



UNITED NATIONS  
TRUSTEESHIP  
COUNCIL



Distr.  
LIMITED

T/C.2/L.223/Add.1  
27 March 1956  
ENGLISH  
ORIGINAL: FRENCH

Seventeenth session  
Agenda item 4

PETITIONS CONCERNING THE TRUST TERRITORY OF THE  
CAMEROONS UNDER FRENCH ADMINISTRATION

Addendum to the draft report of the Standing Committee on Petitions

Add the following section:

VIII. Petition from the Fédération des travailleurs agricoles, forestiers  
et paysans du Cameroun (T/PET.5/390 and Add.1)

Paragraphs 1 to 6 will be the same as paragraphs 1 and 11 to 15 of  
document T/C.2/L.207.7

7. The complaints in document T/PET.5/390/Add.1 concerning the African Provident Society at Mungo were examined in an earlier report (T/L.636).
8. This petition was examined and discussed at the 342nd, 343rd and ... meetings of the Standing Committee (T/C.2/SR.342, 343 and ...).
9. The Special Representative said that under French law the Syndicat des petits planteurs of the Mungo Region had engaged in commercial operations, since it delivered the bananas harvested by its members, made out bills and cheques in its name and collected the proceeds from sales. It had therefore been contravening the provisions of chapter II, article 18, of the Labour Code and was in fact performing the functions of a co-operative. The Administering Authority could therefore treat it either as a trade union, and prosecute it for illegal commercial practices, or as a co-operative, which had not yet been registered. In a spirit of conciliation, it had preferred to request the union to comply immediately with the legislation governing the activities of co-operatives.

10. The Special Representative added that the union's illegal activities had been going on for almost three years. At the time of the petition, despite the formal notice served on it, the union had not regularized its status. Soon afterwards, some of its members had formed a co-operative. The Administration had formally notified the trade union, through the Chief Regional Officer, that if it continued its commercial operations after 1 February 1955 legal proceedings would be instituted against it. It had discontinued its commercial operations, but still existed as a labour organization. Members who did not wish to use the services of the co-operative could apply to the Provident Society, or, if they had means of transport, to the Banana Company. In fact, several of them belonged both to the co-operative and to the union.

11. The Special Representative said that the system followed both by European plantation-owners and many African owners in paying the wages of their agricultural labourers was complex. Agricultural labourers very often worked only part of a day so as to be able to attend to their own crops. They would then come to terms with the owners on a specific wage for a job which might take few or many hours to complete. In any case, labourers who felt they were being unfairly treated could always take their case to the labour courts, either directly or through their trade union. Under the labour legislation, owners were required to pay overtime at a higher rate, which varied depending upon the time of the day or week at which the work was done.

12. The Special Representative stated that workers' wages constituted a preferential debt. Of the companies which had been unable to pay their workers immediately as a result of financial difficulties, one was no longer operating but the others did not appear to have had any further difficulties. The legal penalties that might be imposed in such cases included the liquidation of the undertakings concerned by court order.

13. The Special Representative explained that the stores were organized by employers on plantations where there were no traders in the vicinity. They were reserved exclusively for workers and were inspected three or four times a year by the Labour Inspectorate. There were several dozen of them in the

whole Territory. The workers were not compelled to buy there and sales were always made for cash. There had been no serious abuses so far because of the strict penalties provided for by the law: if the Labour Inspector discovered any abuses, he could order the closing of the store by a unilateral decision and without notice.

14. [The Special Representative said he was prepared to provide the Committee at the earliest practicable date with information concerning two persons who had had difficulty in obtaining exit visas for the purpose of travelling to Paris.]

15. At its meeting, the Committee adopted by votes to , with abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt:

VIII. Petition from the Fédération des travailleurs agricoles, forestiers et paysans du Cameroun (T/PET.5/390 and Add.1

The Trusteeship Council,

Having examined the petition from the Fédération des travailleurs agricoles, forestiers et paysans du Cameroun in consultation with France as the Administering Authority concerned (T/PET.5/390 and Add.1; T/OBS.5/68; T/L. ),

1. Draws the attention of the petitioners to the observations of the Administering Authority and to the statement of its Special Representative;
2. Recommends to the Administering Authority that it take steps to ensure that the wages of labourers working on plantations are not less than the minimum wage fixed for workers in the area;
3. Invites the petitioners to report to the labour inspectors and courts any specific cases of infringements of the Labour Code which come to their knowledge.
4. Requests the Administering Authority to supply additional information on the case of the two persons said to have been refused exit visas for the purpose of travelling to Paris.

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