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Chairman: Mr. Thanat KHOMAN (Thailand).

AGENDA ITEM 37

The future of Togoland under French administration: report of the Trusteeship Council (A/3676 and Corr.1, A/3677, A/C.4/367, A/C.4/L.511, T/SR.841-847) (*concluded*)

DRAFT REPORT OF THE FOURTH COMMITTEE (A/C.4/L.511)

1. Mrs. SKOTTSBERG-AHMAN (Sweden), Rapporteur, introduced the draft report (A/C.4/L.511), which she had prepared on the model of the previous year's report. In paragraphs 14 and 15 she had endeavoured to show how the sponsors of the draft resolution had revised their text orally by accepting some of the amendments proposed by other delegations. In paragraph 10 of the English and Spanish texts, the name of Guatemala should be added to the list of sponsors of the eleven-Power amendments.

2. Mr. ROLZ BENNETT (Guatemala) requested that the English word "currency" in the fifth paragraph of the preamble of the draft resolution in paragraph 17 should be translated by the word "moneda" in the Spanish text instead of "las cuestiones monetarias".

3. Mr. BOZOVIC (Yugoslavia) pointed out that a similar correction should be made in the French text, where the words "les questions monétaires" should be replaced by "la monnaie".

4. The CHAIRMAN said that those changes would be made.

The draft report (A/C.4/L.511) was adopted without objection.

AGENDA ITEM 13

Report of the Trusteeship Council (A/3595 and Corr.1, A/3718, A/C.4/372) (*continued*)

HEARING OF PETITIONERS (*continued*)

At the invitation of the Chairman, Mr. Charles Assalé, Mr. Paul Soppo Priso and Mr. Jean Ekwabi,

representatives of the Groupe d'action nationale du Cameroun, Mr. Ndeh Ntumazah, representative of One Kamerun, Mr. Félix Roland Moumié, representative of the Union des populations du Cameroun, Mr. Dika Akwa, representative of the Confédération des syndicats indépendants du Cameroun, and Mr. Jacques Ngom, representative of the Confédération générale kamerunaise du travail, took places at the Committee table.

5. Mr. NGOM (Confédération générale kamerunaise du travail) explained that the organization he represented had developed from the former Union des syndicats confédérés du Kamerun, the first trade union founded in the Territory after the right to form trade unions had been recognized in 1944. In 1956 the Union des syndicats confédérés du Kamerun had been converted into the Confédération générale kamerunaise du travail (CGKT), which represented the wage-earning workers of the towns, plantation labourers and self-employed farmers. The object of the CGKT was to organize and educate the working masses of the Territory, without distinction as to race or political or religious conviction, for the protection of their material and moral interests, their economic, social and cultural rights, and trade-union and democratic freedom; to promote the creation of a nationaleconomy to the advantage of the broad masses; and to ensure that the trade-union movement participated in the struggle for the destruction of the colonial system and for the fulfilment of the Cameroonian people's national aspirations. The CGKT, which was by far the most important trade-union body in the Territory, was independent of all political parties, which did not preclude the possibility of its collaborating with one or another organization in any action which was for the benefit of the workers. It had left the French Confédération générale du travail and was maintaining relations with trade unions in African countries and others on a footing of equality.

6. The CGKT, which had hitherto confined itself to sending petitions to the United Nations, had thought it necessary to ask for a hearing because of the tragic turn for the worse which the situation in the Territory had taken since 1955. It had repeatedly applied to the responsible authorities and it was their silence or their negative replies that had led it to ask the United Nations to hear it on three points: first, trade-union freedom and workers' claims; secondly, the economic and social aspects of the question of the Territory's independence and unification; thirdly, amnesty. It would have liked to confine its statement to trade-union, social and economic questions, which represented its normal field of action, but the situation in the Territory was such that political, economic and social problems were inextricably interconnected.

7. French legislation in the matter of trade-union freedom was one of the most advanced in the world.

The preamble to the French Constitution recognized the right to trade-union action and the right to strike. For the overseas countries administered by France, the Act of 15 December 1952 had instituted the Labour Code whose provisions, with the exception of article 6, offered guarantees for the exercise of trade-union rights. The Cameroons, a United Nations Trust Territory administered by France, should therefore enjoy absolute trade-union freedom. Unfortunately it was a far cry from the Act to its application. Ever since 1944, when the right to form trade unions had been recognized in the Territory, that right had met with pronounced hostility from the employers and the authorities, and in September 1945 fire had been opened on workers and others in the streets of Douala.

8. As soon as the Labour Code had been promulgated, its application had been sabotaged, particularly by the Comité national du patronat de l'Union française, a body set up in Paris by the French employers. The employers, as well as many branches of the Administration, had first resorted to mass dismissals of workers likely to benefit by the application of the Code. The entry into force of the Code had then been delayed until July 1953. Lastly, the first decrees giving effect to the Code had completely distorted its meaning in connexion with the length of the working week, overtime, minimum wages, notice of dismissal, inspection of labour, election of staff representatives, collective agreements, labour tribunals (five for the whole of the Territory) and the representation of the CGKT in the labour advisory board. At the same time, the application of the law governing the civil service had been marred by discrimination and restrictions against which the Cameroonian officials had vigorously protested.

9. When the representations made by trade-union headquarters to the local authorities and to the French Government had proved fruitless, the workers' dissatisfaction had found expression in the wave of strikes that had occurred in 1954 and early 1955, which had certainly not been provoked by political agitation. It was because the CGKT had faithfully supported the workers in their claims and in their struggle that the Government had decided to silence it by force, just as it had silenced the political organizations which had supported Cameroonian national claims.

10. He went on to review the various stages in the policy of repression to which the trade unions and workers had been subjected since 1955. He gave as an example the case of the agricultural workers on the rubber plantation at Dizangué, in Sanaga-Maritime. Those workers had been on strike for a month in 1955 in defence of their trade-union rights and in protest against a wage of 146 French francs a day. Troops had been sent in and the organizers of the strike had been given sentences ranging from one to four years' imprisonment. All the workers who had belonged to the union, who amounted to more than half the 3,500 workers on the plantation, had been dismissed and ruthlessly turned out of their huts. The funds and the cards of the union had been confiscated. The director of the company, a French senator, had forbidden any activity by the CGKT on the plantation, which covered an area of sixteen by eight kilometres. It might be supposed that the situation affected only a tiny fraction of the population, since according to official statistics there were only 130,000 wage earners in the Cameroons out

of a total population of approximately 3,500,000. It must be borne in mind, however, that the small farmers, who made up about four-fifths of the population of the Territory, were often forced by want to get themselves taken on as plantation workers or for some other form of labour. He mentioned also the case of the trade-unionists working for a lumber company at Manoka and Massoumbou and the workers on the banana plantations at Koulaixidès. At Douala the harbour and road workers, as also those in various other undertakings, had come out on strike at the same period and it had been the same in other regions.

11. Realizing that the workers were resolved to defend their rights, the Government had decided to strike at the organization which had supported them in their struggle at the time of the events of May 1955—to wit, the CGKT. He himself, as General Secretary of the CGKT, had been arrested, tortured and imprisoned together with many other leading trade-unionists, while warrants had been issued for the arrest of the other officials of the organization, who had been forced to go into hiding. He gave the names of several trade-unionists who had been treated in the same way. In violation of article 15 of the Labour Code trade-union premises had been broken into, ransacked and set on fire. In the Bamiléké region many trade-unionist farmers had had their concessions and their coffee plantations destroyed by administrative chiefs. Many government employees had been transferred or demoted because of their trade-union work. The campaign against trade-unionism had been such that the High Commissioner had stated that there was a trade-union vacuum as well as a political vacuum in the Cameroons. When the trade-union organization in which the Cameroonian workers and farmers had placed their trust had thus been arbitrarily and ruthlessly removed from the scene, it had seemed to the Government and the employers that the time was ripe for establishing puppet trade unions and forcing the workers to join them. The Cameroonian workers, however, had thwarted those manoeuvres and when the elections of workers' representatives, organized when the repressive measures were at their height, had been held, the lists of the CGKT had won 90 to 100 per cent of the seats in various undertakings.

12. Realizing that its anti-trade-union policy was coming up against the opposition of the workers and had aroused strong criticism in France and elsewhere, the French Government, at the beginning of 1956, had released several trade-union leaders, including the General Secretary of the CGKT, and many prosecutions had been withdrawn by court order. There had, however, been no real relaxation of tension; in fact the Administration had at the same time enacted further measures, such as the Order of 5 January 1956 appointing the chairmen of the employers' associations as experts and arbitrators in labour disputes. It was inadmissible that one of the two parties concerned should thus be arbitrarily appointed judge, and Mr. Ngom asked for the nomination of impartial magistrates chosen after a democratic consultation of the headquarters of the workers and employers associations. In order to make it easier to apply the *loi-cadre*, which had been rejected by the people, the Administration had reverted to its policy of repression, not by directly attacking the trade unions as in the preceding year but by accusing the active members of re-establishing associations that had been dissolved by

the Decree of 13 July 1955. Many leading trade-unionists had been imprisoned on those grounds and on 17 July 1956 troops had seized the records and funds of the local association of trade unions of Mbouda, in the Bamiléké region. Political tension had been further increased during the elections forced upon the Territory on 23 December; the repressive measures taken in the Sanaga-Maritime had been particularly violent. As an example he mentioned the sacking and burning of the office of the local association of trade unions at Eséka, the prosecution of the trade-union leaders at Eséka and Edéa, and the deeds of bands of hirelings formed under the protection of the authorities. Claiming that they were acting in self-defence, they had pillaged and set fire to the houses of the active members and were said to have been responsible for the murder of an Eséka trade-unionist. Moreover, following a strike, the Société de recherches et d'exploitation de pétrole au Cameroun (SEREPCA), at Douala, had dismissed 600 workers who belonged to the CGKT and had ordered the new workers it had taken on not to join that organization but to join the Force ouvrière union, which had the approval of the employers.

13. The thousands of petitions sent to the French Government and the United Nations in 1955 and 1956 had been disregarded and the repression had continued in 1957. The newspaper of the CGKT had been seized on 27 March at Douala. The CGKT was not allowed to use public premises for its union meetings. Its secretary, who had been in prison for several months, had not yet appeared before a court. Its treasurer had been arrested without reason and detained for two days while he had been travelling on union business in August. The situation was such that no union meeting could take place without the express permission of the authorities, who granted or withheld it as they wished. The arrests that had been made and the insecurity that prevailed in the country prevented any travel on union business. Police or troops were present at all meetings held at Douala and Yaoundé. Finally, the French High Commissioner in the Cameroons had expressly forbidden the issuing of visas to delegates who had wished to attend a trade-union congress in October 1957.

14. While trade-union freedom was thus being denied, the Labour Code was being flouted by the arbitrary dismissal of workers' representatives and active trade-unionists, by the refusal to revise outworn collective agreements, by deliberate neglect on the part of the Inspection du travail and delay in the hearing of workers' complaints by the labour tribunals.

15. There was no justification for the acts of repression to which the CGKT and its leaders had been subjected since December 1956. The CGKT was a law-abiding organization and had itself issued an appeal for calm on 19 December 1956. It was persecuted because it continued to champion trade-union freedoms and refused to bow to a policy of integration which conflicted with the interests of the Cameroonian people. Almost all the incidents he had mentioned had been the subject of protests to the French authorities or petitions to the United Nations; many had been denounced in the local and French Press and in March 1957 the World Federation of Trade Unions had protested to the International Labour Organisation (ILO) against the violation of trade-union rights in the Cameroons.

16. Drawing attention to certain inaccuracies contained in the Administering Authority's report for 1955^{1/} which had been reproduced in the Trusteeship Council's report to the General Assembly (A/3595 and Corr.1), he said that he could not accept the statement on page 147 of the Council's report (para. 246) that the Decree of 20 May 1955 had improved the labour legislation. On the contrary, that Decree had placed a restriction on the right to strike by establishing a time-wasting arbitral procedure which made the legal exercise of that right a virtual impossibility. Trade-union organizations in other Territories, such as French West Africa, French Equatorial Africa and Madagascar, had also protested against the Decree and asked that it should be repealed. In addition he challenged the statistics of trade-union membership given in the table on page 141. In 1954 his organization had comprised 265 trade unions with 25,000 members; in 1955 it had comprised 350 trade unions with over 30,000 members. Incidentally, it was of interest to note that even according to the official figures the CGKT had had more members than the other three organizations combined, but that its number of seats in the labour advisory board had not been commensurate with its numerical strength. That situation violated article 73 of the Labour Code.

17. On behalf of his organization he appealed for full respect for trade-union rights, the right to strike and the freedom to exercise those rights in the Cameroons in accordance with the provisions of the United Nations Charter, ILO Convention No. 87, the Universal Declaration of Human Rights, the French Constitution and the Labour Code. The CGKT asked that specific action should be taken to remedy the illegal acts and injustices to which its active supporters had been subjected since 1955: restitution of the funds and equipment of trade-union organizations which had been seized or destroyed; reconstruction of the trade-union offices which had been burned or wrecked, and construction of quarters for labour exchanges to serve all trade-union organizations at the national, regional and local level; immediate release of all trade-unionists and workers imprisoned for trade-union activities or strike action or for political reasons; restoration of the civic rights of all active trade-unionists sentenced for political reasons or because of trade-union activities; repeal of the anti-strike provisions of the Decree of 20 May 1955 and the provisions of article 6 of the Labour Code, under which trade-unionists convicted of offences, including political offences, could not serve as trade-union leaders; reinstatement of all civil servants and workers dismissed or penalized for trade-union activities; and the lifting of all measures hampering trade-union meetings and the movement of active trade-unionists.

18. Turning to the economic and social aspects of the problem of the independence and unification of the Cameroons, he said that the country's natural wealth was sufficient to enable the people to enjoy a degree of well-being. However, owing to the failure to industrialize and the pattern of trade imposed by the colonial régime, the Territory was at the mercy of fluctuations

^{1/} Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Cameroun placé sous la tutelle de la France, année 1955 (Paris, Imprimerie Chaix, 1956). Transmitted to members of the Trusteeship Council by the Secretary-General under cover of document T/1284.

in the prices of agricultural produce on the world market. It had been hard hit by the fall in cocoa prices in 1956. The few industries established in the Cameroons benefited the colonists more than the inhabitants, whose average monthly wage ranged from 10,000 to 25,000 French francs. Collective agreements had not resulted in the improvement that might have been expected as a multiplicity of wage levels had been established making it possible to keep Cameroonian workers in the lower grades. Similarly, family allowances were far higher for European than for Cameroonian employees. The Decree of 7 January 1944, which had been adopted under the forced-labour régime, provided only token compensation for workers who suffered an accident, and though almost a quarter of the workers were unemployed there were no unemployment benefits. Young people who wished to learn a trade could not do so, for the public vocational schools were inadequate and the private schools charged very high fees. The lot of the peasants was no more enviable; the existing system of land tenure permitted the concession of their lands to colonists in certain circumstances and they were not democratically represented in the European-dominated Chamber of Commerce and Industry, or the Chamber of Agriculture, Cattle Farming and Forestry. The Cameroonianization of the Administration was proceeding too slowly. While the status of "Trust State" had given the Cameroons indigenous ministers, it had not yet made possible the appointment of a single Cameroonian as a chief regional officer.

19. Thus the working masses were still at a disadvantage. They realized that their aspirations could only be fulfilled in a Cameroons which was the master of its fate and its economy. Their brethren in the Cameroons under British administration were also living in wretched conditions owing to colonialist exploitation. For example, when the Cameroons Development Corporation had increased the workers' wages it had offset that measure by abolishing food allowances and the free schooling it had formerly provided for the children of its employees. Nothing of the kind would happen in an independent and unified Cameroons. The unification of the two parts of the Territory was a human and social

necessity, and the CGKT voiced the aspirations of the whole Cameroonian people for unification and independence.

20. An amnesty was a measure which his organization had long sought. It was the only step whereby calm could be restored in the Territory and fruitful negotiations opened between the Cameroons and France. A gulf of hatred must not be allowed to open between the two countries. The Cameroonian people were not anti-French, but the solution to the problem was not in their hands. France could honour its obligations to the United Nations by enacting the bill adopted on first reading by the National Assembly on 11 December 1956, and amplifying it to provide for a general and complete amnesty in respect of all acts and incidents arising out of the repressive measures imposed since 1955. The CGKT, for its part, solemnly promised that, if that was done, it would campaign for the restoration of order and calm in the country.

21. The Cameroonians still had faith in the United Nations, one of whose main purposes was to preserve world peace and the principle of self-determination of peoples; but they regretted that for two and a half years the resolutions of the United Nations had gone unheeded. Repression in the Cameroons was increasing daily, as was clear from the information which had appeared in French newspapers of all shades of opinion in November 1957. In view of the fact that the French Government had not restored normal political life in the country, the CGKT, hoping that the Cameroons would attain its independence by democratic means as soon as possible, renewed its request of 13 January 1957 and urged that a special United Nations mission should be sent to the Cameroons to investigate the situation and the facts reported and to make possible the application of such resolutions as had been adopted, or as might be adopted at the present session, by the United Nations. The CGKT relied on the United Nations to assist the Cameroons, as it had already assisted other countries, in rapidly achieving national independence, the goal of the Trusteeship System.

The meeting rose at 4.15 p.m.