been instituted against certain members of the Union des populations du Cameroun, not for political reasons, but because they were guilty of either defamation, contempt of court or swindling;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

1. Recommends that the Administering Authority put an end to its anti-democratic policy which permits racial discrimination and a crude violation of the rights and interests of the indigenous population;
2. Recommends further that the Administering Authority take immediate steps to grant the requests of the petitioners;

/Alternative B

Alternative B (United States of America)

As regards judicial proceedings against certain members of the UPC and the "Union des Syndicats confédérés du Cameroun":

1. Draws the attention of the petitioners to the statement of the Special Representative of the Administering Authority;
2. Decides that, in view of that statement, the matter requires no further action by the Council;

As regards the questions of a general nature:

3. Decides to inform the petitioners that questions concerning the administration of justice, separation of the executive and judicial powers, racial discrimination, land tenure, communications, human rights and fundamental freedoms, trade-union rights and the labour code, and education are being, and will continue to be, examined by the Council in connexion with its annual examination of conditions in the Territory;
4. Draws the attention of the petitioners to the recommendations concerning the Trust Territory of the Cameroons under French Administration which the Council adopted at its ninth session;
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;
6. Further invites the Secretary-General to communicate to the petitioners the report to the General Assembly on the administration of the Cameroons under French Administration which the Trusteeship Council adopted at its ninth session, the official records of the public meetings of the Council during which the annual report on the administration of the Territory was examined, and other related official documents.

RESOLUTION VIII

PETITION FROM THE "COMITE DIRECTEUR DE KUMZSE" (T/PET.5/90)
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 ninth session, the petition from the Comité directeur of the Kumzé (T/PET.5/90); in consultation with France as the Administering Authority concerned, which designated Mr. C.M.Watier as Special Representative,

Having taken note of the oral statement of the Special Representative to the effect that:

- (a) the refusals of licences and patents referred to in the petition were justified on economic and social grounds and were in no way an obstacle to freedom of trade;
- (b) non-edible crops illegally planted in the forest reserves were pulled up by the forest guards only to safeguard the country's forest resources, in accordance with the regulations in force;
- (c) the Administration cannot intervene in a court action which is still open;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

1. Recommends that the Administering Authority put an end to its anti-democratic policy which permits a crude violation of the rights and interests of the indigenous population, particularly as regards trade and agriculture;

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

1. Draws the attention of the petitioners to the statement of the Special Representative of the Administering Authority;
2. Decides to inform the petitioners that questions of freedom of trade and freedom of cultivation are being and will continue to be examined by the Trusteeship Council in connexion with its annual examination of conditions in the Territory;
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 IX

RESOLUTION IX

PETITION FROM THE "KUMZSE", TRADITIONAL ASSEMBLY OF THE BAMILEKE PEOPLE (T/PET.5/92) 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 ninth session, the petition from the Kumzsé, Traditional Assembly of the Bamileke people (T/PET.5/92), in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative to the effect that:

- (a) the accusations set forth in the petition are totally unfounded and the authorities have never forced members of the Kumzsé to resign from their party;
- (b) the claims of the petitioners are based on purely demagogical motives, and some of them correspond to the action taken by the Administration;
- (c) the Administration is seeking to encourage the co-operative movement, but has had to set up an auditing service for the accounts of the co-operative societies, owing to the faulty financial management of certain of those societies;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

1. Recommends that the Administering Authority put an end to its anti-democratic policy which permits a crude violation of the rights and interests of the indigenous population;
2. Recommends that the Administering Authority grant the requests of the petitioners and, in particular, that it establish in the Territory an autonomous regime based on democratic principles;

Alternative B (United States of America, New Zealand)

1. Draws the attention of the petitioners to the statement of the Special Representative of the Administering Authority;
2. Decides to inform the petitioners that the general questions raised in their petition will continue to be examined by the Council in connexion with its

annual examination of conditions in the Territory;

3. Draws the attention of the petitioners to the recommendations adopted by the Council at its ninth session with respect to the Trust Territory of the Cameroons under French Administration;

4. Further draws the attention of the petitioners to the fact that the Council has established a Committee on the Rural Economic Development of the Trust Territories to study land problems;

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;

6. Further invites the Secretary-General to transmit to the petitioners the text of the Council's report to the General Assembly on the administration of the Cameroons under French Administration, adopted at the Council's ninth session, the records of the public meetings during which the annual report on the administration of the Territory was examined, and other related official documents.

RESOLUTION X

PETITION FROM MR. JEAN MOUEN (T/PET.5/93)
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 ninth session, the petition from Mr. Jean Mouen (T/PET.5/93), in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the statement of the Special Representative to the effect that final judgment was given on the two complaints set forth in the petition, by the competent courts of the Territory,

The Trusteeship Council

1. Decides that, in the circumstances, no action on the part of the Council is called for;
2. 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.

/RESOLUTION XI

RESOLUTION XI

PETITION FROM MR. DJOUMESSI MATHIAS, PRESIDENT OF THE
"COMITE DIRECTEUR DU KUMZSE" (T/PET.5/94)
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 ninth session, the petition from Mr. Djoumessi Mathias, president of the Comité directeur du Kumzse (T/PET.5/94), in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative to the effect that the petition deals with a land dispute which was finally settled by the local customary courts,

The Trusteeship Council

1. Decides that, in the circumstances, no action on the part of the Council is called for;
2. 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 XII

PETITION FROM THE "COMITE REGIONAL DU BAMOUN DE L'UNION
DES POPULATIONS DU CAMEROUN" (T/PET.5/95) 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 ninth session the petition from "Comité régional du Bamoun de l'Union des populations du Cameroun" (T/PET.5/95), in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having noted the oral statement of the Special Representative to the effect that:

- (a) the various cases mentioned in the petition resulted from a reorganization in 1939 of the chefferies involving the redistribution of certain lands;
- (b) the cases all lay within the jurisdiction of the customary court, before which they had been brought some time previously but which had not yet handed down a decision, yielding no doubt to pressure from certain chiefs;
- (c) the plaintiffs had been invited to lodge an appeal with the second degree court, which would settle their cases in the best interests of all concerned,

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

- 1. Recommends that the Administering Authority put an end to its anti-democratic policy, which permits a crude violation of the rights and interests of the indigenous population;
- 2. Recommends that the Administering Authority should proceed immediately to an inquiry into the cases referred to in the petition with a view to compensating the petitioners without delay for the damages caused them by the chief Njimulu;

Alternative B (Belgium, United States of America)

- 1. Draws the attention of the petitioners to the statement of the Special Representative of the Administering Authority;
- 2. Recommends that the Administering Authority take the necessary steps to inform the petitioners of the procedure to be followed in order to hasten the settlement of the matters raised in their petitions;

/3. Invites

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 XIII

PETITION FROM MR. KAMSI DAVID (T/PET.5/96)
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 ninth session the petition from Mr. Kamsi David (T/PET.5/96) in consultation with France as the Administering Authority concerned, which designated Mr. C. M. Watier as Special Representative,

Having taken note of the oral statement of the Special Representative to the effect that:

- (a) the petitioner's application for a licence has not been refused by the Administration on grounds of racial discrimination or of political affiliation;
- (b) at present no licences are being issued in N'Kongsamba, because the town is already amply provided with establishments for the sale of beverages;
- (c) Africans in N'Kongsamba at present hold more licences than Europeans;
- (d) under the regulations, Africans enjoy the same commercial opportunities as Europeans;

The Trusteeship Council

1. Draws the attention of the petitioner to the statement of the Special Representative of the Administering Authority;
2. Reiterates the hope expressed in resolution 213 (VI) that the Administering Authority will continue to take all possible steps in order to demonstrate to the local population that there exists equality of commercial opportunity;
3. 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.
