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UNITED NATIONS

# TRUSTEESHIP COUNCIL

## OFFICIAL RECORDS

THIRTEENTH SESSION

(Held at Headquarters, New York)

28 JANUARY — 25 MARCH 1954

## ANNEXES

NEW YORK

#### NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates reference to a United Nations document.

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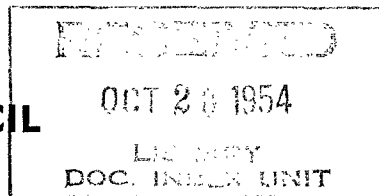
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## TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

*Agenda item 1*

ANNEXES

THIRTEENTH SESSION

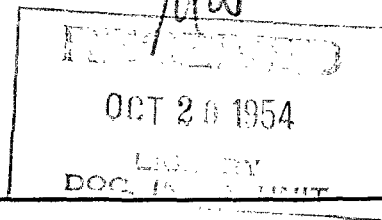
NEW YORK, 1954

## Agenda item 1: Adoption of the agenda

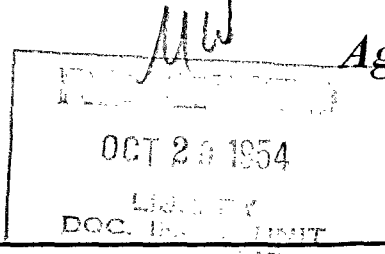
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T/1092	Agenda of the thirteenth session	<i>Official Records of the Trusteeship Council, Thirteenth Session</i> , prefatory fascicule.



**TRUSTEESHIP COUNCIL**  
**OFFICIAL RECORDS****Agenda item 2: Report of the Secretary-General on credentials****CHECK LIST OF DOCUMENTS**

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## DOCUMENT T/1091

Observations of the United Nations Educational, Scientific and Cultural Organization on the annual reports for 1952 on the Trust Territories of Tanganyika, Ruanda-Urundi, the Cameroons under French administration, Togoland under British administration and Togoland under French administration.

[Original text: English]

[21 January 1954]

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LETTER DATED 6 JANUARY 1954 FROM THE  
DIRECTOR-GENERAL OF THE UNITED NATIONS  
EDUCATIONAL, SCIENTIFIC AND CULTURAL  
ORGANIZATION TO THE SECRETARY-GENERAL

I have the honour to enclose herewith the observations of UNESCO on the educational sections of the annual reports for 1952 on the following Trust Territories:

Ruanda-Urundi, under Belgian administration,

Tanganyika and Togoland, under British administration,

The Cameroons and Togoland, under French administration.

It was not possible for these comments to be submitted to the Executive Board of UNESCO at its 36th session (November-December 1953). The Board authorized me, however, to transmit them to you for submission to the Trusteeship Council, in accordance with resolution 47 (IV) of that Council.

The report for the Cameroons under British administration has not yet been received by the Secretariat of UNESCO.

(Signed) LUTHER H. EVANS.

## INTRODUCTION

In the following comments an attempt is made to examine the chief educational problems by relating the situation in 1952 to earlier years. This is done in the belief that trends are more important in an expanding school system than the events of one particular year. Data have therefore been drawn from previous official reports. It is hoped that this treatment will assist the Trusteeship Council in its study of the 1952 reports.

As far as possible the comments follow the pattern already laid down by the Trusteeship Council Questionnaire T/1010. The principal points of interest are the administration of education, the organization of the school system (primary, secondary, higher), teachers, fundamental and adult education. Certain general questions, affecting the five Territories equally, are treated in this introductory section.

## EDUCATIONAL ADVANCEMENT

It is noted that education is developing rapidly in all the Territories. Although local conditions vary considerably and the educational principles of Administering Authorities of three nationalities are inevitably different, a number of common elements may be observed. In each Territory there is planning for expansion; the local population take an increasing share in this planning and the subsequent responsibility for education; the Administering Authority provides funds for capital expenditure from metropolitan sources. The building programmes in some cases, such as Ruanda-Urundi, reach remarkable proportions; these are steps in a long-term plan for educational expansion, and they cannot be measured in short-term figures for school enrolment.

Due regard appears to be paid to a balance between the several parts of the educational system—primary, general secondary, vocational, higher and teacher-training. However, when there is a general need and demand for education of every type, the respective weights given to these parts vary with the Territory. Thus, in Ruanda-Urundi and in the Cameroons and Togoland under French administration, particular attention is being given to vocational education, whereas in Tanganyika and Togoland under British administration the trend is more to “vocalize” the curriculum of the middle school.

In all five cases, however, teacher training seems a relatively weak part of the educational structure. The Administering Authorities are aware of the problem and have adopted a variety of measures to solve it or ease present difficulties. UNESCO would note here that teacher shortage is a world-wide problem, no less severe in large developed States than in these Trust Territories. The XVIth International Conference on Public Education (Geneva, July 1953) was devoted to this very issue, and it is hoped that some of the findings of the conference as well as the preparatory studies may help the Administering Authorities to deal with the problem in a local context.<sup>1</sup>

## EDUCATIONAL STATISTICS

An attempt has been made to include as far as possible in the 1952 reports the statistical material sought by the Trusteeship Council Questionnaire T/1010, but it has not so far been possible in many cases to revise the existing system for the collection of statistical material so as to enable all the data required by the Questionnaire to be furnished.

Some improvement, however, over previous years in educational statistics has been noted with satisfaction and it is hoped that future reports will conform more closely to the Questionnaire and present the numerical elements indispensable for an analytical study of the progress of education in the respective territories.

<sup>1</sup> See especially: *Primary Teacher Training*: UNESCO—International Bureau of Education 1951. *Primary Teacher Training*: UNESCO—International Bureau of Education: part 2, 1953. *Primary Teachers' Salaries*: UNESCO—International Bureau of Education 1953. *The Training of Rural School Teachers*: UNESCO 1953. *The Education of Teachers in England, France and U.S.A.*: UNESCO 1953.

### School-age population

One of the most useful measures in the analysis of educational progress of a country or territory is the ratio of children enrolled in schools to the total school-age population. Detailed data on the composition of the population and school enrolment by single years would be the basic elements required for such an index. Current population figures by single years of age are only available for a limited number of countries. The distribution of school enrolment by single years is also difficult to obtain. Total enrolment figures are often the only available data in this regard.

In practice population statistics are more generally found in five-year age groups, 5-9, 10-14, etc., so that the choice of a uniform age group 5-14 years inclusive is more feasible than, for example, an age group such as 6-15 or 7-16. This fact has led UNESCO to accept as a measure of the school population, the population comprised in the age group 5-14. This does not exactly

correspond to the ages of children enrolled in primary and secondary schools in various countries, but it does constitute a group for whom it is reasonable to expect that schooling will be planned in the educational development of a country. Against this population group may be set the total school enrolment (primary plus secondary) in order to obtain an index of educational advancement which will be comparable between countries regardless of the duration of their particular primary or secondary courses.

Lack of precise demographic data makes it difficult to fix the school-age population in the Territories under review. Except for Togoland under British trusteeship, where figures based on the 1948 census are available, the population 5-14 can only be roughly estimated. Available estimates of the non-European populations in Africa put the 5-14 age group at 20-25 per cent of total or more. On the basis of these estimates the following comparative figures are shown for 1952:

Territory	Total population (estimated) (Thousands)	Population 5-14 years of age		Total school enrolment (Thousands)	Enrolment ratio	
		Percentage	Thousands		Max.	Min.
Cameroun (Fr.)	3,064.8	20-25	613- 766	170.5	28	22
Ruanda-Urundi	4,110.9	20-25	822-1,028	176.7	21	17
Tanganyika	7,947.3	20-25	1,589-1,987	258.8	16	13
Togoland (Fr. adm.) <sup>*</sup>	1,029.9	20-25	206- 257	49.8	24	19
Togoland (Br. adm.)	409.9	21	86	32.6		38
(Southern Section)	(223.0)	(22)	(48)	(31.7)		(66)
(Northern Section)	(186.9)	(20)	(37)	(0.9)		(2)

<sup>\*</sup> Population 6 to 14 reported: 230,650, or 22.4 per cent of total.

The above estimates, although very rough, have the advantage of being comparable not only among the Territories in question, but with other countries as well. Any more precise definition of "school-age population" in terms of a given school system becomes too specific to be useful for comparative purposes.

Other statistical aspects of the reports may be commented upon briefly as follows:

**Enrolment figures by grade.** The figures on children enrolled in each grade, standard or form, when reported over a number of years give an indication on the problem of wastage. Only in the case of Tanganyika was it possible to construct a table for the four primary standards from 1949 to 1952. It is likely that the distribution of pupils by grade reported for 1952 in Ruanda-Urundi and Togoland under British trusteeship will be carried systematically in future reports and that this topic will be included in the reports on the Cameroons and Togoland under French trusteeship.

**Attendance.** It is hoped that in future reports attendance figures will be included besides the enrolment figures (1952, report on Tanganyika,<sup>2</sup> p. 350-351).

**Teacher training.** The expansion of teacher-training provisions is shown by the enrolment figures in teacher-training institutions. UNESCO would welcome figures on the number of persons who complete the prescribed course and the number of persons who obtain annually the certificates as teachers.

**Expenditure on education.** It would be most useful if future reports could present the educational expenditures figures, according to specifications under sections H, I

and J of chapter XXII of the Trusteeship Council Questionnaire T/1010.

**Time series.** The comparative tables showing development for a number of years, for the different educational topics (see for example, 1952 report on Togoland under United Kingdom trusteeship,<sup>3</sup> p. 249) are valuable for UNESCO and it is hoped that they are going to be continued and to cover not only enrolment data, but also other topics (e.g., attendance, expenditure).

### I. TANGANYIKA

UNESCO welcomes the new form of presentation followed in the 1952 report. The section on education and the accompanying statistics give clear and full information for the Territory and make a useful record of educational progress.

#### ADMINISTRATION

General educational policy remains unchanged. One important development was the Conference on African Education (see 1952 report, para. 966) held at Cambridge to consider the reports of two teams of experts who visited East and West Africa under the sponsorship of the Secretary of State and the Nuffield Foundation.<sup>4</sup>

<sup>3</sup> See Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Togoland under United Kingdom Trusteeship for the Year 1952, London: Her Majesty's Stationery Office, 1953, Colonial No. 296.

<sup>4</sup> See Nuffield Foundation and the Colonial Office, *African Education: A Study of Educational Policy and Practice in British Tropical Africa*, Oxford, University Press, 1953. 187 p. This deals thoroughly with the basic issues of education and should prove of great value to the Administering Authority in Tanganyika.

<sup>2</sup> See Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika under United Kingdom Trusteeship for the Year 1952, London: Her Majesty's Stationery Office, 1953, Colonial No. 293.

The revised Ten-Year Plan for African Education (published as an appendix to the 1950 report<sup>5</sup>) is now in full operation in the Territory. It provides a ready means of measuring progress in terms of the goals started, and some attempt to do this is made below. As to the adequacy of the plan itself, UNESCO believes that any discussion should hinge on two considerations: (a) the resources available for education, and (b) whether a four-year village school is effective in ensuring permanent literacy. The United Nations Visiting Mission to Trust Territories in East Africa, 1951, questioned this assumption (T/946 and Corr.1, paras. 330-343). The Nuffield report sums up informed local opinion to the effect that four years of schooling will be enough, provided retardation is reduced and provided there is an abundance of reading matter in the local language. The 1952 Tanganyika report gives information from which some conclusions may be drawn on both points (a) and (b) above.

It is worth recording that the educational authorities in Tanganyika introduced a reform of the African school system in 1950, the 4-4-4 plan, in an attempt to strike a balance between the drive for universal education (the 4-year village school) and the need for practical (the 4-years intermediate school) and academic secondary education. The Nuffield report surveys eleven African territories which follow widely differing school plans and recommends the general adoption of the 4-4-4 system.

In formal aspects of administration, the 1952 Tanganyika report shows that the strength of the Education Department continues to grow: a total establishment of 2,183 posts against 1,804 in 1951—a rise of 12 per cent in which both teaching and supervisory staff are well

represented. The technical training section, with sixty-seven staff members (sixty-one in 1951), also falls under the Department of Education.

The role of local authorities in primary education may to some extent be measured by the funds they administer. The 1952 report shows a sharp rise in the amount of these funds, although the increase is less striking when seen as a proportion of the total expenditure on education.

#### Local funds for education, 1948-52

(in £)

Year	Territorial expenditure on education £	Education funds £	Native Treasuries	
			Percentage rise over preceding year	Percentage of territorial budget expenditure
1948 .....	595,831	67,330	—	11.3
1949 .....	906,070	93,702	39	10.3
1950 .....	1,503,505	119,428	27	7.9
1951 .....	1,298,816	128,326	11	9.9
1952 (est.)	2,522,103	274,132	114	10.9

The United Nations Visiting Mission report suggests (para. 342) that Native Authority schools should be strengthened, and the above table shows some evidence that this is taking place.

#### FINANCE

The public funds devoted to education over the past five years may be examined below:

#### Territorial educational expenditure, 1948-52

Year	Total Territorial budget, parts I-III £	Total education budget £	Column 3 as percentage of column 2	Breakdown of education budget		
				Recurrent expenditure £	Capital expenditure £	Column 6 as percentage of column 3
1948 .....	7,378,331	595,831	8.1	453,981	141,850	23.8
1949 .....	9,459,540	812,368	8.6	684,703	127,665	15.7
1950 .....	13,560,958	1,384,077	10.2	902,845	481,232	34.8
1951 .....	16,134,855	1,939,683	12.0	1,145,663	794,020	40.9
1952 (est.) .....	20,867,021	2,522,103	12.1*	1,344,127*	903,844	35.8

\* The sum of £274,132 from Native Treasuries is not included, for no analysis of this expenditure is available.

Certain general conclusions emerge. The funds for education are rising rapidly (column 3); this is due largely to the increased general wealth of the Territory as reflected in the Territorial budget; the Authorities are also giving a larger share of the cake to education (column 4) and the present fraction of 12.1 per cent may be regarded as satisfactory. One would not attempt here to judge whether, in terms of internal needs, education should claim a higher proportion of the annual budget. There can be no doubt, however, of the importance of planned educational expansion for the Territory's economic and social future. Further analysis of the education budget shows the very considerable outlay on capital works (column 7 above), an essential element in a long-term development programme.

The financial tables on p. 358-359 of the 1952 report make possible a study of the sources of revenue and

objects of expenditure on education. The latter may be resumed as follows:

#### Expenditure on government and Native Authority schools:

African .....	£803,632
All non-African .....	£701,185

#### Grants-in-aid to voluntary agencies:

African .....	£400,194
All non-African .....	£342,960

This shows that 67 per cent of the total sum is devoted to State education (against 64 per cent in 1951) and 33 per cent to private education. In terms of ethnic groups, 54 per cent goes to African schooling (against 50 per cent in 1951).

The principle of communal education in Tanganyika appears necessary on technical grounds, because of the various media of instruction and cultural backgrounds. The financing of schools for the separate communities is, however, a more complex issue. Two forms of evidence may be obtained from the 1952 report: the sources of financial provision for education and the per pupil cost

<sup>5</sup> See Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika under United Kingdom Trusteeship for the Year 1950, London: His Majesty's Stationery Office, 1951, Colonial No. 278.

of the schools. Funds for education are classified (1952 report, p. 359) under four headings—general revenue, development funds (from the United Kingdom), Native

Treasuries, Non-Native Education Authority funds. The proportion of the total contributed by these four sources over the past four years is as follows:

*Financial provision classified by source*

Year	Total education estimates	Percentage from general revenue	Percentage from development funds	Percentage from Native Treasuries	Percentage from non-Native education authorities
1949 .....	100	54.6	24.5	10.3	10.6
1950 .....	100	38.7	22.5	7.9	30.9
1951 .....	100	69.7	8.6	9.9	11.8
1952 .....	100	46.6	10.9	10.9	31.6

One striking feature is the rise in proportion of the funds from Non-Native Education Authorities, caused in part by the adoption of a separate tax which is imposed on non-African communities.

*Average cost per pupil in 1952  
(excluding capital expenditure)*

Ethnic group and type of school	Cost in £ per pupil	
	Enrolled	In average daily attendance
African, government and Native Authority schools .....	7.6	8.5
African, aided voluntary agency schools .....	2.2	2.6
Asian, government and Native Authority schools .....	29.1	31.0
Asian, aided voluntary agency schools .....	8.9	9.8
European, government schools ....	207.0	223.3
European, aided voluntary agency schools .....	30.9	34.0

Source: 1952 report, appendix XXII, tables I and III.

These figures reflect the standards expected by the separate communities and also their ability to pay, and school fees and taxes are graded accordingly. This is understandable. But, for reasons that may be cogent in view of the fact that the Territory is an economic unity, the principle of separate educational financing for different ethnic communities is not applied completely; of the non-Native Authority funds for education (1952 report, p. 358-359), £133,000 came from the educational tax on these communities and £89,000 from fees, out of a total of £800,000 in 1952.

**PRIMARY EDUCATION**

This covers the two cycles, 4-4, of primary and middle schooling. The goal of the Ten-Year Plan of African Education is to have 36 per cent of the children of village-school age enrolled in primary schools by 1956. In terms of the revised targets set in 1950, the figures for 1952 show a remarkably consistent expansion. Basing calculations on the 1949 enrolments, the expected and actual figures for 1952 are:

Standard	Expected enrolment	Actual enrolment
I .....	80,000	80,124
II .....	55,000	56,622
III .....	41,000	43,669
IV .....	31,000	33,576
V .....	8,620	8,991
VI .....	7,100	7,502
VII .....	4,120	3,378
VIII .....	4,040	2,149

These data are evidence of the accurate estimating which went to make the plan. There is a steady growth at each level, with some shortfall in the upper classes which will presumably improve as the middle school becomes more organized.

Taking the four-year primary school by itself, the total enrolment of African pupils in 1952 was 213,991 in registered schools. The unregistered "bush" schools numbered 6,610, with an enrolment of 267,000 (a rise of 30 per cent in schools and 28 per cent in pupils over 1951) and the proposal in the 1952 report to develop a number of these schools to the status of primary schools is noted with interest.

The problem of wastage was recognized as serious in the 1950 plan and evidence is now available to show that this is being resolved.

*Enrolment of African pupils by class in all registered schools*

(on 1 November of year stated)

Year	Standard			
	I	II	III	IV
1949 .....	62,334	37,896	27,789	19,896
1950 .....	63,685	43,060	31,742	23,560
1951 .....	71,936	49,698	36,988	28,652
1952 .....	80,124	56,622	43,669	33,576

Otherwise stated, of 100 pupils in Standard I in 1949, sixty-nine were found in Standard II in 1950, sixty-four in Standard III in 1951 and fifty-four in Standard IV in 1952. For the following group, of 100 in Standard I in 1950, seventy-eight were in Standard II in 1951 and sixty-eight in Standard III in 1952. Of 100 entering Standard I during 1951, seventy-nine reached Standard II in 1952.

This table based on the distribution of pupils by class each year takes no account of the extent to which children repeat a class. The statement in the 1952 report on this question is significant: no child is allowed to spend more than two years in a class, or more than six years in the primary school. It would appear therefore that both wastage and retardation are being effectively dealt with.

The curricula of primary and middle schools are given on p. 196-197 of the report. One notes with interest the emphasis on instruction in the mother tongue and the practical bias of the middle school course. An effort is being made to relate the middle course to the economic and social needs of the area served by the school; this step seems calculated to make the school a strong instrument for community improvement, and the results achieved by Tanganyika educators should be of value in other regions with similar problems in rural education.

## SECONDARY AND VOCATIONAL EDUCATION

The growth of African secondary (Standards VII to XII) and vocational schooling may be seen in the following table of enrolment:

*Post-primary African enrolment, 1948-52*

Type of school	1948	1949	1950	1951	1952
Secondary schools ..	1,766	2,082	2,405	2,725	2,810
Vocational training (excluding teacher training) .....	526	882	786	1,091	942

The secondary schools provide administrative staff for government, and the upper classes are preparatory to higher education. The rise in enrolment conforms to the estimates of the Ten-Year Plan. Vocational education shows irregular progress, and represents only one-third of the enrolment in general secondary schools; the needs of the Territory probably require a much greater extension of this type of education. UNESCO looks forward with interest to the opening of the Natural Resources School (1952 report, para. 1016), which seems to be an important experiment in rural education at upper secondary-level.

## HIGHER EDUCATION

There has been a steady growth in the number of Tanganyika students at post-secondary institutions abroad, Makerere College in Uganda taking about half of them.

*Higher education outside the Territory, 1948-52*

	1948	1949	1950	1951
Total students .....	62	55	74	100
African students .....	39	49	56	71
African students at Makerere .....	31	34	42	49

The 1952 report does not give statistics on this topic.

## TEACHERS

The total number of teachers in African schools of all types in 1952 was 5,170 against 4,920 recorded for the previous year, a rise of 5 per cent.

The supply of qualified African teachers is described in the report (para. 1022) as a continuing problem. The revised Ten-Year Plan calls for an annual output of 750 Grade II men teachers (382 were certificated or licensed in 1952) and 375 women teachers (only 76 were produced in 1952). At the higher level, Grade I, the output of teachers was fully up to the target.

The expansion of teacher-training establishments over the past years cannot easily be traced, since it was only with the 1950 administrative reform that middle school and training centre enrolments were distinguished. The 1952 enrolment of teachers-in-training was 1,472 (a rise

of 29 per cent on the previous year), a sign of rapid expansion. Grade II teachers receive two years of professional training after completing the middle school course, and the question naturally arises whether the middle school structure is strong enough to stand the demands of the Ten-Year Plan for teachers. In 1952 the Standard VIII enrolment in middle and secondary schools was 1,730 boys and 419 girls; if half the boys and all the girls took up teaching, the gap could be closed, but these excessive proportions are unlikely to be reached. The problem, then, would seem to be two-fold: to develop upper middle school education and to increase the teacher-training facilities. The budget allotted to teacher-training centres appears low when this serious situation is taken into account. Of recurrent expenditure in 1952, some £66,000 went to training centres, against £302,000 for primary, £290,000 for middle and secondary, and £51,000 for higher education. UNESCO would emphasize the view that funds devoted to teacher training are essentially an investment, almost as much so as outlay on capital works.

The use of refresher courses (described in para. 1024 of the report) may be one effective way of dealing with the shortage of qualified teachers.

The salary scales reported in paragraph 1026 cannot easily be assessed in terms of the cost-of-living figures of appendix XVI, which refer only to market prices in a large town. It may be assumed that teachers' salaries are high enough to compete with those in alternative occupations, and UNESCO notes with satisfaction that a uniform rate prevails in government and assisted schools.

Some attempt may be made to measure the teachers' load from enrolment and attendance figures in the report.

*Pupil-teacher ratio: African schools*

Type of school	Pupils enrolled per teacher	Pupils in average daily attendance per teacher
Government and Native Authority primary schools .....	55	48
Aided primary schools .....	63	52
Government and Native Authority middle schools .....	14	13
Aided middle schools .....	18	16

These figures should be interpreted in relation to the Administration's policy of increasing the ratio to 50 (it was 41 in 1951) as a means of extending schooling as quickly as possible. At the primary level "saturation point" seems to have been reached, and this reinforces the need to pay added attention to teacher-training facilities.

## NON-AFRICAN EDUCATION

The education of Asian and European children advances steadily. A survey of achievements may be shown as follows:

*Number of Asian and European schools and pupils enrolled, 1948-52*

Year	Asian				European			
	Primary schools	Pupils	Secondary schools	Pupils	Primary schools	Pupils	Secondary schools	Pupils
1948 .....	83	9,230	4	2,000	15	1,050	—	—
1949 .....	81	9,868	4	2,305	18	1,261	—	—
1950 .....	80	10,605	6	2,596	21	1,340	1	77
1951 .....	82	10,835	7	2,788	22	1,548	2	107
1952 .....	90	11,247	8	3,266	24	1,614	2	143

## ADULT AND COMMUNITY EDUCATION

UNESCO notes with particular interest this section of the 1952 report. The Administering Authority has adopted a global approach to the problem of raising living standards through educational means; the project technique is used, with teams of workers who deal with a wide range of problems—agricultural, health, educational—according to the needs and interests of people in the locality. One particular project—the Pare literacy scheme—is a UNESCO associated project and has demonstrated the value of sound scientific work at the beginning of any such programme. Government funds are devoted to community development in two ways—by maintaining a field staff which can provide guidance and leadership, and by assisting the efforts of local communities to carry out development schemes of their own. Direct work of this kind is well supplemented by the production of reading material in Swahili and by the increased use of the cinema and radio in education. UNESCO would welcome any steps the Administering Authority could take in evaluating the work done so far and in publishing the results. A careful assessment of methods used and results achieved in Tanganyika would be helpful to many Member States, and particularly so to the regional training centres for fundamental education which have been established by UNESCO in Mexico and Egypt.

## II. RUANDA-URUNDI

## ADMINISTRATION

The general objectives of the educational policy followed (1952 annual report,<sup>6</sup> p. 199) appear most commendable. It should be noted that Africans play a certain part in elaborating this policy and in educational administration: at the annual meetings of the Vice-Government-General's Council they may put forward proposals, and in addition the activities of the African bishop reach all the non-official schools of the apostolic vicariate of Nyundo. As "the Territory has no consultative body in educational matters" (p. 200), it would seem desirable that these forms of collaboration should be amplified and intensified.

It is noted with satisfaction that in 1952 the staff of the Education Department was increased by the appointments of a vocational guidance specialist to direct the centre of applied psychology, a second inspector of primary education and a secretary with a secondary school teacher's certificate. The administrative and supervisory staff are highly qualified. Nevertheless it must be difficult for the two official inspectors of primary education to ensure an effective control of teaching in the more than 1,850 official and aided schools in the Territory and still to find time for the task of collaborating with educational bodies. Although the supervision of the mission schools is also carried out by four missionary inspectors, this important aspect of education would seem to merit particular attention.

Attendance at school is not compulsory.

There are official (government) and private schools, some of the latter being aided and approved. It is to be noted, however, that schools not desiring approval are able to function freely "as long as their activities are

not contrary to public order, good morals and the rules of hygiene" (p. 201).

The 1952 report states that the educational projects provided for in the Ten-Year Development Plan are ahead of schedule. It would be of great interest if future reports could present a statistical table showing clearly: (a) the educational situation (budget, schools, classes, teachers, pupils) when the first part of the plan was applied; (b) the annual provisions of the Plan; and (c) the progress accomplished each year.

## FINANCE

The following table summarizes (in Belgian francs) the 1952 estimates for educational expenditure borne by public bodies.

	Ordinary expenditure	Expenditure for school building	Total	Percentage
Ordinary budget (open credit) ....	68,481,780	3,123,100 *	71,604,880	51.3
Extraordinary budgetary expenditure (open credit) relating to the Ten-Year Plan ..	—	57,947,100	57,947,100	41.5
Expenditure borne by the Fonds de bien-être indigène	—	10,127,000	10,127,000	7.2
	68,481,780	71,197,200	139,678,980	100
Percentage .....	49%	51%		

\* See table in 1952 annual report, p. 205.

This shows how great an effort is being directed to school construction, with a budget even higher than that for current expenses. The growth of current expenditure by the Education Department and its relation to the total ordinary expenditure of the Territory may be seen below:

Year	Education Department (in thousands of francs)	Percentage of Territorial ordinary expenditure
1950 .....	32,114	9.6
1951 .....	43,638	10.1
1952* (estimates).	63,625	14.4

\* By 31 October 1952 the expenditure for the fiscal year reached the sum of 35,755,039 francs which corresponded to 11.4 per cent of the ordinary expenditure.

This table shows the rapid increase in the funds devoted to education as well as a steady rise for education relative to other items of expenditure.

"Education is free in every elementary and primary school establishment whether official or government-aided" (1952 report, p. 202).

The government grants financial aid to private schools if they fulfil certain conditions among which are the following: qualified staff; adequate material organization; curricula drawn up or approved by the Administration; and free elementary schooling. This financial aid affects principally construction expenses (80 per cent in urban areas and 70 per cent in rural), teachers' salaries, boarding school expenses, the purchases of textbooks and ordinary supplies, the upkeep of school buildings and the purchase of teaching material. The extension of such measures will certainly contribute to the spread and improvement of education in the Territory, particularly if the Government should envisage progressively increasing, as models, the number of official schools, for which it bears the entire cost.

<sup>6</sup> See *Rapport soumis par le Gouvernement belge à l'Assemblée générale des Nations Unies au sujet de l'administration du Ruanda-Urundi pendant l'année 1952*. Brussels, Etablissements généraux d'Imprimerie, 1953.



## ORGANIZATION

The present aims of primary schooling are to provide the mass of Africans with a training useful to them in their surroundings and to give a preparatory training to those likely to become the future élite, as intellectual leaders and skilled workers. Secondary schooling offers a sound general education which permits most of the pupils to take up intellectual or interesting manual work at the end of their studies while a selected number of pupils are prepared for higher education.

## PRIMARY EDUCATION

The organization of primary education is clearly outlined in chapter II of the 1952 report (p. 206-209) and in the diagram (p. 212).

Although the varying local conditions make the present diversity of primary school types understandable, it might be desirable to study measures for achieving uniformity within the long-term goal of a complete six-year primary education for all children (boys and girls) of school age.

In 1952 primary education for Africans was provided by five official schools (run by the Administration) and 1,850 aided schools, with 695 and 172,500 pupils respectively (of whom about 25 per cent were girls). The official schools thus represent an extremely small fraction of the total (less than 1 per cent) both in numbers and in school population.

Some indication of the growth of educational facilities, official and aided, may be obtained from the following table:

Year	Number of schools	Number of pupils	
		Total	Girls
1948 .....	1,618	142,652 *	19,342 *
1949 .....	—	111,139	19,582
1950 .....	—	105,152 *	23,178 *
1951 .....	—	140,989	31,113
1952 .....	1,855	173,195	42,100

\* Partly estimates.

\* Incomplete data.

In 1952 the African primary school population increased by 32,206 pupils (or 23 per cent) over the 1951 figure.

The 1952 report does not give statistics for the number of children of school age (see p. 393). The population

of the Territory is 3,835,000 inhabitants (United Nations estimate in mid-1951) and if the argument set out in the general introduction to these comments is followed, the period of complete primary education may be used as a basis for estimate. In Ruanda-Urundi this is six years, so that the population of school age can be taken roughly as 15 per cent of the total population, thus amounting to 575,000 children. It appears then that the primary school enrolment in 1952 (173,195 pupils) represented 30 per cent of the population of school age.

The table below shows the distribution of pupils by class in 1952 in both official and aided schools. This is the first time that such statistics have been given and UNESCO hopes that they will appear regularly in future reports.

School year	Number of pupils	Percentage
First .....	92,030	53.1
Second .....	39,138	22.6
Third .....	20,711	12.0
Fourth .....	12,037	6.9
Fifth .....	7,790	4.5
Sixth .....	1,489	0.9
	173,195	100.0

From this table one may deduce that for each 100 children in the first year there are 43, 23, 13, 8 and 2 respectively in the following five classes. Enrolments in the final three classes are extremely reduced. However, the figures are for one year only, and are therefore in no sense a measure of wastage. It would be interesting to know if the proportionately large number of children in the first and second years (over 75 per cent) is due to the increased intake in 1951 and 1952, or if, on the contrary, the rapid fall in the distribution of pupils by class is due to the prevalence of various incomplete types of primary schools.

## SECONDARY EDUCATION

The organization of secondary education is described in chapter III, and clearly outlined in the diagram on page 207.

The growth of general secondary education, the specialized sections (administrative, agricultural, medical, pedagogical and veterinary) and vocational education may be seen in this table:

## General and vocational secondary education

Year	Official schools						Private schools		
	General secondary education			Specialized sections			Vocational education		
	Schools	Pupils	Schools	Pupils		Schools	Total	Female	
				Total	Female				
1948 .....	1	201	1	67	—	11	361	—	
1949 .....	1	215	1	78	—	5	140	—	
1950 .....	1	247	1	125	—	10	340	51	
1951 .....	1	282	2	180	—	17	593	140	
1952 .....	1	239	21	699	33	26	1,265	250	

These figures indicate that general secondary school enrolment remains small and constant, while the specialized sections are increasing progressively, with a remarkable expansion in 1952. The increase in the number of schools and pupils in vocational education was also noticeable in 1952. UNESCO notes with interest this effort to provide the Territory with a cadre so necessary for economic and social development. General secondary education is essentially preparatory to higher education, and will presumably expand at a somewhat slower rhythm.

Teaching about the United Nations and the Trusteeship System has been amplified and carried out especially in the various classes of the Astrida school group and in the Usumbura vocational school. Pamphlets such as *Notions sur l'Organisation des Nations Unies à l'usage des écoles du Congo belge* and *Le Ruanda-Urundi et le régime international de tutelle* have been made available to private schools with the invitation that these subjects be dealt with in the classroom. UNESCO finds this initiative most helpful, and will watch the outcome with interest. Educators in the Territory may possibly find

recent UNESCO publications in the series *Towards World Understanding* of some use in their work.<sup>7</sup>

#### HIGHER EDUCATION

The creation of a centre for higher education is being studied. Meanwhile, twenty-four Africans are carrying out their higher studies abroad. Presumably these students came from the general secondary school, which will be ready to furnish higher education with a constantly increasing number of students. It would be useful to know the nature of the studies undertaken abroad and their relation to the needs of Ruanda-Urundi.

#### TEACHER TRAINING

African teachers are trained in three categories of schools:

(1) Training schools (*écoles d'apprentissage pédagogique*) with a two-year course following four years of

primary education, which prepare teachers for the lowest primary classes;

(2) Schools for assistant teachers (*moniteurs*), with a three-year course after six years of primary school, which train the staff for the regular lower and upper primary school classes; and

(3) The secondary normal school section (six-year course after six years of primary school) which trains chosen teachers for the selected upper primary school classes as well as for the sixth and seventh preparatory classes.

Except for this last category, African teacher training has not yet attained a level high enough to produce teachers with an adequate cultural and professional background. The qualifications required of non-African teachers are such as to ensure the quality of the teaching they undertake.

The quantitative situation of teacher supply may be seen in the following table:

Year	Teachers in service			Student teachers			
	Schools			E.A.P. ( <i>Ecoles d'apprentissage pédagogique</i> )	Schools		Total number of students
	Official	Aided	Total		Monitors	Normal	
1952 .....	35	3,443	3,478	504	744	10	1,258

In 1952 there were 3,478 teachers in service as against 3,250 in 1951, representing an increase of 7 per cent. Of the 1,258 future teachers, 261 are in their last year of study (of whom 190 are in the training schools). This figure seems insufficient to provide replacements among the existing staff and at the same time to furnish teachers for newly created posts as education is extended.

It is to be noted, however, that in 1952 the number of student teachers in the first year of study reached respectively 62 per cent and 54 per cent of the total enrolments in the training schools and the monitors' schools. This high percentage may be due to the opening of new institutions in Busiga and Byimana and thus indicate a higher output in the future. Nevertheless, it might be appropriate to adopt measures for the purpose of attracting a steadily expanding number of recruits to the teaching profession.

Adult schools proper function at four levels: (1) for illiterates; (2) for semi-literates; (3) for those who have secondary school education; and (4) for the élite. The 1952 report (table M on page 401) records forty of these schools with an enrolment of 1,627 (including 1,040 women). This form of education is therefore not yet very extensive. It might be desirable at this stage to consider a systematically organized Territorial campaign for fundamental education and literacy, based on the existing achievements in primary and adult education. The pilot project conducted experimentally within a limited area has been found a successful approach in many States; and it need not be a heavy charge of the education budget.

#### VERNACULAR LANGUAGES

UNESCO remarks with interest that Kinyarwanda and Kirundi, the respective national languages of Ruanda and Urundi, have now been standardized. The orthography and pronunciation of the standardized languages are taught in all the schools, and a certain number use textbooks written in Kiswahili.

#### ADULT EDUCATION

The mission schools (*chapelles-écoles*), attended by approximately 480,000 persons (p. 226), form the most powerful means of combating illiteracy. They enrol students of all ages.

#### ADMINISTRATION

The principal aim of educational policy in 1952 remained the effort to provide schooling for every child of school age. In this regard and in order to improve the quality of education, a number of administrative steps have been taken. The Directorate of Public Instruction has been converted to a Directorate of Education. Its functions now include both study and operations: it is responsible for all matters relating to the different types of education, extra-curricular and post-school programmes, physical education and sports and also, on the technical level, for private education. It is noted with interest that a Pedagogical Office has been attached to the southern inspectorate; the functions are described on page 262 of the 1952 report.<sup>8</sup>

As far as school inspection is concerned, it is useful to recall that all private establishments are under the control of the administrative authorities.

<sup>7</sup> VIII. *The Universal Declaration of Human Rights, A Guide for Teachers*, 87 p. 1951; IX. *Suggestions on the Teaching of History*, 117 p., 1953; X. *A Handbook of Suggestions on the Teaching of Geography*, 101 p. 1951; XI. *History Textbooks and International Understanding*, 84 p., 1953; XII. *Round the World with a Postage Stamp, A Booklet for Teachers and Children about the Universal Postal Union*, 38 p., 1953.

<sup>8</sup> See *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 1952*, Paris, Imprimerie Chaix, 1953.

## FINANCE

The 1952 territorial budget for education is given in the table below (in CFA Francs):<sup>a</sup>

	Ordinary expenditure	Buildings	Total	Percentage
Ordinary budget ...	645,210,891	—	645,210,891	87.3
Extraordinary and special budgets ..	—	93,893,800	93,893,800	12.7
<b>TOTAL</b>	<b>645,210,891</b>	<b>93,893,800</b>	<b>739,104,691</b>	<b>100.0</b>

Even though the above figures take no account of FIDES aid (development scheme financed by metropolitan France), the outlay on capital work is over 12 per cent of the budget. In the budget for the plan, 42 millions were allotted to school construction, and this sum should be added to the 93 millions in the local budget to measure the total effort for the capital development of education.

Some indication of the growth of funds devoted to education may be obtained from the table below:

Year	Total expenditure local budget	Expenditure on education	Percentage
1948 .....	1,509,556,260	112,028,000	7.4
1949 .....	3,139,959,928	212,783,943	6.8
1950 .....	4,318,267,734	334,336,000	7.7
1951 <sup>a</sup> .....	5,870,482,090	476,260,000	8.1
1952 <sup>b</sup> .....	6,728,878,741	645,210,891	9.6

<sup>a</sup> Provisional figures.

<sup>b</sup> If the extraordinary and special budgets are added to this figure, the expenditure on education in 1952 amounts to 739,104,691 CFA francs, or 11 per cent of the total expenditure.

Since 1948 there has been a steady rise in the total sum available for education, and this has represented an increasing fraction of the territorial budget. UNESCO notes these trends with interest and hopes that they will continue.

Of the 2,500 millions provided for school equipment in the ten-year plan, 372,900,000 francs (1952 report, p. 114) were made available to the Cameroons Directorate of Education and the missions under the first five-year plan which ended in June 1952. Of this sum 200 millions (or 59 per cent) were devoted to technical and vocational education, and UNESCO wishes to record its satisfaction at the attention paid to this branch of education. It is to be noted, however, that the total ten-year budget is

Year	Public education		Private education		Public and private	
	Total	Girls	Total	Girls	Total	Girls
1948 .....	19,077	3,204	95,612	14,129	114,689	17,333
1949 .....	21,332	4,173	92,825	11,446	114,157	15,619
1950 .....	26,682	4,906	102,231	14,923	128,913	19,829
1951 .....	28,594	6,049	111,988	17,342	140,582	23,391
1952 .....	40,181	12,439	126,193	23,084	166,374	35,523

In 1952 there were 1,668 primary schools with 3,646 classes. Of these, 296 schools (18 per cent) and 738 classes (20 per cent) represent public education. It is to be noted that 201 new classes (an increase of 37 per cent over 1951) were opened in 1952.

According to the above table, the total number of pupils has increased each year since 1949. This increase was particularly high in 1952—25,792 pupils (or 18 per cent) more than the preceding year, the rise in public school enrolment alone being 11,587 (or 41 per cent) over 1951.

The education of girls appears to be expanding steadily: during the five years, enrolment has doubled and in 1952

being spent rather slowly since the fraction employed in the first five years is only one-seventh.

As regards private education, the "recognized schools" may receive government aid while the "authorized schools" may not. The report states (p. 254) that government assistance to private establishments has risen from 2 per cent in 1942 to 30 per cent of the education budget in 1951; it has thus acquired increasing importance and will undoubtedly contribute to the improvement of these schools.

## PRIMARY EDUCATION

The principal schools offer a complete course of six years and others have an incomplete course. The trend, however, is to develop all schools to the point of preparing pupils for the primary school certificate, and UNESCO welcomes this objective of a six-year period of primary education for all.

Public primary schools comprise: a section for introduction to the language (one year), a preparatory section (one year), an elementary course (two years) and a middle course (two years). While the curricula followed in both public and private schools are those of metropolitan France, an attempt is made to adapt them to local conditions. These efforts at adapting curricula and textbooks are welcome on pedagogical grounds and will undoubtedly contribute to the aims proposed for primary education in the Territory: "to bring to the child the knowledge required for living in modern civilization yet to avoid detaching him from his surroundings" (1952 report, p. 255). In the middle classes, lessons are given on the United Nations and UNESCO.

What proportion of children of school age attend school? Subject to the remarks in the general introduction to these comments, one may take the period of primary education, which in the Cameroons is six years, as a basis for estimation. Six-tenths of the 5-14 age group may be assumed as 15 per cent of the total population—amounting to 460,000 children. The 1952 enrolment in public and private primary schools (166,374 pupils) represents 36 per cent of this group of the population. Effective school attendance is considerably lower in the northern area than in the south; but it should be noted that the Authorities have taken active measures in the north which have resulted in increasing the school enrolment by 30 per cent in 1952 as against 1951.

The following table shows the evolution of the total number of primary pupils since 1948:

the girls made up 21 per cent of the total number of pupils.

These trends are noted with a great deal of interest, and the hope is expressed that progress in primary education will continue at a similar rhythm, especially as regards public education and the enrolment of girls.

From the statistical data contained in the 1952 report, it is not possible to compose a distribution table of pupils by class. Such information would throw valuable light on the holding power of the school and the wastage which occurs at the several levels, and would thus seem to be no less important for the Territory's educational authorities than for international purposes. UNESCO will welcome an effort to supply this type of information in future reports.

<sup>a</sup> One C.F.A. franc equals two French francs.

## SECONDARY EDUCATION

In 1952 secondary education was given in the following establishments: a *lycée*, three classical colleges, four

Year	Public schools	
	Total	Girls
1948 .....	480	—
1949 .....	800	—
1950 .....	908	96
1951 .....	1,200	—
1952 .....	1,646	220

The total number of pupils in public schools has increased each year. Public school enrolment in 1952 more than tripled that of 1948 and rose by 446 pupils (or 37 per cent) over 1951. The fact remains, however, that secondary education is reaching only a very small proportion of children. Moreover, the number of those completing the academic course is limited: about 39 pupils (the report does not indicate if they are all African) passed the *baccalauréat* examination and were thus eligible for higher education. This would appear an insufficient number for the Territory's needs.

There are 338 girls, or 13 per cent of the total enrolment, in secondary schools. Of these, only 166 are African. The modern *collège* for girls at Douala provides the lower cycle of studies, leading to the *brevet d'études*, and represents an important step towards opening secondary education to Cameroons girls. There is also a Sacré-Cœur boarding school for girls at Douala. In proportion as this problem appears difficult of solution, it would seem to merit particular attention from the Authorities.

During 1952 the considerable sum of 142 million CFA francs was spent on secondary school building programmes; the territorial budget provided three million of this total.

## TECHNICAL EDUCATION

Technical education is controlled by a Deputy Director of Education. The following types of public institutions are found:

(a) Sections for pre-apprenticeship and rural trades which recruit pupils from the last two years of the primary schools and train them as rural artisans (wood, iron, building) in a two-year course;

(b) Apprenticeship centres which accept the best pupils from the first year of pre-apprenticeship sections. The course lasts three years and leads to an examination for a certificate of competence;

(c) The Douala vocational school which follows the curriculum of the French technical colleges and recruits its pupils by competitive examination. The five-year course at secondary level is designed to provide intermediate level workers for industry and the technical services;

(d) Domestic science sections for girls, which recruit from the primary school and offer a three-year course.

Private vocational education is placed under the control of the inspectorate of technical education. Subventions may be made to recognized establishments.

While the variety of types of vocational institution appears well developed to suit the Territory's needs, the growth of this branch of education, numerically considered, is still at an early stage. The enrolment in the seventeen public establishments (which include eight apprenticeship and five domestic science sections) rose from 444 in 1951 to 796 in 1952. The total number of

modern colleges and eleven complementary courses. The total number of classes was eighty-four.

The following table indicates the evolution of the total number of pupils in public and private secondary schools from 1948 to 1952:

Year	Private schools		Public and private	
	Total	Girls	Total	Girls
1948 .....	530	91	1,010	—
1949 .....	—	—	—	—
1950 .....	335	90	1,243	186
1951 .....	—	—	—	—
1952 .....	991	118	2,637	338

Cameroon pupils attending public and private vocational schools in 1952 was 1,137. This number is small and represents only 43 per cent of those receiving a general secondary education; the contrast is the greater when it is recalled that some vocational training lies astride primary and secondary levels. UNESCO would remark that a special effort is required to extend the enrolment, so that the Territory may secure the trained workers and technicians it requires for economic development.

## HIGHER EDUCATION

As the number of students at present eligible for higher education is not sufficient to justify a territorial institution, it has been judged preferable to grant scholarships for study abroad. In 1952 there were eighty-two scholarship students as compared with fifty-seven in 1951, representing an increase of 44 per cent.

## SCHOLARSHIPS

There are three kinds of scholarship:

(a) Correspondence course bursaries for young officials in the Territory who wish to improve their qualifications;

(b) Local scholarships at schools in the Territory. In 1952 there were 1,667 scholarships of which 765 were for secondary and technical education;

(c) Metropolitan scholarships. In 1952 there were 288 scholarship students from the Cameroons in France, as against 206 in 1950. Of these, 115 were in secondary schools and 77 in technical establishments. Scholarships for continued studies in France were granted to fourteen young Cameroons officials.

It would be interesting to know the fields of study of the eighty-two students in higher and the seventy-seven students in technical education. The Administration has decided that future scholarships will be directed towards specialization based on the needs of the Territory, and UNESCO welcomes this method of planned selection.

## TEACHER TRAINING

In addition to the teacher-training section (*école normale*) attached to the Yaoundé *lycée*, the Authorities have created six complementary normal courses. Four private normal courses admit students with the primary school certificate and prepare them (in two or three years) for the *examen de moniteur d'enseignement général*.

The following table indicates the evolution of the teaching staff since 1948:

Year	Public schools	Private schools	Total
1948 .....	356	2,454	2,810
1949 .....	478	2,432	2,910
1950 .....	572	2,736	3,308
1951 .....	708	2,603	3,311

The upward trend of the total is evident but extremely slow. In the public school system the increase of staff is more favourable than in the private. The teachers have varying qualifications, and for private school teachers (78 per cent of the total) the report carries no information about professional qualifications.

The 1952 report states that in-service training of teachers has been improved through the efforts of the primary school inspectors, who have organized seminars and lectures and have supervised classroom work more closely. It is believed that this is an extremely important programme of a long-term nature; but there may be some doubt as to whether the size of the inspectorate is large enough to carry it through, even with the help of the newly created Pedagogical Office.

The relationship between teachers in service and those in training may be examined in the figures below. As the 1952 report does not give full statistics for teachers, it becomes necessary to juxtapose data for two different years.

Teachers in service in 1951			
Schools			
Public	Private	Total	
708	2,603	3,311	

Teachers in training in 1952			
Normal courses			
Normal school	Public	Private	Total
103	44	224	371

From the estimates made earlier in these comments, one-third of the children of primary school age are now enrolled, so that the ultimate demand for teachers is in the order of three times the present number. In 1952, however, there were only 371 students in the teacher-training establishments. It may be supposed (the report gives no information in this respect) that of these about 100 were in the last class. This number is insufficient to fill even the regular vacancies which occur among the teachers in service, and does not provide for the new schools.

The problem of teacher training, in both quantitative and qualitative aspects, appears to be one of the most urgent issues in the Territory. The present measures include the setting up of normal complementary courses and the provision of in-service training; it is not believed that these steps ensure an adequate level of general education and professional training for the Territory's primary school teachers.

In secondary education (public and private) the teachers in service are all European, and they are well qualified. Numerically, there are eighty-six teachers in secondary schools, fifty-three in vocational (of whom seventeen for domestic science sections). A steady rise has been evident over the years. The report gives no information about plans to train future secondary school teachers.

#### FUNDAMENTAL AND ADULT EDUCATION

Credit amounting to 26,880,000 francs were devoted to literacy for adults in 1952. The sixty-one courses were attended by approximately 12,000 adults. A cinema van served to diffuse ideas of hygiene and agriculture in the bush districts. It is noted with great interest and satisfaction that a special bureau for these questions has been created and that a first pilot experiment has been carried out at Endingding.

The principles underlying the programme in fundamental education (1952 report, p. 264) seem to have been well stated, and received immediate application in the pilot project. A number of interesting approaches and results may already be noted: the development of a method which permits rapid literacy based on the vernacular language in the first places; the preparation of bilingual dictionaries; the search for folk tales and legends which will form the substance of pamphlet reading matter in the vernacular and the French; psycho-sociological research on local reactions to the cinema; the preparation of audio-visual aids, etc. The Endingding pilot project will provide the Territory with other important results in due course—the training of qualified and auxiliary staff for this type of education, and the development of materials and methods suited to the needs of adults and of rural education.

UNESCO records its satisfaction at seeing these delicate problems being dealt with. A member of the Secretariat of UNESCO has paid a visit to the experimental area and has confirmed the good quality and efficacy of the work undertaken. An article entitled "Fundamental Education in the Cameroons" was published in UNESCO's quarterly bulletin *Fundamental and Adult Education* (October 1953) in order to bring some of the findings of the project to the notice of educators in the Member States.

It is to be hoped that the Authorities will continue to support the enterprise they have sponsored.

#### IV. TOGOLAND UNDER BRITISH ADMINISTRATION

##### ADMINISTRATION

The Accelerated Development Plan for Education in the Gold Coast and Togoland was put into effect in 1952. This provides the main lines of educational policy together with a plan for the systematic extension of schooling at all levels, the aim being to maintain a balance between the several parts of the educational system. Some results of the new policy are already shown by the information given in the 1952 report.

In the administration of education, the re-organization of a Trans-Volta/Togoland Region, with a regional education officer in Ho, means that the Southern Section of the Territory disposes of more supervisory staff than previously: there were nine education officers in 1952 against two in earlier years.

The 1952 report indicates that a district education committee performs valuable advisory services in the Southern Section (paras. 637-638) and that local authorities are progressively taking more responsibility for the control and financing of primary education. Some measures of this activity may be attained by an examination of Native Authority expenditure on education. The table below is limited to the Southern Section since the district council areas in the north lie partly outside the Territory and data are less complete.

##### Native Authority financing of education:

Southern Section			
Year	Total expenditure	Expenditure on education	Education as percentage of total
1948 .....	30,884	8,663	28
1949 .....	34,422	8,905	26
1950 .....	64,863	13,955	22
1951 .....	73,932	11,829	16
1952 .....	90,174	15,028	17

The figures reveal a progressive increase in local expenditure on education, though this is less pronounced than other forms of expenditure, so that the percentage devoted to education has tended to fall over the past five years.

*Government expenditure, 1948-1952*  
(in £)

Year	Total government expenditure	Government expenditure on education	Education as percentage of total	Education expenditure			Column 6 as percentage of column 3
				Recurrent	Capital		
1	2	3	4	5	6		7
1948 .....	625,540	84,260	13.5	70,260	14,000		16.6
1949 .....	614,443	113,363	18.4	95,462	17,901		15.8
1950 .....	799,735	166,626	20.8	117,606	49,020		29.4
1951 .....	1,036,804	201,846	19.5	154,909	46,937		23.3
1952 .....	1,316,365	260,493	19.8	220,519	39,974		15.3

The table reveals a steady upward trend in educational expenditure which more or less keeps pace with the Territory's increasing wealth. The fraction of public money allotted to education (column 4) is settling down to about 20 per cent. Analysis of the education budget (columns 5-7) shows that outlay on buildings fluctuates; the sum given here does not include projects (see 1952 report, para. 246) financed under the Colonial Development and Welfare Scheme.

The high priority given to education by the Authorities both in the ordinary budget and in development projects is a matter of satisfaction.

It is also noteworthy that education in all public-aided primary schools was made free in 1952 (1952 report, para. 652). The fees charged for middle and secondary schooling are based on a sliding scale which is adapted to the degree of prosperity of the district. Teacher training is not only free, but students receive salaries while they are in training.

#### ORGANIZATION

The educational system of the Territory is in a state of transition; the three stages of primary, middle and secondary education last respectively six, four and five years. Secondary schools recruit students by a Common Entrance Examination taken by those in the upper middle classes. By degrees the entrance age to secondary school will be lowered, so that the primary and secondary stages of education articulate and the middle school will become an alternative, practical type of secondary education.

#### PRIMARY EDUCATION

The "basic primary course" of six years is designed to be complete in itself providing permanent literacy in both English and the vernacular, and to serve also as a preparation for secondary education.

The introduction of free primary schooling in 1952 under the Accelerated Development Plan has led to a remarkable expansion in education (see para. 670 of report). The intake into the first class, 9,821 children, is almost double the figure for earlier years; and the number of primary and middle schools rose from 338 to 433 (or 28 per cent) with a corresponding increase of teachers from 1,025 to 1,311 (or 28 per cent). Administratively this expansion was made possible by extending government aid to a large number of unassisted and new schools. Rapid expansion inevitably brings with it problems of finance, teacher training and all the elements which go to make the "quality" of education as distinct from

#### FINANCE

Although no separate budget is kept for the Territory, the estimates for revenue and expenditure contained in the report are very clear, and make possible a general survey of the public funds devoted to education.

the "quantity". Before commenting on such problems UNESCO wishes to record its satisfaction with the achievements recorded in the 1952 report and with the underlying policy.

The new nomenclature ("middle school") introduced in 1952 makes comparison with previous years less easy. If, however, primary and middle schools may still be grouped and taken as equivalent to the junior and senior schools for earlier years, the following table results:

*Growth of primary and middle education*  
(both Southern and Northern Sections),  
1948-1952

Year	Number of schools	Number of teachers	Enrolment	
			Total	Female
1948 .....	341	890	25,792	7,289
1949 .....	311	964	25,934	7,174
1950 .....	328	1,020	28,611	8,083
1951 .....	338	1,025	28,875	8,463
1952 .....	433	1,311	32,231	11,659

A more expanded form of this table will be found on pages 249-250 of the 1952 report. The figures show a generally upward trend since 1948. Even the rapid expansion during 1952 is here reflected only as a rise of 3,356 pupils, resulting almost entirely from an increased enrolment of girls.

Information for the Territory makes possible a fairly accurate determination of the extent to which children of school age are enrolled in school. Estimates are given for the population in five-year age groups; the 5-14 age-group corresponds roughly to the ten-year period of primary and middle schooling.

*Population 5-14 and primary and middle school enrolment, 1952 (in thousands)*

Area	Population 5-14		School enrolment		Enrolment ratio*	
	Total	Female	Total	Female	Total	Female
Togoland ..	86.2	40.9	32.2	10.7	37.4	26.2
Southern Section ...	47.7	23.3	31.4	10.5	65.8	45.1
Northern Section ...	38.5	17.6	0.9	0.1	2.3	0.7

\* These ratios are computed on primary and middle school enrolment only, excluding secondary and teacher-training schools in the Territory.

It is satisfactory to be able to examine the situation in such detail. The evidence brings out clearly the disparity between the Southern and Northern Sections; the

former has reached the stage of having two out of three children in school, whereas the north is still extremely under-developed.

The 1952 report gives information on the distribution of pupils by class and sex (pages 240-241). In due course it will be possible to use these data to measure wastage, but for the present a brief summary is sufficient. If the enrolment in each class (six primary, four middle) be expressed as a percentage of enrolment in the first class, the following figures result:

*Distribution of pupils in primary and middle classes, 1952  
(as percentage of enrolment in first class)*

	<i>Primary class</i>					
	1	2	3	4	5	6
Southern Section ....	100	45	36	36	28	26
Northern Section ....	100	55	29	31	28	21

	<i>Middle form</i>			
	1	2	3	4
Southern Section ....	19	16	13	10
Northern Section ....	15	14	11	8

The large 1952 intake into the first class distorts the impression of this table. For the remaining classes, 2-10, the Togoland school appears to have a fairly good retaining power.

*Secondary enrolment of Togoland students, 1948-1952*

Year	Territory (Ho)				Gold Coast		Grand total
	Total	Female	Secondary schools		Technical and trade training		
			Total	Female	Total	Female	
1948 .....	—	—	77	16	11	—	88
1949 .....	—	—	112	11	10	—	122
1950 .....	35	—	146	17	24	—	205
1951 .....	89	—	166	18	37	—	292
1952 .....	152	—	291	28	53	—	496

The rate of expansion is rapid, and may be regarded as satisfactory. Two weaknesses in the present structure appear to be the low enrolment of girls (in 1952 not quite 6 per cent of the total) and the scant provision for technical training. The report indicates, however, that measures are being taken to develop vocational education at all levels, and UNESCO is particularly interested in the project for mobile training units (para. 693) which may well be applied also in rural areas.

#### HIGHER EDUCATION

Students from the Territory have access to the nearby University College of the Gold Coast, and this is reducing the need for studies abroad except for highly specialized work.

*Higher education enrolment of Togoland students, 1945-52*

Year	<i>Gold Coast University College</i>	<i>United Kingdom</i>	<i>Other countries</i>	<i>Total</i>
1948 .....	1	5	—	6
1949 .....	4	19	—	23
1950 .....	11	30	—	41
1951 .....	18	—	—	—
1952 .....	37	17	5	59

#### TEACHERS

The training of primary teachers is of paramount importance if the Accelerated Development Plan is to be

The curriculum of the primary school is taught through the vernacular medium and is adapted to local conditions (para. 676). English is introduced as a subject and becomes the vehicle of instruction in the middle school. The middle course still has a double character—leading some on to academic secondary schools and providing others with a practical terminal education. UNESCO notes with interest the agricultural and technical bias described in paragraphs 680-681, and believes that rural studies should be extended as rapidly as possible.

#### SECONDARY AND VOCATIONAL EDUCATION

For convenience the middle schools have been treated under the previous heading. It should be pointed out, however, that the four-year course following six years of primary schooling would in most countries be regarded as being of secondary level.

For secondary schools proper the Territory has hitherto been assisted considerably by having at its disposal the resources of the Gold Coast; but competition for places is keen, and the growth of the Territory's own schools is to be noted with interest. The secondary school at Ho has enrolled 35, 89 and 152 pupils respectively in its three years of existence, and a new school should open at Kpandu in 1953.

The trend in secondary education may be seen below:

applied successfully. There are two main forms of certificate for qualified teachers: "A", obtained after a four-year post-middle or two-year post-secondary course; and "B", obtained after a two-year post-middle course. The standard of the former type is high; and the latter, while regarded as an emergency measure, has led to useful experimentation in rural teacher training. A recent UNESCO publication contained four national studies of institutions designed to solve the rural teacher problem; the African example chosen was in the Gold Coast,<sup>10</sup> and it may be regarded as typical of the work now being done in the Territory to produce "B" certificate teachers.

The growth of teacher training in the Territory, in relation to the number of teachers in service, may be measured from the following table:

*Togoland teachers in training and in service, 1948-52*

Year	Teacher training				Teachers in service in primary and middle schools
	Territory		Total in training		
	Colleges	Students			
1948 ....	2	145	10	155	890
1949 ....	2	171	113	284	964
1950 ....	2	171	100	271	1,020
1951 ....	2	102	104	206	1,025
1952 ....	3	226	205	431	1,311

<sup>10</sup> Creedy, L.A. "Rural teacher training in the Gold Coast" in *The Training of Rural School Teachers*, UNESCO, 1953. The other examples came from Brazil, Mexico and India.

This brings out earlier fluctuations, with an actual decline in training facilities from 1949-1951. The rapid rise in 1952 which was seen in primary schooling is also reproduced here, and it is possible that the training colleges will keep pace with the growing school population. However, it should be noted that something like 70 per cent of primary and 30 per cent of middle school teachers now in service are untrained. The efforts of the training colleges are being supplemented by the pupil-teacher system and various forms of in-service training (see paras. 714-716).

A necessary measure in the attempt to recruit more teachers is the improvement of teachers' salaries and conditions of service. UNESCO notes with satisfaction that in 1952 new salary scales were introduced, and appear to offer both reasonable security and the incentive for teachers to improve their qualifications.

By regulation, the size of classes is limited to forty-six pupils. In upper classes and in the Northern Section the actual figure is much lower.

#### ADULT AND FUNDAMENTAL EDUCATION

UNESCO has for some years been interested in the experimental scheme for mass education, one of the earliest of UNESCO's associated projects.

The 1952 report shows that the year under review was one of vigorous action. The central project was for mass literacy and mass education, and appears to have been planned and carried through admirably. The necessary reading material in Ewe and Twi was available; the official staff were given special training at a rural centre; the literacy campaign was organized on a regional basis and conducted literally as a "campaign" by careful timing, the use of all available means of propaganda, the arrangement of examinations, conferring literacy certificates and a public celebration to mark the end of the campaign.

The significant element in this work has been popular participation. Throughout, the idea of social service was kept to the fore, and the literacy teaching as such was largely done by voluntary workers. While the im-

mediate result was that a large number of adults had learnt to read and write, there were more important effects of a social and psychological order. The organizers report (para. 745) that a great deal of community development work began spontaneously during the campaign.

The Authorities intend to organize similar intensive campaigns every year until illiteracy is eradicated. Both the experience they gain and the example of a vigorous popular movement will be of the greatest value in the other regions of the world where a similar problem is faced.

#### V. TOGOLAND UNDER FRENCH ADMINISTRATION

##### ADMINISTRATION

An inspector of metropolitan rank is in charge of the Directorate for Education, Youth and Sports. Africans participate to a considerable extent in defining educational policy since the texts of all regulations are submitted to the double scrutiny of the Consultative Committee (which includes seven representatives of the African population) and of the Territorial Assembly.

The Administration controls both public and private education. Any individual or institution may establish a private school provided certain conditions are fulfilled. All schools are open to all children indiscriminately, but education is not compulsory.

A methodical plan for school development is drawn up by the Consultative Committee and the Directorate of Education; this allows for a yearly increase of about forty classes in public and private schools together and also makes provision for the development of secondary and technical education.

##### FINANCE

The following table indicates (in CFA francs) the expenditure on education in 1952:

Source	Ordinary expenses	Construction	Total	Percentage
Ordinary budget .....	234,604,952	6,945,000	241,549,952	90.6
Extraordinary budget .....	—	16,100,000	16,100,000	6.0
FIDES grants (payments made in 1952) .....	—	8,967,569	8,967,569	3.4
<b>TOTAL</b>	<b>234,604,952</b>	<b>32,012,569</b>	<b>266,617,521</b>	<b>100</b>
<b>PERCENTAGE</b>	<b>88</b>	<b>12</b>	<b>100</b>	

Capital outlay on buildings from three separate sources thus made up 12 per cent of the total expenditure. A survey of public funds devoted to education over the

past four years is partially built up in the table below from available data:

Year	Ordinary budget	Extraordinary budget	FIDES grants	Education as percentage of total expenditure
1949 .....	66,128,000	—	—	9.9
1950 .....	124,972,000	—	—	14.4
1951 .....	—	—	—	15.4
1952 .....	241,549,952	16,100,000	8,967,569*	17.6

\* Payments made in 1952 (construction).

These figures, although incomplete, show that since 1949 there has been a rapid and continued increase in the education budget both in terms of the total sum and as a proportion of the Territory's ordinary budget.

UNESCO notes with satisfaction that in 1952 expenditure on education was almost four times that in 1948.

Education is free at all stages and standard supplies are distributed to the pupils. Private schools are aided



when certain conditions are fulfilled. During 1952 a regulation was passed to modify the rate of the subsidies granted to these schools. The total amount of the subsidies included a sum for teachers' salaries (40,072,450 francs) and for examination results (547,800 francs) and represented 15 per cent of territorial expenditure on education.

#### ORGANIZATION

Education is organized on the same lines as in metropolitan France: (a) six years' primary school (three levels or course of two years each—preparatory, elementary, middle) capped by the *certificat d'études* or by the entrance examination to the secondary school; (b) the secondary level comprising two cycles of 4 and 3 respectively; the first leading to the *brevet élémentaire* and the second to the *baccalauréat* (first and second parts). The normal school belongs to the secondary level and trains teachers who have obtained the *brevet élémentaire*. Technical education consists of four years after primary school and leads to the *certificat d'aptitude professionnelle* or *brevet industriel*.

Among the Administration's aims which influence the educational structure the following should be mentioned: the widest possible extension of primary schooling, the preparation of educated cadres through the secondary school and the training of competent technicians. While every effort is made to adapt education to the African way, it is designed also to widen the horizon of the world for the African.

Year	Public schools		Private, Catholic and Evangelical schools		Totals			Percentage of girls
	Classes	Pupils	Classes	Pupils	Classes	Pupils	Girls	
1948 .....	222	11,709	269	12,892	491	24,601	4,652	19
1949 .....	286	21,154	300	16,131	586	37,285	7,375	20
1950 .....	345	21,504	353	19,329	698	40,833	7,848	19
1951 .....	399	22,299	391	20,852	790	43,151	8,471	20
1952 .....	464	25,117	442	23,398	906	48,515	9,921	20

In general, the numbers of classes and pupils for both public and private schools have increased each year. The plan for school extension provides an annual addition of about forty classes in both of these groups, and this has been surpassed. The total number of pupils in 1952 was almost double that in 1948 and increased by 5,464 (or 13 per cent) over 1951.

Public schools in 1952 had 22 primary classes and 1,719 pupils more than the private schools. In quantitative terms, the two systems of education have almost equal importance.

The average number of pupils per class is indicated by the first table on page 233 of the report. In 1949 this figure was 56, and it was reduced to 53 by 1952. UNESCO welcomes this trend to smaller classes since even the present number of 53 pupils to one teacher is probably too high to permit teachers and pupils to do their best work.

While the 1952 report contains numerous statistical tables, no information is given about the distribution of pupils by class. Such a table, if given in future reports, would be a means of measuring the extent of wastage in the various classes and would thus clarify the question of the percentage of pupils passing the primary school certificate. The table on page 400 of the report reveals a steady diminution in the number who are admitted to the examination. For the three years 1950, 1951, 1952, the numbers were respectively 1,270, 953 and 829. It appears that this reduction is due to a better control of the examinations. A note at the bottom of the table

#### PRIMARY EDUCATION

Schools have either three or six classes. In the first case there is one class for each course; in the second, one class for each year of study, except when the school has existed for less than five years. It should be noted that, apart from the two primary inspectors, there are five educational advisers whose function is the immediate control and educational orientation of the schools.

Curricula are the same as those followed in France, duly adapted to the surroundings in which the children live.

The evolution of schooling from 1949 to 1952 is clearly shown by the statistical table on page 233 of the 1952 report.<sup>11</sup> During these years the schools expanded and reached respectively 26, 28, 29, and 32 per cent of the school age population, estimated in the report at 15 per cent of the total population of the Territory.<sup>12</sup>

The 1952 enrolment in primary schools was 48,515 (including 9,921 girls) out of a school-age population estimated at 155,000.

Although the report indicates (p. 233) that "the percentage increase of female enrolment was more rapid than that of male enrolment", disparity between the sexes remains a problem. Over the years the number of girls at school, as a fraction of the total enrolment, has been a constant 20 per cent; the Administering Authority has taken note of the difficulty and is planning to deal with it. Another disparity lies in the relative backwardness of the northern area, where measures to improve enrolment are already taking effect, as can be seen from the tables on page 234 of the report.

explains the decline in the percentage of successful candidates.

#### SECONDARY EDUCATION

There are eight secondary schools in the Territory: two *collèges* and one normal school are public establishments; and the private system possesses two *collèges* (one for

<sup>11</sup> See *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Togo placé sous la tutelle de la France, année 1952*, Paris, Imprimerie Chaix, 1953.

<sup>12</sup> This figure (p. 234) was apparently determined at the conference of the *Directeurs de l'Enseignement de l'Afrique noire* in May 1952 (*Bulletin de l'Inspection générale de l'enseignement et de la jeunesse du ministère de la France d'Outre-mer*, December 1952, p. 6 which refers to the United Nations *Preliminary Report on the World Social Situation*, (E/CN.5/267; subsequently printed as E/CN.5/267/Rev.1, Sales No: 1952.IV.11).

In the chapter relating to education of the *Preliminary Report on the World Social Situation*, which has been approved by UNESCO, it is stated (E/CN.5/267/Rev.1, p. 62 and 86) that primary education, whatever its length, generally takes place between five and fourteen years of age inclusive, that is to say, within a ten years' age group. However, when the duration of the primary education lasts six full years, it is likely that the school age population may be estimated at 60 per cent of this ten years' age group.

It is obvious that this ratio applies only to the six years of primary school and that it could not be extended to all levels of education. If different levels of education are taken into account, the ratio of children of school age to total population should be considerably higher. For a general discussion on the problem of estimating the school age population, see the introduction to these comments.

girls), a vocational school, a normal school and a complementary school. The tables on page 237 give detailed information about enrolment in the public schools. Earlier reports have not carried statistics as full as those given in 1952, but the following table may serve as a general survey over the five-year period 1948-52:

Year	Classes	Pupils						Total	Girls
		Colleges		Normal schools		Technical education			
		Total	Girls	Total	Girls	Total	Girls		
Public schools									
1948	8	222	26	31	—	50	—	303	26
1949	14	405	45	31	—	164	40	600	85
1950	20	437	38	—	—	—	—	—	—
1951	21	516	56	—	—	164	38	—	—
1952	23	388	58	114	22	197	38	699	118
Public and private schools									
1948	14	426	108	31	—	50	—	507	108
1949	21	685	130	31	—	164	40	880	170
1950	36	835	138	—	—	—	—	—	—
1951	36	955	164	—	—	164	38	—	—
1952	42	747	170	234	26	319	83	1,300	279

\* Not including technical education.

Examination of this table shows that the total enrolment at secondary level rose from 507 in 1948 to 1,300 in 1952—an increase of 156 per cent. Female enrolment increased 158 per cent during the same period. The total number of classes was tripled in 1952 as compared to 1948 and increased 16 per cent as compared to 1951. There is a decline in 1952 in college enrolment. This might be explained by the increase of pupils in the normal schools and in technical education; and while the pronounced growth of these forms of practical education is to be welcomed, it is, of course desirable that such progress should not take place at the expense of general education, which has the particular role of preparing students for higher education.

The table on page 400 of the report shows clearly the comparative results of the examinations in 1950, 1951 and 1952. Very little difference is noticed between the figures.

#### HIGHER EDUCATION

There are no plans for higher education in Togoland under French administration at present. In preference, scholarships are granted—70 in 1952—to Africans who can thus continue their studies in the faculties and *grandes écoles* of France. The distribution of scholarships by faculty (p. 400 of the report) shows that these students usually take up medicine (31) and science (19). Although Togoland is “by vocation an essentially agricultural territory”, only four scholarship students are in the higher agricultural schools. It might be useful to review the scholarship programme—in terms of both numbers and field of study—against the Territory’s needs for professionally qualified men and women.

#### SCHOLARSHIPS

The Administration pays considerable attention to scholarships and arranges for several types. The 79 scholarships for higher education in 1952 represent an increase over previous years (21 in 1949 and 57 in 1950). In addition, 29 Togoland students received scholarships to pursue secondary studies in France—14 for general secondary and 15 for technical schools. Within the Territory a large proportion of the places in public secondary schools are filled with bursars: the public *collèges* at Lomé and Sokodé have respectively 174 (out of a total of 324 African students) and 143 (out of 191) students on

lursaries, and the entire enrolment of 114 students at the public normal school at Atakpamé have bursaries.

UNESCO notes these facts with great interest. The granting of scholarships is an excellent means of spreading education and of preparing the specialists needed by the Territory while ensuring that the most capable students have the opportunity to continue their higher studies.

It is also interesting to note that the Administration has set up a scholarship commission on similar lines to the Consultative Committee for Education. During 1952 a regulation (of 2 April 1952) reorganized the system of educational scholarships for the whole of the French Union and defined the various forms which assistance might take—scholarships, loans, allowances and grants.

#### TEACHERS

Primary school posts are held by teachers in three categories (principal, ordinary, assistant) and by *moniteurs*. In secondary education, the teachers hold the same diplomas as those required for teaching in metropolitan France.

The growth of the number of teachers in primary and secondary education since 1948 is indicated in the table below:

Year	Public schools	Private schools	Total
1948	267	277	544
1949	332	314	646
1950	400	361	761
1951	455	421	876
1952	542	466	1,008

These figures show a steady upward trend. The rise in 1952 was 132 teachers or 15 per cent over the 1951 total. Public education accounts for 54 per cent of the total.

Information about the sex and qualifications of teachers is given in the table on page 401 of the report. There are 942 teachers in all in public and private primary schools, and of these 759 or 80 per cent are *moniteurs*. This proportion of less well qualified teachers is so high that UNESCO feels that measures should be taken, either rapidly to improve the training of the *moniteurs*, or more gradually, to replace them by *instituteurs* with professional diplomas. In this regard, the Administration has already begun a programme of in-service training through lectures, vacation and weekly courses and the distribution of educational journals.

In 1952 the following teacher-training school existed: a public normal school (114 students), a private normal school (106 students), and a private normal course (14 students). The total number of teachers in training amounted to 234. Except for the normal school at Atakpamé, the report does not show the number of students in the different classes. In any case, it would seem that the number graduating from these schools each year, if present trends continue, is insufficient to ensure replacements for ordinary vacancies in the teaching service and at the same time allow for an expanding school system.

The total number of teachers in both public and private schools is 134 (or 14 per cent). At the Atakpamé normal school, the proportion of girls increases yearly. It is hoped that efforts will be made to attract a constantly increasing number of girls to the teaching profession.

#### FUNDAMENTAL AND ADULT EDUCATION

The number of courses for adults, which amounted to 159 in 1951-1952 and grouped an average of 5,500 participants, rose in 1952-1953 to 199, with 5,866 participants. Evening classes for adults and young people who have had primary education were set up in 1952 at Lomé and Atakpamé and were attended by about 60 students.

UNESCO notes with great interest that two fundamental education experiments have been carried out at Tchékpo and Dfalé with the aid of various administrative services: education, agriculture, health, public works and forestry. It is satisfactory to record that such experiments will be carried out methodically according to possibilities, and that a permanent centre for training fundamental education instructors should begin functioning in 1953.

## (a) Tanganyika, 1952

### DOCUMENT T/L.451

#### Report of the Drafting Committee

[Original text: English]  
[19 March 1954]

1. At its 513th meeting, on 11 March 1954, the Trusteeship Council appointed a Drafting Committee composed of representatives of Australia, El Salvador, France and Syria to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory of Tanganyika and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held seven meetings, at the first of which it elected Mr. A. H. Loomes (Australia) as its Chairman. The Committee had the assistance of the special representative of the Administering Authority and the representative of UNESCO.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.419), as revised to take into account the additional information submitted to the Council by the special representative for the Territory (T/L.419/Add.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the majority of the members of the Council and has annexed them to the present report.

5. The Committee noted that some members of the Council had made reference in the course of the general discussion to certain aspects of the interterritorial association involving Tanganyika, Kenya and Uganda. In view of the fact that the Standing Committee on Administrative Unions was studying this matter as part of its regular duties, the Committee decided not to formulate any draft conclusions or recommendations on the subject.

6. The Committee accordingly recommends to the Trusteeship Council that it adopt the working paper on conditions in Tanganyika (T/L.419 and Add.1) as the basic

text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; and that it adopt the conclusions and recommendations set out below and include them at the end of each appropriate section or sub-section of the chapter.

### CONCLUSIONS AND RECOMMENDATIONS

#### I. GENERAL

##### *General considerations*

7. The Council expresses its awareness of the particular weight which attaches to the responsibilities of the Administering Authority in Tanganyika through the presence in this Trust Territory of important European and Asian minorities which exist alongside the large indigenous African majority, and which are for the time being in a generally more advanced position in matters of political, economic, social and educational development. The Council notes with satisfaction the harmony which has existed and continues to exist in the relationships between these three main population groups; draws attention, however, to the possible dangers inherent in the pronounced lack of balance in their stages of development; accordingly welcomes the assurance of the Administering Authority that its entire policy and every branch of development are directed towards bringing up the indigenous inhabitants to take their places side by side with the immigrant communities; and expresses the hope that in accordance with that policy the Administering Authority will be able to intensify efforts so as to bring about in the shortest possible time the development of a unified Tanganyika in which the indigenous inhabitants will play their full part.

##### *Statistical data*

8. The Council invites the Administering Authority to include in its future annual reports statistical data in-

dicating the numbers of indigenous population by provinces, including where possible the number of male adults in paid employment and the ratio of such persons to the total employable adult male population.

9. The Council, noting the absence of vital statistics concerning the indigenous inhabitants, and appreciating the difficulties involved in establishing suitable means of collection of such data, recommends that the Administering Authority continue its efforts to overcome these difficulties and expresses the hope that the population may, in its own interest, be persuaded to co-operate in this matter.

#### *Development of Swahili*

10. The Council, noting with appreciation the efforts which the Administering Authority has made to foster the use and development of the Swahili language, and noting that it is already extensively employed in trade and for educational and other purposes, recommends that the Administering Authority take all possible measures further to develop the language and to broaden the scope of its use.

## II. POLITICAL ADVANCEMENT

### *General*

11. The Council recalls the importance which it has previously attached to the development of a sense of territorial consciousness on the part of all sections of the population, and to this end to the desirability of considering the establishment of a common status of citizen of Tanganyika and, in general, of subordinating communal interests to those of the Territory as a whole. The Council, in reaffirming these views, is pleased to note that the question of Tanganyika citizenship has been under study by the Administering Authority and, while appreciating the difficulties involved, it expresses the hope that this study will be pursued and a satisfactory solution found. The Council notes further, in this connexion, the need for developing the general political education of the indigenous inhabitants in particular, as exemplified by the fact that more interest was not taken in the pending constitutional reforms, and urges the Administering Authority to intensify its present efforts to encourage their interest in territorial affairs.

### *Central government*

12. The Council, recalling the observations which it made at its eleventh session as to the constitutional changes then proposed and awaiting further inquiry, and recalling in particular its views as to the communal system of representation on the Legislative Council and as to the timing of the proposed changes, welcomes the fact that the inquiry has been completed and that a public announcement of the changes is expected shortly, and expresses the hope that they may thus be implemented within the five-year period previously fixed. The Council, while awaiting with interest details of the changes as finally determined, expresses the hope that the retention of separate representation of the three population groups, even on the improved basis of parity between them, will be regarded by the Administering Authority as a transitional phase, and that consideration will be given to the institution as soon as possible of a common electoral roll, with appropriate qualifications, if that should be considered desirable.

13. The Council notes with approval that, pending the larger constitutional changes, provision has been made

for a Speaker to preside over the Legislative Council, and that one of the unofficial members has been appointed to that position.

14. The Council reiterates its hope that the Administering Authority will consider a further increase of African membership of the Executive Council as soon as practicable.

### *Local government*

15. The Council commends the Administering Authority for the passage into law of the proposals for local government of which it took note at its eleventh session; shares the disappointment of the Administering Authority at the opposition raised by certain sections of the African community concerned to its efforts to establish the first of the new county councils, and takes note of its policy not to impose changes upon the people until every possible endeavour has been made to secure their full and willing co-operation; recommends that it intensify its efforts in this direction by such means as the establishment of "shadow" councils and other positive measures; and expresses the hope that the peoples concerned will co-operate with it in these efforts.

### *Suffrage*

16. The Council, in view of its desire to see the eventual establishment of elective representation in the Territory's various organs of government, notes with satisfaction that the Special Commissioner has recommended in principle elective representation at both the central and local government levels. The Council commends as a useful first step in this direction the encouragement which the Administering Authority has given to the use of the ballot by indigenous inhabitants in the selection of a number of local authorities and councils, and appreciates the importance in this respect of its efforts to amalgamate or federate the smaller tribes into larger units. The Council expresses the hope that continued and extended experience in elective methods at this level will help to facilitate the introduction as soon as possible of universal suffrage based on a common roll, which it considers essential to the balanced development of all sections of the population.

### *Civil service*

17. The Council again takes note of the fact that very few Africans as yet occupy posts in the senior branch of the civil service. While appreciating both the intentions of the Administering Authority in this matter and the difficulties involved, and recognizing that the number of qualified Africans available depends on the development of education and the competing claims of other occupations, the Council recommends that the Administering Authority intensify all measures which will lead to the possibility of more Africans being appointed to responsible positions in the Administration. The Council, noting also the relatively low levels of salaries for African and Asian civil servants and recalling its previous recommendation that the Administering Authority should institute a uniform scale of basic salaries for all officials in the senior and junior services, to be supplemented where appropriate by expatriation allowances and efficiency differentials, awaits with interest information as to the result of the salary revision which has since been undertaken.

### *Judicial system*

18. The Council welcomes the recent substantial increase in the number of resident magistrates as evidence of further progress in separating judicial from adminis-

trative functions, and expresses the hope that this process of separation will be continued as rapidly as possible. The Council notes further that the administrative officers who exercise magisterial functions already include some African officers, and expresses the hope that further experience of this kind, together with the expansion of higher education, will lead to a progressively greater participation of Africans in the judicial system.

### III. ECONOMIC ADVANCEMENT

#### *General*

19. The Council, recognizing the need for expanding the sources of public revenue which may be devoted to the general development of the Territory, welcomes the emphasis placed by the current territorial development plans on the increase of agricultural production. The Council, being concerned also that the indigenous inhabitants should play a full part in the economy of the Territory, requests the Administering Authority to take all possible measures to expand their participation in the production of the principal export crops, and notes in this connexion that they already produce most of the coffee, cotton and certain other export crops, and that the increased number of local development schemes have the particular purpose of further expanding African production.

20. The Council, considering the importance of the development of secondary industries as a means of diversifying and balancing the economy of the Territory, supports the Administering Authority in its general policy of encouraging these industries by such special measures as the relaxation of customs duties, and notes in particular the scope which appears to exist, and which is at present being explored, for the development of a textile industry, in view of the present importance, on the one hand, of raw cotton as an export of the Territory and, on the other hand, of textiles as an import. The Council expresses the hope that the indigenous inhabitants will play the fullest possible part in industrial development.

21. The Council notes with gratification that the far-sighted policy of the Administering Authority in providing grain storage facilities averted more serious consequences from the relatively poor results of the food crops in 1952 and 1953.

#### *Communications*

22. The Council, recognizing the importance which the Administering Authority attaches to the expansion of communications in the Trust Territory, as a means of general development, notes with satisfaction the progress achieved in the improvement of road and rail communication facilities and requests the Administration to continue to intensify its efforts in this field.

#### *Agriculture*

23. The Council, considering that the need to increase food production to the greatest possible extent deserves the continuing attention of the Administering Authority, urges it to give higher priority to development schemes designed to increase the output and improve the conditions and methods of African farmers, and in this respect attaches particular importance to continued efforts, wherever applicable, in the construction of roads and the improvement of water supplies, the provision of more credit facilities for agriculturists, the expansion of agricultural training, the improvement of cattle herds, the transfer where possible from pastoral to mixed farming,

the use of manures and fertilizers, and other active measures to discourage existing agricultural practices which are harmful to the land. The Council, conscious of the extent to which the effectiveness of such schemes depends upon the availability of suitably trained persons, welcomes the opening of the Natural Resources School and the development of the co-operative movement.

#### *Marketing of agricultural products ; co-operatives*

24. The Council notes with satisfaction the further increase in the number of registered co-operative societies to a total of 198 at the end of 1953 and the increase also in the staff of the government department concerned, and expresses confidence that, with the growing interest shown by the indigenous inhabitants, the co-operative movement will expand considerably throughout the Territory.

#### *Land and land alienation*

25. The Council, recalling the observations made by its 1951 Visiting Mission concerning the alienation of land, and in particular its statement that proposals to alienate land for as long as 99 years must be considered with the greatest caution, and bearing in mind the development of the Territory towards self-government or independence, notes the explanation of the Administering Authority and recalls the assurance which it has given that it fully acknowledges its responsibility for observing the necessary caution and ensuring that the land problem of the Africans receives full consideration.

#### *Mining*

26. The Council notes with satisfaction the measures taken by the Administering Authority for prospecting for coal and minerals, and to increase the number of prospecting licences and mining claims held by Africans; notes further the encouragement and assistance which it has given to Africans to exploit their mineral discoveries, and recommends that it take all measures by which they may increase their share of the benefits derived from the mineral resources of the Territory.

### IV. SOCIAL ADVANCEMENT

#### *Status of women*

27. The Council, recalling its previous recommendations towards the improvement of the status of women in the Territory, and noting the progress which has been made in this direction, recommends that the Administering Authority take further steps in the matter, including the appointment of additional social workers and the intensification of their activities.

#### *Standard of living*

28. The Council, recalling its previous expression of concern at the low standard of living prevailing in many parts of the Territory, recognizes that the raising of this standard should be a natural result, and is also one of the primary objectives, of the policy of the Administering Authority to increase African productivity and participation in the economic life of the Territory; requests the Administering Authority to keep it fully informed of the results thus achieved, as well as other specific measures taken or proposed to raise the standard of living of the inhabitants; and invites it to submit all possible statistical data on the subject.

### *Urban housing*

29. The Council, recalling its previous concern with the problem of African urban housing, welcomes the development and construction of a new type of low-cost housing in Dar-es-Salaam and other towns, and the fact that twenty-five town-planning schemes are in various stages of preparation, and urges the Administering Authority to continue its efforts in urban planning and in the provision of urban housing at rents commensurate with the incomes of the people concerned.

### *Labour*

30. The Council, recalling its previous recommendation concerning the problem of stabilizing and increasing the productivity of the labour force, draws attention to the relationship of this problem to the improvement of wages and working conditions; notes in this connexion the further increase made in government minimum wages through the cost-of-living allowance, and the establishment by an important sisal estate of a pension system for its workers; notes further that a comprehensive employment bill is in course of preparation; and looks forward to the further improvement of wage levels and the extension of such other employment benefits as paid holidays, sick leave and pension or provident fund schemes.

31. The Council, recognizing that it is the policy of the Administering Authority to abolish penal sanctions for breaches of labour contracts and that they are applied only in cases of wilful desertion, notes with satisfaction that the employment bill is expected to lead towards a solution of this problem, and awaits with interest further information on the matter.

32. The Council welcomes the statement of policy on labour supply circulated in the Territory by the Administering Authority as a realistic approach to the difficult problem of labour recruitment and notes in particular the emphasis which it places upon the economic improvement of the African, the need for increased food production, the freedom of the African to grow crops for sale or to engage in labour for others, and the desirability of preserving the family unit of the worker.

33. The Council, bearing in mind the desirability of further expert investigation of the labour problems of the Territory as a whole, suggests to the Administering Authority that it consider seeking the assistance of the International Labour Organisation in carrying out such a study.

### *Medical and health services*

34. The Council, noting with satisfaction the further expansion and improvement, undertaken and planned, of the hospital facilities in the Territory, urges the Administering Authority to continue this development with a view to ensuring that all the necessary facilities are available on the widest scale to all the inhabitants of the Trust Territory.

35. The Council also notes with particular interest the advances made in the field of public health in such matters as the control of communicable diseases and the dissemination of public health information, and draws attention to the scope that remains for the further expansion of preventive medical services and of health survey teams.

36. The Council, noting with satisfaction the collaboration which the Administering Authority has already established in the Territory with the World Health Organization, expresses confidence that it will continue to avail itself of the facilities at the disposal of that agency for

the purposes of surveys or other technical assistance in the medical and health fields.

### *Corporal punishment*

37. The Council, recalling the previous recommendations of the General Assembly and the Council for the complete abolition of corporal punishment, recognizes the efforts which the Administering Authority has made in that direction through the introduction of appropriate legislation and the subsequent appointment of a special committee of investigation; regrets that these efforts have not yet met with success; reaffirms its previous recommendations, and accordingly requests the Administering Authority to continue its endeavours to surmount the difficulties which thus far prevented their full implementation.

## V. EDUCATIONAL ADVANCEMENT

### *General*

38. The Council, noting with satisfaction that the targets set for primary education in the current ten-year development plan will have been exceeded by the year 1956, and recognizing that the ultimate objective of the Administering Authority is to make primary education available to all, urges it to keep under constant review, in planning further development, the desirability of introducing free and compulsory primary education.

39. The Council, considering it desirable that the whole of the primary education system should be brought under government supervision, and observing the increase in the number of unregistered "bush" schools in the Territory and in the number of children enrolled at them, supports the proposal to develop a number of these schools to the status of primary schools, and expresses the hope that this development will be extended.

40. The Council notes with particular interest and satisfaction the fact that girls attending schools make up the relatively high proportion of 30 per cent of the total number of pupils.

41. The Council, while noting the steady progress achieved in the expansion of middle and secondary school facilities, recommends that the Administering Authority devote particular attention to ensuring that, as primary education expands and improves, the facilities at the intermediate and secondary levels will be developed sufficiently to absorb all children in need of such education; and in this connexion endorses the favourable comment of UNESCO (T/1091) concerning the effort that is being made to relate the curricula of the middle schools to the economic and social needs of the area served by each such school.

### *Teachers and teacher-training*

42. The Council draws the attention of the Administering Authority to the observations of UNESCO on the continuing problem of the supply of qualified African teachers, and endorses the view expressed by that agency that funds devoted to teacher training are essentially an investment comparable with other forms of capital expenditure.

### *Higher education*

43. The Council, noting that qualified students are being given access to higher education outside the Trust Territory, recalling its previous suggestion that the Administering Authority consider the establishment within the Territory of an institution for higher education, and noting the consideration being given to this problem by

the Administering Authority, suggests that consideration be given to the possibility of establishing courses in a limited number of fields as a first step towards the creation of a university in the Territory.

*Adult and mass education*

44. The Council, noting the successful efforts made by the Administering Authority in community development

and mass education projects, and noting that the most important of the schemes is a UNESCO associated project, expresses confidence that the Administering Authority will further develop these activities and extend them to other parts of the Territory, and the hope that steps will be taken, as suggested by UNESCO, to assess the methods used and the results achieved, for the benefit of areas under similar circumstances.

## (b) Ruanda-Urundi, 1952

### DOCUMENT T/L452

#### Report of the Drafting Committee

[Original text : English]  
[19 March 1954]

1. At its 518th meeting, on 17 March 1954, the Trusteeship Council appointed a Drafting Committee composed of representatives of El Salvador, India, New Zealand and the United Kingdom of Great Britain and Northern Ireland to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory of Ruanda-Urundi and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held three meetings, at the first of which it elected Mr. W. A. C. Mathieson (United Kingdom) as its chairman. The Committee had the assistance of the special representative and the representative of the Administering Authority, and the representative of UNESCO.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.420), as revised to take into account the additional information submitted to the Council by the special representative for the Territory (T/L.420/Add.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the general opinions of the Council and has annexed them to the present report.

5. The Committee accordingly recommends to the Trusteeship Council that it adopt the working paper on conditions in Ruanda-Urundi (T/L.420 and Add.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; and that it adopt the conclusions and recommendations set out below and include them at the end of each appropriate section or sub-section of the chapter.

6. In regard to the various aspects of the administrative union affecting the Trust Territory of Ruanda-Urundi, the Drafting Committee took note of the fact that the Standing Committee on Administrative Unions had submitted a report (T/L.438 and Corr.1) and accordingly decided not to formulate any conclusions on that matter.

7. The Committee decided also not to form any conclusions on the question of dissemination of information on the United Nations and on the International Trusteeship System in the Territory, since the general question forms a separate item on the agenda of the Council.

#### CONCLUSIONS AND RECOMMENDATIONS

##### I. GENERAL

###### *Land and people*

8. The Council, noting that among the main problems brought to the attention of the Council by the special representative in his analysis of the situation of the Territory the problem of population growth is the most pressing, requests the Administering Authority to keep the Council fully informed of its views on this question and of measures which it is taking in this regard.

##### II. POLITICAL ADVANCEMENT

###### *Legislative and executive powers*

9. The Council, considering that it is desirable that there should be in the Territory some central organ in which the indigenous inhabitants could acquire practice in the processes of government and play some part in framing legislation and which would serve to develop closer relations and common interests between the two *pays* (states), recalls its recommendations adopted at the eleventh session on the Council of the Vice-Government-General and recommends that the Administering Authority develop the functions of that Council and increase its membership so as to afford representation to all important indigenous interests. The Council recommends that the Administering Authority should consider in particular the possibility that additional members of the Council of the Vice-Government-General should be drawn from the superior councils of the *pays*.

###### *Systems of administration*

10. The Council, recalling its recommendation adopted at the eleventh session, by which it noted the difficulties which the existing duality of the administrative structure appeared to present to the development of a territorial government in which the indigenous inhabitants might play a full part, and noting that the special representative of the Administering Authority at the thirteenth session was not in a position to express the ideas of the Administering Authority upon the future of the dual system, expresses its continued concern to receive from the Administering Authority a statement of its policy in this matter and requests the next visiting mission to the Territory to study this question and to state its opinions thereon in its report to the Council.



### *Reform of the indigenous political structure*

11. The Council, noting with satisfaction that the reforms of the indigenous political structure provided for in the decree of 14 July 1952 have met with the acceptance of the traditional authorities and that the councils at various levels have now been successfully established, expresses the hope that this important first step towards the democratization of indigenous institutions will be followed up.

#### *Suffrage*

12. The Council notes with satisfaction that the elections held during 1953 for the council of the extra-tribal centre at Usumbura evoked greater public interest than previous elections of that kind and that methods of indirect election were successfully used in setting up the new indigenous councils. The Council expresses the hope that the Administering Authority will press forward with its campaigns to persuade the indigenous population of the value of electoral methods and that increasing public interest will be created, so that electoral methods may be used to an increasing extent, particularly in the indigenous political structure.

### III. ECONOMIC ADVANCEMENT

#### *General*

13. The Council notes the progress so far achieved in the implementation of the ten-year plan and expresses the hope that, in its further implementation, the Administering Authority will continue to promote the development of processing and other secondary industries and to encourage the participation of the indigenous inhabitants in the broader economic activities of the Territory through the development of co-operatives and in other ways.

#### *Land tenure and utilization*

14. The Council, noting the progress being made in the settlement schemes in the Ruzizi valley and Mosso region, urges the Administering Authority to give special emphasis to the opening up of new areas for settlement and cultivation with a view to increasing food production. In this connexion, the Council is of the opinion that these settlement schemes also contribute towards the important aim of establishing closer community life.

#### *Stock-breeding*

15. The Council, recalling its recommendation adopted at the eleventh session, by which it urged the Administering Authority to put into effect without delay its measures to suppress the *ubuhake* system and to reduce the number of cattle, notes that certain sections of the population, including the Bami and the younger generation in schools, favour these measures, but that there is still a firm opposition on the part of many traditional elements, and urges the Administering Authority to take all possible steps to obtain the co-operation of the population in suppressing the system and in reducing the number of cattle.

### IV. SOCIAL ADVANCEMENT

#### *Human rights and fundamental freedoms*

16. The Council, recalling its recommendation adopted at its eleventh session on limitations on the freedom

of movement within the Territory, notes the statement of the Administering Authority that its eventual objective was the elimination of the system of transfer passports and of the curfew, expresses, nevertheless, its disappointment that the Administering Authority has not been able to remove these restrictions, in particular the curfew, and reiterates its recommendations that these restrictions on the personal liberty of the inhabitants be removed by the Administering Authority.

#### *Labour*

17. The Council notes with interest the statement of the special representative to the effect that a system of labour inspection has been introduced and that a draft decree which deals with the question of the penal sanctions is under consideration. The Council requests the next visiting mission to include in its report its observations concerning the manner in which labour legislation is applied in the Territory and concerning wage levels and standards of living.

#### *Medical and health services*

18. The Council notes with satisfaction the continued improvements in medical facilities and the vigorous way in which such diseases as tuberculosis and sleeping sickness are being fought. The Council, noting the continued prevalence of malaria and other diseases in the Territory, urges the Administering Authority to press forward with its programme of expanding medical services, making use where appropriate of the services of the specialized agencies, and reiterates the recommendation adopted at its eleventh session that the Administering Authority should expand its programme for training indigenous inhabitants for the medical services, including the training of doctors.

#### *Penal system*

19. The Council, noting that indigenous courts are no longer authorized to order sentences of corporal punishment, but that whipping may still be administered as a penal sanction in prisons, expresses its disappointment that the Administering Authority has not yet felt able completely to abolish corporal punishment and urges it to achieve this result with the least possible delay.

### V. EDUCATIONAL ADVANCEMENT

#### *Educational system*

##### *General*

20. The Council notes with satisfaction the increased budgetary appropriations for education and the increased number of schools as well as the projected establishment during January 1955 of the inter-racial secondary school at Usumbura. It expresses the hope that the Administering Authority will give consideration, as suggested by UNESCO (T/1091), to the desirability of achieving uniformity in the system of primary education with the goal of giving all children of school age six years of primary education and to the need for training more teachers and for increasing their qualifications.

#### *Education of women and girls*

21. The Council, noting the statement of the special representative that amongst the major problems outstanding in the Territory is that of the status of women and considering that better education for women would



do much to improve their status, expresses the hope that there will be a steady expansion in the facilities for the education of girls, particularly for secondary education, and in the opportunities for adult education and

fundamental education for women and that the efforts of the Administering Authority in this field will find an ever-increasing response on the part of the indigenous population.

## (c) Cameroons under British administration, 1952

### DOCUMENT T/L418

#### Report of the Drafting Committee

[Original text: English]  
[17 February 1954]

1. At its 491st meeting, on 8 February 1954, the Trusteeship Council appointed a Drafting Committee composed of representatives of Belgium, China, India and the United States of America to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory of the Cameroons under British administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held three meetings, at the first of which it elected Mr. Benjamin Gerig (United States of America) as its chairman. The Committee had the assistance of the special representative and the representative of the Administering Authority and also of the representative of UNESCO.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.404), as revised to take into account the additional information submitted to the Council by the special representative for the Territory (T/L.404/Add.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and has annexed them to the present report.

5. The Committee accordingly recommends to the Trusteeship Council that it adopt the working paper on conditions in the Cameroons under British administration (T/L.404 and Add.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; and that it adopt the conclusions and recommendations set out below and include them at the end of each appropriate section or sub-section of the chapter.

6. In regard to the proposed constitutional changes in Nigeria and the Cameroons, which were the subject of a number of observations by individual members of the Council, the Drafting Committee took note of the fact that the Standing Committee on Administrative Unions, in its interim report on the Cameroons under British administration (T/L.408), has expressed the hope that the Administering Authority will find it possible to transmit to that Committee, not later than 15 May 1954, all available information regarding the new constitutional developments as they affect the Trust Territory; and has accordingly requested the Council to postpone consideration of this question until it has received a further report from the Standing Committee. In these circum-

stances, and in the expectation that the Council will so decide, the Drafting Committee decided not to draft any conclusions or recommendations on the matter at this stage but to recommend that the results of the Council's action on the further report to be submitted by the Standing Committee on Administrative Unions should be included at an appropriate later date in the chapter of the Council's report devoted to the Cameroons under British administration.

7. The Drafting Committee also took note of the fact that the question of the implementation of General Assembly resolutions 558 (VI) and 752 (VIII) concerning the attainment of self-government or independence had been raised by one member of the Council in the course of the general discussions and that a reply had been given by the representative of the Administering Authority. In view of the fact that these resolutions will be open for further discussion as a separate item of the agenda of the Council at the present session, the Drafting Committee decided not to formulate any draft conclusion or recommendation concerning their application to the Cameroons under British administration.

### CONCLUSIONS AND RECOMMENDATIONS

#### I. POLITICAL ADVANCEMENT

##### *Constitutional arrangements*<sup>13</sup>

8. The Council, noting the changes proposed in the political structure of the Trust Territory in connexion with the revision of the Constitution of Nigeria and the Cameroons, commends the Administering Authority for the political development achieved in the Trust Territory during the period under review.

##### *Local government*

9. The Council, considering it desirable that the development of efficient and democratic local government institutions should keep pace with political progress at the higher levels, notes that some progress has been made in local government reform in the Northern Cameroons but that it has been delayed in the Southern Cameroons because of preoccupation with constitutional revision; recommends accordingly that steps be taken to stimulate local government development especially in the southern, as well as in the northern, areas, and supports the inten-

<sup>13</sup> See paragraph 6 above.

tion of the Commissioner of the Cameroons to encourage the elected representatives in the proposed new Southern Cameroons Government to lead a wide popular movement for reform; and recommends further that a bold attempt be made to broaden the base of the local government institutions.

#### *Civil service*

10. The Council, stressing the importance of a qualified civil service to the political advancement of the Territory and noting the difficulty encountered in attracting qualified candidates for the senior grades of the service, in competition with other occupations, considers that this problem calls primarily for the expansion of general education in the Territory in order that an adequate pool of educated persons may be established; and recommends also that facilities for administrative training be further increased and that consideration be given to the possibility of making salaries, emoluments and conditions of civil service more attractive to qualified persons.

## II. ECONOMIC ADVANCEMENT

### *General*

11. The Council notes with satisfaction the healthy signs of progress in the economic development of the Territory and the diversification of its production, in particular the increases shown in public revenues and expenditures and the stimulation of cotton, cocoa and coffee production and other co-operative enterprises; and urges that further efforts be made to develop economic self-sufficiency, for example by the encouragement of subsidiary rural industries suited to agricultural workers or peasants who are subject to seasonal unemployment.

12. The Council, considering the need that has existed in the Territory for an economic survey which would serve as a basis for the planning of further development, notes with interest that a survey of Nigeria and the Cameroons has recently been concluded at the request of the Administering Authority by a mission of the International Bank for Reconstruction and Development, and expresses the hope that the results of this survey as they affect the Cameroons will be included in the next annual report.

### *Communications*

13. The Council, emphasizing the importance which both it and the Administering Authority have continually attached to the extension and improvement of the roads system as one of the indispensable means of economic and social development, and acknowledging the particular difficulties arising from the nature of the terrain of the Trust Territory, expresses the hope that any deficit occurring in the revenue of the Territory in 1953-1954 will not result in a reduction of appropriations for road construction and that the further improvement of communications will be given an important place in future development plans.

### *Land*

14. The Council, recalling its previous interest in the particular economic and social difficulties of the Bakweri people, notes with satisfaction the formation of a producer co-operative by a group of Bakweri farmers, and expresses the hope that further measures taken by the Administering Authority and co-operation on the part of members of the tribe will lead to their successful resettlement and rehabilitation.

15. The Council, considering that land erosion constitutes a serious problem in the Territory, recommends that the Administering Authority draw to the attention of the competent local authorities the need for soil conservation measures, and that it commend to them, where applicable, the example of the Bamenda authorities in enacting contour-farming rules covering a large part of the province.

### *Cameroons Development Corporation*

16. The Council, reaffirming its recognition of the leading part played in the economy of the Territory by the Cameroons Development Corporation and its previous endorsement of the basic conception and policies of the Corporation, recommends that all possible further measures be taken to expedite the training of indigenous personnel for increasingly responsible participation in its work.

17. The Council, having previously noted that the Corporation was established for the benefit of the Trust Territory as a whole, and having welcomed and encouraged the holding of territory-wide consultations concerning the allocation of its surplus profits, takes note of the tendency on the part of the representatives of the Northern Cameroons to wish to decline, for political reasons, any future allocations of such funds, and requests the Administering Authority to keep it fully informed as to the development of public opinion in this matter.

## III. SOCIAL ADVANCEMENT

### *Medical and health services*

18. The Council, noting the improvements in medical and health services which have taken place during the period under review, in particular the increase in hospital and dispensary facilities, the beginning of an organized campaign against leprosy and the increase in expenditure on medical and health services, considers nevertheless that the needs of the Territory require that the Administering Authority intensify its efforts to expand medical services, especially in the Northern Cameroons; and recommends that the Administering Authority encourage the Cameroons representatives in both the north and south to give serious consideration to means of raising additional revenues in order to increase the financial appropriations for medical services.

### *Standards of living: labour*

19. The Council, noting with satisfaction that the annual report of the Administering Authority for 1952 contains a fuller account than previously of conditions in respect of costs of living and wages, expresses the hope that the Administering Authority will continue to give all possible information on these topics in its future reports. The Council also hopes that any relevant information, particularly in regard to real wages, which may be available to the International Labour Organisation will be brought to its attention.

## IV. EDUCATIONAL ADVANCEMENT

### *General*

20. The Council, noting the views expressed by the 1952 Visiting Mission concerning the need for intensive and extended efforts to develop education in the Territory,

recommends that the Administering Authority take effective measures to construct school buildings and provide other educational facilities, particularly in the Northern Cameroons, as well as to stimulate a desire for education among the indigenous population.

21. The Council, noting further that illiteracy continues to be widespread in the Territory, recommends that the Administering Authority institute, if necessary with international assistance, a programme of mass education projects and the extension of primary education, with a view to overcoming illiteracy, having regard to the establishment of a period within which this objective may be achieved.

#### *Secondary and higher education*

22. The Council recommends that the Administering Authority seek by all possible means, including inter-

national assistance, to increase the number of scholarships available to indigenous persons for higher education.

#### *School fees*

23. The Council, recalling its previous recommendations for the eventual establishment of free primary education, recommends that the Administering Authority continue to give careful attention to the need for achieving this objective.

#### *Teachers*

24. The Council, noting with satisfaction the increase in the number of teachers during the period under review, but noting also that there continues to be a scarcity of teachers, particularly of those with higher elementary certificates, recommends that the Administering Authority pay special attention to the need for improving and expanding teacher-training facilities.

## **(d) Cameroons under French administration, 1952**

### **DOCUMENT T/L.429**

#### **Report of the Drafting Committee**

[Original text: English]  
[8 March 1954]

1. At its 496th meeting on 15 February 1954, the Trusteeship Council appointed a Drafting Committee composed of representatives of Australia, El Salvador, New Zealand and Syria to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory of the Cameroons under French administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held eleven meetings, at the first of which it elected Mr. Rafik Asha (Syria) as its chairman. The Committee had the assistance of the special representative of the Administering Authority and also of the representative of UNESCO.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.406), as revised to take into account the additional information submitted to the Council by the special representative for the Territory (T/L.406/Add.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and has annexed them to the present report.

5. The representative of Syria reserved the right of his delegation to propose amendments to certain conclusions and recommendations as well as new recommendations in the course of the discussion of the report in the Council.

6. The Committee accordingly recommends to the Trusteeship Council that it adopt the working paper on conditions in the Cameroons under French administration

(T/L.406 and Add.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; and that it adopt the conclusions and recommendations set out below and include them at the end of each appropriate section or sub-section of the chapter.

7. In view of the fact that the question of the implementation of General Assembly resolutions 558 (VI) and 752 (VIII), concerning the attainment of self-government or independence, will be open for further discussion as a separate item of the agenda of the Council at the present session, the Drafting Committee decided not to formulate any draft conclusion or recommendation concerning their application to the Cameroons under French administration.

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **I. GENERAL**

##### *Frontier problems: question of unification*

8. The Council, noting the opinion expressed by the 1952 Visiting Mission with respect to the question of the unification of the two Cameroons, namely, that the desire for the unification of the two Trust Territories is not of a critical nature in the Cameroons under French administration and that the mass of the population is not concerned with the problem, expresses the hope that the question will be kept under review and that the Administering Authority will inform the Council in its future reports of opinion in the Territory, its views on and attitude towards the question of unification.

## II. POLITICAL ADVANCEMENT

*Integration of the Cameroons within the French Union*

9. The Council, mindful of the objectives of the International Trusteeship System, taking into consideration the opinions expressed on the relationship which exists between the Trust Territory and the French Union as well as the observations of the Administering Authority, in particular its statement that the peoples of the Trust Territories would, upon the termination of the Trusteeship System, be free to achieve their aspirations outside the French Union if they so desired, considering further the Council's previous recommendations on this question, expresses confidence that this relationship will continue to remain in accordance with the terms of the Trusteeship Agreement and the provisions of the Charter.

*Exercise of political rights*

10. The Council, recalling its previous recommendations as well as the opinion expressed by the 1952 Visiting Mission, considering the views expressed during the current session of the Council, urges the Administering Authority to introduce the single electoral college system, if possible, before the next elections.

11. The Council, noting the lack of political unity between the northern and southern regions of the Territory, taking into consideration the observations of the Administering Authority in this respect, expresses the hope that the Administering Authority will continue to take all possible measures to promote among the inhabitants of the Territory a sense of national consciousness which will lead to a wider social and political integration of the Territory.

*Territorial Assembly*

12. The Council, recalling its previous recommendations concerning the Territorial Assembly with respect to the further increase of the African membership and the enactment of a bill extending the Assembly's powers, noting the assurance given by the representative of the Administering Authority that his government was prepared to extend considerably the deliberative powers of the Territorial Assembly and that some of its members would be elected to an Executive Council which is to be established, urges the Administering Authority to have the bill enacted with the least possible delay.

*Regional administration and rural communes*

13. The Council, noting with satisfaction the increase in the number of urban mixed communes and the introduction of rural mixed communes as well as the proposed electoral reform of the municipal communities of Douala and Yaoundé, expresses the hope that these institutions can be further developed and established throughout the Territory and that the Administering Authority will advise these bodies in the more effective exercise of their functions.

*Traditional chiefdoms*

14. The Council, noting with satisfaction the steps being taken by the Administering Authority in organizing chiefdoms, establishing village offices which have had the effect of defining more precisely the responsibilities of village chiefs, and extending the system of communes; noting further that the Administering Authority has sub-

mitted a bill to the French Parliament defining the role and powers of the traditional chiefs, recommends that the Administering Authority take all necessary measures to ensure the progressive democratization of traditional institutions.

## III. ECONOMIC ADVANCEMENT

*General*

15. The Council, noting the satisfactory progress achieved in the economic and capital development of the Territory, commends the emphasis that will be given in the second phase of the ten-year plan to an increase in production, considers that the success of the plan will, in large measure, depend upon the participation and co-operation of the indigenous with the Administering Authority and expresses its confidence that with this co-operation the Administering Authority will exert every effort in the fulfilment of the plan.

16. The Council, recalling its previous recommendations emphasizing the importance of the greater participation of the indigenous inhabitants in the economic development of the Territory, commends to the Administering Authority the observation of the 1952 Visiting Mission that every possible precaution should be taken to safeguard the interests of the indigenous inhabitants and to reserve to them the part which is theirs in the economic development of the Territory.

*Agriculture*

17. The Council notes that under the second phase of the ten-year plan, one of the main objectives is the modernization of farming and the extension of technical training, notes with satisfaction the efforts of the Administering Authority to diversify crops, which should contribute to a greater measure of economic stability in the Territory, and urges it to intensify these efforts.

18. The Council expresses its concern that returns to cocoa producers are at present directly related to the fluctuation of prices obtainable on the world market, and, noting the statement of the special representative of the Administering Authority with regard to the difficulties experienced in establishing a stabilization fund for cocoa, requests the Administering Authority further to study measures which may be taken to ensure stability of returns for cocoa producers.

19. The Council also urges that the Administering Authority take steps to encourage further the development of the co-operative movement in the Territory for the marketing of cocoa and other products.

*Industries*

20. The Council, noting with satisfaction the measures taken by the Administering Authority in respect of industrial development, as well as the extension of financial assistance to existing craft industries, expresses the hope that the Administering Authority will encourage the development of light industries with greater participation of the indigenous inhabitants.

*Forests*

21. The Council, conscious of the dangers of deforestation and soil erosion in the Territory, urges the

Administering Authority to take all appropriate measures in respect of soil conservation and the protection of forests, in particular the classification of forests and reafforestation, and expresses the hope that the Administering Authority will receive the full co-operation and support of the indigenous inhabitants in the implementation of these measures.

#### *Indigenous co-operatives and provident societies*

22. The Council recommends that the Administering Authority, in co-operation with the indigenous population, give special attention to the development of the co-operative movement in all its phases.

#### *Land tenure*

23. The Council, considering the statement of the special representative of the Administering Authority regarding the spreading of the system of recognition of land rights of the indigenous inhabitants and of the registration of land titles, considering further his statement that in urban and developed agricultural areas the right of individual property was being recognized progressively, expresses the hope that the Administering Authority will continue its endeavours, *inter alia*, by an extension of the cadastral survey, to encourage the progressive definition of the rights to land of the indigenous inhabitants.

24. The Council, noting the statement of the 1952 Visiting Mission that the procedure requiring the intervention of the Territorial Assembly in the granting of concessions seemed to provide a satisfactory way of safeguarding the interests of the Territory and of the indigenous inhabitants, reaffirms its previous recommendation that the interests of the African population should be adequately safeguarded when concessions are granted to non-indigenous inhabitants.

#### *Public finance and taxation*

25. The Council, noting that the substitution of the present system of individual taxation by a progressive tax on income is the objective of the Administering Authority and that progress has been made in that direction, urges the Administering Authority to intensify its efforts toward the extension of the income tax system, to the extent practicable, to all sections of the population.

### IV. SOCIAL ADVANCEMENT

#### *Status of women*

26. The Council, noting the statement of the 1952 Visiting Mission that the excessively high bride-price has had harmful social consequences, noting with satisfaction that the Lamine-Gueye Act provides in principle for equality between officials, noting, however, that the application of this law in a polygamous society has contributed in some measure to the existing high bride-price, recommends that the Administering Authority take steps to seek an effective solution to this problem, if

necessary by the modification of any measures passed for the application of the Lamine-Gueye Act, and that the Administering Authority encourage the emancipation and training of women in pursuits to which they are suited.

#### *Labour*

27. The Council notes with satisfaction the entry into force in the Territory of the Labour Code for the Overseas Territories and the establishment of the Consultative Labour Committee for its implementation and expresses confidence that the provisions of the Code will be applied in a manner which will ensure steady improvement in the welfare and protection of wage earners.

#### *Wages and standards of living*

28. The Council, recalling its previous recommendations concerning the study of living standards, expresses the hope that the Administering Authority will shortly be able to complete its investigations in this field and that it will inform the Council of the results.

#### *Public health*

29. The Council, noting the progress achieved in the development of medical and health services, recommends that the Administering Authority continue its efforts to meet the needs of the Territory and to eradicate the serious diseases which prevail in the Territory, in particular malaria, venereal diseases and tuberculosis.

### V. EDUCATIONAL ADVANCEMENT

#### *General*

30. The Council, noting with satisfaction the efforts which have been made by the Administering Authority in the field of education, noting further the marked increase in budgetary appropriations and the increase in the number of pupils and schools as well as the progress recognized by UNESCO in fundamental and adult education, recommends that efforts be intensified with respect to the training of teachers and the expansion of secondary, vocational and technical and fundamental education.

#### *Higher education*

31. The Council, recalling its previous recommendation on the question of establishing higher educational facilities in the Territory as soon as practicable, noting the increasing enrolment in secondary schools, recommends that the Administering Authority give further consideration to this matter, particularly with regard to the possibility of establishing courses in a limited number of fields as a first step toward the creation of a university in the Territory.

32. The Council, noting with satisfaction the increase in the number of scholarships granted for study in higher institutions in the metropolitan country, recommends that the Administering Authority increase, to the extent possible, the number of these scholarships.

## DOCUMENT T/L.433

## Syria: amendments to the conclusions and recommendations submitted by the Drafting Committee (T/L.429)

[Original text: English]  
[15 March 1954]

## I. GENERAL

*Frontier problems: question of unification*

In paragraph 8, replace the words "The Council, noting the opinion expressed by the 1952 Visiting Mission with respect to the question of the unification of the two Cameroons, namely," by "The Council, noting the 1952 Visiting Mission's view".

Delete the last part of paragraph 8, "the Administering Authority .... question of unification" and substitute "the Council will be kept informed in future annual reports of public opinion in the Territory and of the views of the Administering Authority regarding the question of unification."

## II. POLITICAL ADVANCEMENT

*Integration of the Cameroons within the French Union*

In paragraph 9, delete the last phrase "expresses .... Charter" and replace by "expresses the opinion that this relationship should not be permitted to delay the further development of the Territory towards self-government or independence."

*Exercise of political rights*

In paragraph 10, delete the words ", if possible," and substitute "and universal adult suffrage".

*Territorial Assembly*

In paragraph 12, delete the last five words of this paragraph and substitute "without further delay and considers that it should provide in particular for the granting of legislative powers to the Territorial Assembly."

*Regional administration and rural mixed communes*

In paragraph 13, replace the words "expresses the hope" by "recommends", and delete the words "can" and "will".

## III. ECONOMIC ADVANCEMENT

*General*

In paragraph 16, replace "to reserve to them the part which is theirs in the economic development of the Territory" by "to assure that they should play a full part in the economy of the Territory".

Add the following new paragraph at the end of this section: "The Council, noting General Assembly resolution 439 (VI) on the question of technical assistance to Trust Territories, noting further that the Administering Authority has availed itself of such assistance, expresses the hope that the Administering Authority will continue to make use of the facilities of the specialized agencies and the expanded programme of technical assistance."

## (e) Togoland under British administration, 1952

## DOCUMENT T/L.421

## Report of the Drafting Committee

[Original text: English]  
[2 March 1954]

1. At its 500th meeting, on 19 February 1954, the Trusteeship Council appointed a Drafting Committee composed of representatives of Belgium, China, Haiti and the United States of America to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory of Togoland under British administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held four meetings, at the first of which it elected Mr. H. K. Yang (China) as its chairman. The Committee had the assistance of the special representative of the Administering Authority and the representative of UNESCO.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.407), as revised to take into account the additional information submitted to the Council by the special representative from the

Territory (T/L.407/Add.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council of conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and has annexed them to the present report.

5. The Committee accordingly recommends to the Trusteeship Council that it adopt the working paper on conditions in Togoland under British administration (T/L.407 and Add.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; and that it adopt the conclusions and recommendations set out below and include them at the end of each appropriate section or subsection of the chapter.

6. In regard to the present and future constitutional relationship between the Trust Territory and the Gold Coast, which was the subject of a number of observations

by individual members of the Council, the Drafting Committee took note of the fact that the Trusteeship Council had still to discuss this matter as one aspect of the separate item on its present agenda relating to General Assembly resolution 750 (VIII) concerning the Togoland unification problem, and had still to receive a report on the Territory from its Standing Committee on Administrative Unions. In these circumstances the Drafting Committee felt that it would be premature at this stage to draft conclusions or recommendations on any questions of political advancement which could not be considered separately from those covered by General Assembly resolution 750 (VIII), or by the terms of reference of the Standing Committee on Administrative Unions.

## CONCLUSIONS AND RECOMMENDATIONS

### I. POLITICAL ADVANCEMENT

#### *Suffrage*

7. The Council notes with satisfaction the decision to extend direct, universal adult suffrage to the whole of the Trust Territory, and requests the Administering Authority to keep it informed on appropriate occasions of the measures taken to implement this decision and of the exercise of suffrage by the inhabitants.

#### *Local government*

8. The Council expresses satisfaction at the completion throughout the Trust Territory of the new structure of local government; notes in particular the effective use which has been made of tribal tradition and sentiment in the transformation of the local institutions into more modern forms of government; and reiterates its hope that, as far as proves practicable and consonant with the wishes of the peoples concerned, the powers of the new organs will be progressively extended.

#### *Civil service*

9. The Council, having previously welcomed the establishment at Ho, in Southern Togoland, of a regional organization, expresses the hope that the Administering Authority will develop the regional representation of the departments of government as far as is practicable, having in mind among other considerations the desirability of giving the inhabitants of the Trust Territory closer contact with, as well as maximum benefit from, the essential government services, and thereby stimulating their support for those services and encouraging Togoland to qualify themselves for administrative and other positions in the civil service.

### II. ECONOMIC ADVANCEMENT

#### *General*

10. The Council reiterates its concern at the dangers inherent in the heavy economic dependence of the Territory upon the production and export of cocoa, and is especially concerned to ensure that these dangers be reduced by placing adequate emphasis upon the economic sections of the development plan. The Council therefore welcomes the assurance that the Administration is fully aware of the need for increasing the range and quantity of agricultural production and is determined that economic and productive services should receive greater attention in future development planning; the Council recommends that all possible avenues of economic invest-

ment in the industrial as well as the agricultural field be explored, with such international assistance as may be available, and in this connexion attaches great importance to the possibilities of the Volta River project.

#### *Agriculture*

11. The Council, bearing in mind the increasing importance which agriculture will assume as the general economy of the Territory is developed and diversified, notes with approval the three large land-planning projects now being undertaken, and urges the Administering Authority to encourage the further development of experimental farms, roads and water supplies and the more rapid introduction of appropriate agricultural machinery as means of improving and expanding production.

#### *Cocoa marketing*

12. The Council recalls and reaffirms its support of the basic principles of the controlled marketing of cocoa, under which funds for future price stabilization and for economic and social development are being accumulated as the result of the present favourable world-market prices. The Council recognizes, further, the effectiveness of a policy of moderate prices paid to the farmers as an anti-inflationary measure, and the effect which this policy, combined with relatively high export duties, may have as a means of preventing too great a disparity between the incomes of the cocoa producers and those of other agricultural producers. The Council nevertheless draws the attention of the Administering Authority, in the light of the continuing high world prices of cocoa and the present size of the stabilization reserves, to the complaints of certain cocoa producers concerning the large margin between the fixed farm prices and the free market prices, and to the view of the Visiting Mission that the price might be reviewed in the light of the existing reserves. The Council, while not in agreement that the problem should be met by any substantial direct increase in the buying prices, at least until other economic factors warrant it, recommends, however, that the Administering Authority invite the Gold Coast Government and the Cocoa Marketing Board to examine all possible means by which the cocoa producers might equitably derive greater benefit from favourable world market conditions, especially by way of incentive for improved production, having in mind such possibilities as the investment of annual bonus payments or surplus profits in their behalf in the official purchasing company, in co-operative organizations or in similar avenues of investment.

#### *Roads*

13. The Council, having previously drawn attention to the inadequacy of the road system in the Territory, welcomes the allocation of large additional funds for the purposes, in particular, of bridging the Volta River, advancing the construction and improvement of the main north-south road in the Territory, and extending the system of feeder roads, and urges the Administering Authority to do everything possible to maintain this accelerated pace of development.

#### *Technical assistance*

14. The Council notes with approval the extent to which the Administration is seeking and obtaining constructive and forward-looking forms of technical assistance from a number of national and international authorities, notably the Administering Authority in the case of preparatory investigations of the Volta River project and other schemes of benefit to the Gold Coast and Togoland;

the United Nations Technical Assistance Administration in the case of a survey of housing needs; the United Nations Food and Agriculture Organization in the case of a pilot irrigation scheme of interest to both Territories; and the Government of the United States of America in the case of technical assistance in respect of two important projects under consideration which would benefit the Trust Territory directly.

### III. SOCIAL ADVANCEMENT

#### *Corporal punishment*

15. The Council, recalling the previous recommendations of the General Assembly and the Council for the abolition of corporal punishment, and noting that no sentence of corporal punishment was awarded by the courts in the Territory during the period under review, urges the Administering Authority to continue its efforts to bring about the complete removal of this punishment from the laws of the Territory and thereby fully implement the recommendations mentioned above.

#### *Medical and health services*

16. The Council, noting with satisfaction the expansion which has taken place in the medical and health services, notably the doubling of expenditure in this field, considers nevertheless that the medical and health needs of the population remain great and that there is scope for increased effort in the training of African medical personnel in particular; and at the same time, supports the Administering Authority in placing increased concentration of effort on the work of specialized medical field units and on preventive medicine.

#### *Labour; wages; living standards*

17. The Council, recalling that at its eleventh session it recommended a thorough study of the movements and conditions of seasonal labour, particularly in the cocoa areas, and considering that sufficient information on this matter is still unavailable to the Administering Authority and the Council, notes that a labour officer is to be posted to the Southern Section of the Territory in the near future, and that his duties will include a comprehensive

study of labour conditions, and expresses the hope that this officer will be sent to the Territory as soon as possible and that the Council will receive at an early date detailed information which will assist it in its examination of seasonal labour movements and conditions, including housing conditions.

### IV. EDUCATIONAL ADVANCEMENT

#### *Policy and general*

18. The Council endorses the observations of UNESCO that (a) the statistical data submitted by the Administering Authority reveal a steady upward trend in educational expenditure; (b) the high priority given to education both in the ordinary budget and in development projects is a matter for satisfaction; (c) the achievements in regard to primary education recorded in the annual report for 1952 and the underlying policy are also matters for satisfaction; (d) the educational facilities in the northern part of the Territory are still extremely underdeveloped; and (e) the rate of expansion of enrolment in secondary education is rapid and may be regarded as satisfactory.

19. The Council, in the light of the foregoing observation relating to the state of educational facilities in the Northern Section, reiterates its previous expression of concern at the continuing disparity between the situation there and that prevailing in the Southern Section, and again urges the Administering Authority to make a special effort to improve the facilities in the north and in particular to take steps to ensure that the local authorities responsible for education in that area adequately carry out the role entrusted to them.

#### *Teachers and teacher-training*

20. The Council, noting that the need for trained teachers has become more acute because of the large increase in enrolment which has followed the introduction of free primary education, welcomes the opening of a new teacher-training college in the Northern Section, the doubling of the intake of one of the two colleges in the Southern Section, and the projected establishment there in 1954 of an emergency training centre.

## (f) Togoland under French administration, 1952

### DOCUMENT T/L431

#### Report of the Drafting Committee

[Original text: English]  
[9 March 1954]

1. At its 505th meeting, on 1 March 1954, the Trusteeship Council appointed a Drafting Committee composed of representatives of Belgium, China, Haiti and the United States of America to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Trust Territory of Togoland under French administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held three meetings, at the first of which it elected Mr. Daniel Massonet (Belgium) as its chairman. The Committee had the assistance of the special representative of the Administering Authority and the representative of UNESCO.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.409), as revised to take into account the additional information submitted to the Council by the special representative from the



Territory (T/L.409/Add.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council of conditions in the Territory, the Committee drafted a number of conclusions and recommendations which is considered as reflecting the opinions of the Council as a whole and has annexed them to the present report.

5. The Committee accordingly recommends to the Trusteeship Council that it adopt the working paper on conditions in Togoland under French administration (T/L.409 and Add.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; and that it adopt the conclusions and recommendations set out below and include them at the end of each appropriate section or sub-section of the chapter.

## CONCLUSIONS AND RECOMMENDATIONS

### I. POLITICAL ADVANCEMENT

#### *Status of the Territory*

6. The Council, mindful of the objectives of the International Trusteeship System, noting the observations made by the Administering Authority concerning the relationship between the Trust Territory and the French Union to the effect that the peoples of the Trust Territories would, upon the termination of the Trusteeship System, be free to achieve their aspirations outside the French Union if they so desired, and recalling the Council's previous recommendations on this subject, expresses confidence that this relationship will continue to remain in accordance with the terms of the Trusteeship Agreement and the provisions of the Charter.

#### *Territorial administration*

7. The Council, noting that a draft law has been placed before the French Parliament providing for the replacement of the Privy Council by a government council, which would be composed equally of persons elected by the Territorial Assembly and persons appointed by the *Commissaire de la République*, and which would have powers of decision in certain matters and would report to the Territorial Assembly on the implementation of measures deliberated in the Assembly, expresses the hope that the draft law will be enacted in the near future and that the government council so established will have broad powers of decision.

8. The Council recommends that the Administering Authority should conduct a special study of the existing system of customary dues received by chiefs to determine whether the dues should not be reduced in the light of present circumstances and whether those who wish to could not commute the payments in kind and services due to chiefs into money payments at rates fixed by the Administration.

#### *Public services*

9. The Council expresses the hope that the Administering Authority will continue its efforts to train qualified Africans for services in the Administration and will take all possible steps to make conditions of employment in the Territory attractive to Africans.

#### *Political parties*

10. The Council notes the statement of the representative of the Administering Authority that there has been some lessening of the political tension in the Territory, urges the political parties in the Territory to conduct their activities with a sense of high responsibility and expresses the hope that the Administering Authority will watch the situation carefully and will be vigilant in preserving the greatest freedom of expression and assembly which is compatible with the maintenance of public law and order.

#### *Territorial Assembly*

11. The Council, recalling its recommendation at its eleventh session by which it expressed the hope that the draft law concerning the Territorial Assembly which had been placed before the French Parliament would be adopted without further delay and would provide for the grant of increased powers to the Territorial Assembly, expresses the hope that the draft law will be enacted with the least possible delay.

#### *District and municipal councils*

12. The Council, recalling that at its eleventh session it welcomed the development of district councils and the increased powers of municipal councils and expressed the hope that a draft law extending the powers would shortly be enacted, expresses the hope that the draft law which has been placed before the French Parliament will be enacted with the least possible delay.

#### *Suffrage*

13. The Council, recalling its previous recommendations on the question of suffrage, as well as General Assembly resolution 750 B (VIII), which deals with the same question, notes with satisfaction the continued increase in the number of registered voters in the Territory; notes the statement of the representative of the Administering Authority that the establishment of universal adult suffrage forms part, without any doubt, of the intentions of his Government; urges the Administering Authority to establish a system of universal, direct and secret suffrage; and expresses the hope that the Administering Authority will encourage all registered voters to exercise their rights so that universal suffrage may become increasingly realized in practice.

### II. ECONOMIC ADVANCEMENT

#### *Agriculture*

14. The Council, recalling its recommendation at its eleventh session on agriculture, notes with satisfaction the increased diversification of export crops and commends the Administering Authority for the establishment of farm schools and experimental stations. The Council considers, nevertheless, that the Administering Authority should intensify its efforts to acquaint the indigenous population with modern agricultural methods suited to the Territory and to persuade it to adopt such methods.

15. The Council endorses the view expressed by the 1952 Visiting Mission that the Administering Authority should study the possibility of guaranteeing to the local producers a sufficiently stable and remunerative price for their produce and that steps should be taken to supervise the price paid to the producers by middlemen.

*Industry and mines*

16. The Council notes the development of the industrialization of the Territory, in particular the establishing of factories for processing palm oil and tapioca, and reiterates its expression of hope made at the eleventh session that the present development of processing industries will continue so that the economy of the Territory may be developed on a more diversified basis.

## III. SOCIAL ADVANCEMENT

*Fundamental freedoms*

17. The Council endorses the opinion expressed by the 1952 Visiting Mission that the Administering Authority should take steps to see that the police detailed to maintain order at public meetings do not exceed their authority. The Council at the same time expresses the hope that persons assembled at public meetings will conduct themselves with a due respect for the need for maintaining public order.

*Labour conditions*

18. The Council notes with approval the entry into force in the Territory of the Labour Code and the measures taken to apply it to the Territory.

*Public health*

19. The Council, recalling its previous recommendation in this field, notes the further expansion in medical facilities, particularly the completion of the hospital at Lomé, and the increased budgetary allocations for medical purposes. The Council nevertheless urges the Ad-

ministering Authority to intensify its efforts to train medical personnel and to pursue vigorously the campaigns which it is conducting against major diseases still prevalent in the Territory.

## IV. EDUCATIONAL ADVANCEMENT

*General*

20. The Council notes with satisfaction the rapid and continued increase in the budgetary allocations for education and in the number of pupils. It observes, however, that the present rapid increase in the number of pupils attending school is still inadequate to ensure general literacy and that moreover the number of teachers in training appears to be insufficient to provide for an expanding programme. The Council therefore urges the Administering authority to accelerate the educational programme to the full extent to which resources can reasonably be made available and to pay special attention to the desirability of a further marked increase in the number of girl pupils. The Council expresses the hope that the Administering Authority will pursue vigorously its proposed programme for the mass education of children who cannot be admitted to school.

*Higher education*

21. The Council endorses the suggestion of UNESCO that it might be useful to review the scholarship programme in the light of the Territory's needs for professionally qualified men and women and recommends that, in view of the fact that Togoland is essentially an agricultural territory, the Administering Authority should encourage qualified Africans to pursue studies in the higher agricultural schools.

## CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
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T/L.446	Supplementary information for the examination of annual reports—Syria: draft resolution		Deferred to fourteenth session
T/OBS.../...			Documents in this series are mimeographed only
T/PET.../...			Unless otherwise indicated, documents in this series are mimeographed only
<b>(a) Tanganyika, 1952</b>			
A/1306	Report of the Trusteeship Council covering its first special session, its second special session, and its sixth and seventh sessions		<i>Official Records of the General Assembly, Fifth Session, Supplement No. 4</i>
A/1856	Report of the Trusteeship Council covering its third special session, and its eighth and ninth sessions		<i>Ibid., Sixth Session, Supplement No. 4</i>
A/2150	Report of the Trusteeship Council covering its fourth special session and its tenth and eleventh sessions		<i>Ibid., Seventh Session, Supplement No. 4</i>
T/946 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Tanganyika		<i>Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 3</i>
T/1032	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Tanganyika, together with related documents		<i>Ibid.</i>

Document No.	Title	Page	Observations and references
T/1083	Note by the Secretary-General transmitting the report on the administration of Tanganyika for the year 1952		Mimeographed document only
T/1100	Report of the Secretary-General		<i>Official Records of the Trusteeship Council, Thirteenth Session, Annexes</i> , agenda item 14
T/L.419 and Add.1	Conditions in the Trust Territory of Tanganyika: working paper prepared by the Secretariat		These documents, together with T/L.448 and T/L.451, as adopted at the 524th meeting, and documents T/L.455 and T/L.456, will constitute the chapter on Tanganyika in the Trusteeship Council's report to the General Assembly at its ninth session
T/L.448	Report of the Standing Committee on Administrative Unions on Tanganyika		See observation above
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T/L.456	Summary of the observations made by individual members of the Council during the general discussion and of the comments of the representative and special representative of the Administering Authority		Ditto
T/L.460	Union of Soviet Socialist Republics: draft resolution concerning Tanganyika		<i>Official Records of the Trusteeship Council, Thirteenth Session, Annexes</i> , agenda item 7
<b>(b) Ruanda-Urundi, 1952</b>			
A/1856	Report of the Trusteeship Council covering its third special session, and its eighth and ninth sessions		<i>Official Records of the General Assembly, Sixth Session, Supplement No. 4</i>
A/2150	Report of the Trusteeship Council covering its fourth special session and its tenth and eleventh sessions		<i>Ibid.</i> , <i>Seventh Session, Supplement No. 4</i>
T/948 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Ruanda-Urundi		<i>Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 2</i>
T/1031	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Ruanda-Urundi, together with the relevant resolution of the Trusteeship Council		<i>Ibid.</i>
T/1081	Note by the Secretary-General transmitting the report on the administration of Ruanda-Urundi for the year 1952		Mimeographed document only
T/L.420 and Add.1	Conditions in the Trust Territory of Ruanda-Urundi: working paper prepared by the Secretariat		These documents, together with documents T/L.438 and Corr.1 and T/L.452, as adopted at the 525th meeting, and document T/L.457, will constitute the chapter on Ruanda-Urundi in the Trusteeship Council's report to the General Assembly at its ninth session
T/L.437	Seventy-first report of the Standing Committee on Petitions: petitions concerning Ruanda-Urundi		<i>Official Records of the Trusteeship Council, Thirteenth Session, Annexes</i> , agenda item 4
T/L.438 and Corr.1	Report of the Standing Committee on Administrative Unions on Ruanda-Urundi		See observation on documents T/L.420 and Add.1
T/L.452	<b>Report of the Drafting Committee</b> .....	22	
T/L.457	Summary of the observations made by individual members of the Council during the general discussion and of the comments of the representative and special representative of the Administering Authority		See observation on documents T/L.420 and Add.1
T/L.461	Union of Soviet Socialist Republics: draft resolution concerning Ruanda-Urundi		<i>Official Records of the Trusteeship Council, Thirteenth Session, Annexes</i> , agenda item 7
<b>(c) Cameroons under British administration, 1952</b>			
A/933	Report of the Trusteeship Council covering its fourth and fifth sessions		<i>Official Records of the General Assembly, Fourth Session, Supplement No. 4</i>

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A/2150	Report of the Trusteeship Council covering its fourth special session and its tenth and eleventh sessions		<i>Ibid.</i> , <i>Seventh Session, Supplement No. 4</i>
T/798	Reports of the United Nations Visiting Mission to Trust Territories in West Africa		<i>Official Records of the Trusteeship Council, Seventh Session, Supplement No. 2</i>
T/1026 and Corr.1 and Add.1	Report of the Standing Committee on Administrative Unions to the Trusteeship Council		Adopted by the Trusteeship Council as its special report to the General Assembly on administrative unions. See <i>Official Records of the General Assembly, Seventh Session, Supplement No. 12</i>
T/1042	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under British administration		<i>Official Records of the Trusteeship Council, Thirteenth Session, Supplement No. 4</i>
T/1074	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under British administration		<i>Ibid.</i>
T/1090	Note by the Secretary-General transmitting the report on the administration of the Cameroons under British administration for the year 1952		Mimeographed document only
T/1094	Note by the Secretary-General transmitting documents received from the delegation of the United Kingdom of Great Britain and Northern Ireland		Ditto
T/L.404 and Add.1	Conditions in the Trust Territory of the Cameroons under British administration: working paper prepared by the Secretariat		These documents, together with document T/L.418, as adopted at the 503rd meeting, and document T/L.424, will constitute the chapter on the Cameroons under British administration in the Trusteeship Council's report to the General Assembly at its ninth session.
T/L.408	Interim report of the Standing Committee on Administrative Unions on the Cameroons under British administration		<i>Official Records of the Trusteeship Council, Thirteenth Session, Annexes, agenda item 7</i>
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<b>(d) Cameroons under French administration, 1952</b>			
A/2150	Report of the Trusteeship Council covering its fourth special session and its tenth and eleventh sessions		<i>Official Records of the General Assembly, Seventh Session, Supplement No. 4</i>
A/C.4/261	Statement by Mr. Ruben Um Nyobé, representative of the Union des Populations du Cameroun, to the Fourth Committee at its 393rd meeting, on 5 December 1953		Mimeographed document only
T/1010	Questionnaire as approved by the Trusteeship Council at its 414th meeting, eleventh session, on 6 June 1952		<i>Official Records of the Trusteeship Council, Eleventh Session, Special Supplement</i>
T/1026 and Corr.1 and Add.1	Report of the Standing Committee on Administrative Unions to the Trusteeship Council		Adopted by the Trusteeship Council as its special report to the General Assembly on administrative unions. See <i>Official Records of the General Assembly, Seventh Session, Supplement No. 12</i>
T/1043	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under French administration		<i>Official Records of the Trusteeship Council, Thirteenth Session, Supplement No. 5</i>
T/1069	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under French administration		<i>Ibid.</i>

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T/1082 and Add.1	Note by the Secretary-General transmitting the report on the administration of the Cameroons under French administration for the year 1952		Mimeographed document only
T/L.406 and Add.1 and 2	Conditions in the Trust Territory of the Cameroons under French administration: working paper prepared by the Secretariat		These documents, together with document T/L.429, as adopted at the 519th and 520th meetings, documents T/L.445 and T/L.454, will constitute the chapter on the Cameroons under French administration in the Trusteeship Council's report to the General Assembly at its ninth session
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<b>(e) Togoland under British administration, 1952</b>			
A/2150	Report of the Trusteeship Council covering its fourth special session and its tenth and eleventh sessions		<i>Official Records of the General Assembly, Seventh Session, Supplement No. 4</i>
A/2151	Special report of the Trusteeship Council on administrative unions affecting Trust Territories and on the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union		<i>Ibid., Seventh Session, Supplement No. 12</i>
T/465	Report [of the United Nations Visiting Mission to Trust Territories in West Africa] on Togoland under British administration		<i>Official Records of the Trusteeship Council, Seventh Session, Supplement No. 2</i>
T/1040	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under British administration		<i>Ibid., Thirteenth Session, Supplement No. 2</i>
T/1084 and Add.1	Note by the Secretary-General transmitting the report on the administration of Togoland under British administration for the year 1952		Mimeographed document only
T/L.407 and Add.1	Conditions in the Trust Territory of Togoland under British administration: working paper prepared by the Secretariat		These documents, together with document T/L.421, as adopted at the 520th meeting, and document T/L.450, will constitute the chapter on Togoland under British administration in the Trusteeship Council's report to the General Assembly at its ninth session
T/L.408	Interim report of the Standing Committee on Administrative Unions on the Cameroons under British administration		<i>Official Records of the Trusteeship Council, Thirteenth Session, Annexes, agenda item 7</i>
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T/L.450	Summary of the observations made by individual members of the Council during the general discussion, and of the comments of the representative and special representative of the Administering Authority		See observation on document T/L.407 and Add.1
T/L.453	Union of Soviet Socialist Republics: draft resolution		Deferred to fourteenth session
<b>(f) Togoland under French administration, 1952</b>			
T/1041	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under French administration		<i>Official Records of the Trusteeship Council, Thirteenth Session, Supplement No. 3</i>

Document No.	Title	Page	Observations and references
T/1068	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under French administration		<i>Ibid.</i>
T/1080 and Add.1	Note by the Secretary-General transmitting the report on the administration of Togoland under French administration for the year 1952		Mimeographed document only
T/L.280/Corr.1	Amendments to document T/L.280 proposed by the Drafting Committee on the basis of relevant additional information		Ditto
T/L.409 and Add.1	Conditions in the Trust Territory of Togoland under French administration: working paper prepared by the Secretariat		These documents, together with document T/L.431, as adopted at the 521st meeting, and document T/L.439, will constitute the chapter on Togoland under French administration in the Trusteeship Council's report to the General Assembly at its ninth session.
<b>T/L.431</b>	<b>Report of the Drafting Committee .....</b>	<b>31</b>	
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## DOCUMENT T/L.405

**Fifty-fourth report of the Standing Committee on Petitions: petitions circulated under rule 85, paragraph 2, of the rules of procedure and communications circulated under rule 24**

[Original text: English]  
[26 January 1954]

1. The Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, has, as provided in rule 90, paragraph 3, of the rules of procedure of the Trusteeship Council, examined further petitions circulated under rule 85, paragraph 2, and further communications circulated under rule 24, in order to decide which, if any of them, should have the established procedure concerning petitions applied to them.<sup>1</sup>

2. In carrying out this examination, which took place at the 97th, 98th, 99th, 112th and 114th meetings, on 10 September 1953, 13, 25 and 26 January 1954 respectively, the Standing Committee had before it working papers prepared by the Secretariat (T/C.2/L.52 and Add.1, T/C.2/L.55), which contain lists of the documents, brief summaries of their contents and grounds for their initial classification by the Secretariat.

3. As a result of its examination, the Committee decided that the established procedure should be applied to the following petitions and communications, all of which will be reported upon separately by the Committee in due course:

(a) Petitions and communications included in the provisional agenda of the thirteenth session of the Council (T/1085):

<i>Petitioners:</i>	<i>Symbol:</i>
Mr. E. Rabaud	T/PET.3/L.2 <sup>2</sup>
Fédération d'Agriculture et Forêts de l'Union des Syndicats Confédérés du Cameroun	T/PET.5/L.8 and Add.1
Nana Agboka	T/PET.6/L.7
Secretary-General of the Togoland Congress	T/PET.6/L.8
Chief Alphonse Avogbede Gbédé and inhabitants of Gapé-Atsavé	T/PET.6 and 7/L.12
Members of Juvento attending a private meeting	T/COM.7/L.13
Chief Dahir Sciaoul	T/PET.11/L.5

(b) Petitions and communications not reclassified in time for inclusion in the provisional agenda of the thirteenth session:

<i>Petitioners:</i>	<i>Symbol:</i>
Union des Populations du Cameroun, Central Committee of Bafang	T/PET.5/L.13 <sup>3</sup>
President of the Association des Anciens Combattants de la Région Bamiléké	T/COM.5/L.26/Add.1
Chairman of the Women's Division of the Comité de l'Unité Togolaise	T/PET.7/L.6
Mr. A. Isidore Sedo	T/PET.7/L.7
Unione Giovani Benadir	T/PET.11/L.8
Somali Youth League	T/COM.11/L.85

4. The Committee desires to record that proposals were made that the established procedure concerning petitions should be applied also to the under-mentioned petitions and communications, but that the proposals failed to be adopted because, even after following the procedure laid down in rule 38 of the rules of procedure, the votes for and against the proposals were equal:

<i>Petitioners:</i>	<i>Symbol:</i>
Mr. Bernard Richard Memba	T/COM.2/L.10
Bureau de l'Union des Populations du Cameroun	T/COM.5/L.29 <sup>4</sup>
Chief John Amanie	T/PET.6/L.10
Mr. J. K. A. Quashie	T/PET.6 and 7/L.8
Mr. Yehaba F. Namgbi	T/PET.7/L.4
Mr. Amewogno Djisso	T/COM.7/L.15
Mr. Hounsouglo Tamede	T/COM.7/L.16

(Summaries of the contents of these petitions and communications appear, respectively, in: T/C.2/L.55, paragraphs 1 and 15; T/C.2/L.52, paragraphs 25, 35 and 44; and T/C.2/L.55, paragraphs 58 and 59.)

5. The Committee recommends that the following petitions be added to Part B of the annex to the provisional agenda of the thirteenth session of the Council:

<i>Petitioners:</i>	<i>Symbol:</i>
The Comité de Bangui-Chari (Nkongsamba) de l'Union des Populations du Cameroun	T/COM.5/L.25
The Togo Youth Information Service	T/PET.6/L.40
Citizens of Southern Togoland	T/PET.6/L.41
The Togoland Youth Association	T/COM.6/L.27
The General Chairman, Comité de l'Unité Togolaise	T/PET.6 and 7/L.19

6. Under rule 90, paragraph 5, of the rules of procedure, the Committee is required to make such recommendations as it deems necessary concerning the consideration by the Council of, in the first place, the petitions circulated under rule 85, paragraph 2. The Committee recommends, subject to the recommendation contained in the succeeding paragraph, that such petitions should be considered by the Council during its next examination of conditions in the Territories to which they relate.

7. Among the petitions included in the agenda of the thirteenth session, and among the five which the Committee has recommended should be added to the agenda, are a number which relate either wholly or in part to the Togoland unification problem. These are: T/PET.6/L.9-41, T/COM.6/L.27, T/PET.6 and 7/L.7-11, T/PET.6 and 7/13-19.

The Committee recommends that if the Council considers in substance the Togoland unification problem at its thirteenth session, these petitions should be then considered in so far as they relate to that item. The Committee also recommends that the Secretary-General should be instructed to send to the authors of these

<sup>1</sup> For the Committee's report on previous petitions and communications circulated under these rules, see T/L.337.

<sup>2</sup> Petition reclassified by the Standing Committee on Petitions in respect of its annex only.

<sup>3</sup> Petition reclassified by the Standing Committee on Petitions in respect only of the case of Mr. Moucheli Issac.

<sup>4</sup> A subsequent proposal that the author of T/COM.5/L.29 be asked whether he intended that his communication should be regarded as a petition to the Trusteeship Council was, however, adopted by 4 votes to 1, with 1 abstention.



petitions, in addition to the appropriate documentation of the Trusteeship Council concerning the questions which they have raised, the following documentation of the General Assembly: A/2424, The Ewe and Togoland unification problem: special report of the Trusteeship Council; A/2605, The Ewe and Togoland unification problem: report of the Fourth Committee; A/RESOLUTION/172, The Togoland unification problem: Resolution [750 (VIII)] adopted by the General Assembly at its 469th plenary meeting, on 8 December 1953.

8. Under rule 90, paragraph 5, of the rules of procedure,

the Committee is required also to make such recommendations as it deems necessary concerning the consideration by the Council of the communications circulated under rule 24. These communications are listed in the working papers prepared by the Secretariat to which reference was made in paragraph 2 above (T/C.2/L.52 and Add.1, T/C.2/L.55) and the Committee has no recommendation to make in this respect.

9. This report was adopted by the Committee at its 114th meeting, on 26 January 1954, by 3 votes in favour, 2 against and one abstention.

## DOCUMENT T/L.410

### Fifty-fifth report of the Standing Committee on Petitions: petitions concerning the Cameroons under British administration

[Original text: English/French]  
[18 February 1954]

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#### INTRODUCTION

1. At its 120th, 121st and 130th meetings on 3, 4 and 17 February 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the four petitions concerning the Trust Territory of the Cameroons under British administration which are listed in the preceding table of contents.

2. Brigadier E. J. Gibbons participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions II and III.

#### I. PETITION FROM THE REPRESENTATIVES OF THE AYUK ETAIYAK UNION (T/PET.4/90)

1. The grievances of the petitioners (who describe themselves in some places as a Union and in others as a Clan) arise out of the construction by the Administration of an airfield at Besongabang. In the first place, the construction entailed the destruction of a lot of their crops, including cocoa, coconuts and oil palms, for which "a block compensation of £610 was paid to the respective owners ... and not buying of the land". (Whether or not they were satisfied with the compensation paid for their crops, the presumption is that they feel that something should have been paid for the land.)

2. Secondly, during the course of constructing the airfield, its boundaries, which had been agreed to by both sides, were overstepped and a further 168 coconut palms were felled. For this, they asked compensation at the rate of £2 a tree, but the Administration would pay no more than 8 shillings. Their request is either that they be compensated at the rate of £2 a tree, or that "a block compensation be paid annually ..." (Presumably, what is meant here is an annual payment equal to the annual income which the 168 trees might be expected to have yielded.)

3. Thirdly, the petitioners say that the Administration promised to fence the airfield in order to prevent the people's stock roaming over it. The promise, however, was not kept; and as their cattle took to grazing on the airfield, the people were ordered to get rid of them. This they did, against their wishes and at a great loss. Furthermore, goats which were caught grazing on the airfield were impounded and were released only upon payment of a fee of £4. When this latter practice was reported to the District Officer, he promised to see that all these fees should be refunded, but so far none have been refunded. The petitioners' three requests under this head are therefore: (a) that they be paid compensation for the loss of their cattle; (b) that the goat-pound fees that they have paid be refunded; and (c) that the airfield be fenced so that they can take up stock rearing again.

4. The petitioners lay claim to the ownership of the land on which the airfield is constructed, and request that the Administration pay rent for it, as well as for any other land which may be acquired from them. They ask also for a plan of the airfield. Moreover, "government, mission or commercial bodies" should not acquire any interests over the petitioners' lands without prior negotiation.

5. In the course of T/PET.4/61-T/PET.5/66 a demand was put forward briefly by the Cameroons Federal Union that adequate compensation be paid for the land and economic crops destroyed in the construction of this same airfield. In its resolution 178 (VI) on that petition, the Council noted the statement by the Administering Authority that compensation had been paid as the result of a freely negotiated agreement and that the petitioners were not the persons directly concerned, and decided that no action on its part was called for.

6. The petition was examined and discussed at the 120th, 121st and 130th meetings of the Standing Committee (T/C.2/SR.120, 121 and 130).

7. The special representative stated that the authors of the present petition were of the community affected by the construction of the airfield. He then outlined to the Committee the provisions of the law governing the acquisition of Native land for public purposes. Although the law did not enjoin prior consultation with the occupiers of the land to be acquired, in practice no land was ever acquired without prior discussion between administrative officers and the community concerned, with a view to selecting land which would cause the disturbance of the fewest people, and the smallest damage to unexhausted improvements. The law then provided that compensation must be paid in respect of unexhausted improvements on the land and in respect of the disturbance caused to the occupants by their removal elsewhere. If the Administration and the other parties concerned could not agree on the amount of compensation to be awarded in any given instance, the law gave the other parties the right to take their case to the Supreme Court for arbitration.

8. This was the procedure followed by the Administration when construction of the airfield was begun in 1940, and again when the airfield had to be extended in 1947-48. It was only natural that the people concerned should set as high a value as possible on their cocoa, coconuts and oil palms, but the compensation that had been paid to them—which had been assessed on the advice of an agricultural officer—had been accepted by them at the time. It had amounted in all to £559.17s. in respect of trees, and £50 in respect of disturbance. They had been aware of their right to take their cases to the Supreme Court for arbitration, but had not exercised it.

9. As regards the complaints of the petitioners summarized in paragraph 3 above, the special representative stated in the first place that he had been unable to discover a record of any undertaking that the Administration would fence the airfield. Indeed, it would have been a most unusual undertaking, since none of the up-country airfields in Nigeria, nor the other airfield in the Trust Territory, had been fenced. It might be practicable to fence it, but very expensive, and the money could be ill-spaced from projects more productive to the community as a whole. Nor had the special representative been able to find any record of a promise that the goat-pound fees, amounting to £4, would be refunded. In any event, the fees would have been levied under local Native Authority rules, and the normal avenues of appeal would have been open. Thirdly, the special representative had been unable to discover any person who had been forced to get rid of his cattle.

10. The special representative stated that the boundaries of the airfield had been delineated with markstones, and that the Administration was ready to provide the petitioners with a plan of it.

11. At its 130th meeting, the Committee considered two proposals before it, the operative parts of which read as follows :

“A

“1. *Notes* the observations of the special representative ;

“2. *Requests*, nevertheless, that the Administering Authority re-examine the petitioners' grievances in a spirit of goodwill, with a view to compensating them for the loss of their land, crops and animals in accordance with the principles of equity.

“3. *Notes* the statement of the special representative that the Administering Authority will satisfy the petitioners' request that they be furnished with a plan of the airfield.”

“B

“1. *Recalls* that a request that adequate compensation be paid for the land alienated, and for the economic crops destroyed, in the construction and extension of the airfield at Besongabang, was put forward by the Cameroons Federal Union in petition T/PET.4/61-T/PET.5/66, and that in its resolution 178 (VI) on that petition the Council noted the statement by the Administering Authority that compensation had been paid as the result of a freely negotiated agreement, and decided that no action on the part of the Council was called for ;

“2. *Considers*, in the light of the detailed explanation of the special representative concerning the provisions of the law governing the acquisition of land for public purposes and the application of the law in this particular case, that there are no grounds which would justify the Council in revising the conclusion that it reached after consideration of the earlier petition ;

“3. *Draws* the attention of the petitioners to the observations of the special representative concerning their desire that the airfield be fenced and their claims in respect of cattle and goats ;

“4. *Notes* the statement of the special representative that the Administering Authority will satisfy the petitioners' request that they be furnished with a plan of the airfield.”

12. Neither of the proposals could be adopted, because the votes for and against each of them were equal on two successive occasions. The Committee therefore has no draft resolution to propose to the Council.

## II. PETITION FROM MR. A. M. NCHOH (T/PET.4/93)

1. The petitioner, an ex-1st class constable who had served in the Nigeria Police Force since 1944, complains that he has been unjustly dismissed from the force, and unjustly treated over some transport expenses.

2. He relates that in 1951 he was granted home-leave from Victoria in the British-administered Cameroons. The Nigeria Police Force, however, did not meet all the travelling expenses to which he claims that he is entitled under the relevant regulations, and the petitioner had to pay £30 out of his own pocket. When he complained, he was informed by the authorities that the Nigeria Police Force was not responsible for him after the frontier. “For fear of victimization”, he did not press his claim but merely requested £2 4s. 2d. to cover the travelling expenses of his servant within the British Cameroons, to which he says that the regulations entitle him. He has received no reply to this request.

3. A few days after his return from leave in December 1951, the petitioner was taken ill and the doctor prescribed light duty for him. On 2 January 1952 he tendered his resignation, as his father, who was very ill, wished him to come home. He claims that this angered the Assistant Superintendent of Police (ASP), a Nigerian, who had just been promoted and was “drunk with power”.

4. On 4 January a sergeant called at the petitioner's quarters to tell him that the ASP required him to transfer to the upper barracks as he was being put back on beat duty. The petitioner, as well as his wife, was still sick and he informed the sergeant that he had given notice and requested permission to stay on in the same quarters for the remaining month. The sergeant asked him to take the matter up with the ASP. The ASP, however, would not even listen to his reasons and, after an argument, had him arrested and thrown into a cell with six other

prisoners. The Senior Superintendent of Police at Buea, when informed by the ASP of the arrest, ordered him released and arrived to investigate the matter personally. On this occasion the ASP handed him the petitioner's resignation, which he had thus kept for two days.

5. The petitioner was charged with disobedience of lawful orders and insubordination, to both of which charges he pleaded not guilty. Despite the fact, however, that the sergeant and other witnesses gave evidence in his favour, he was found guilty, and recommended for discharge. The petitioner claims that his judges were interested and prejudiced parties. Moreover, he was not allowed to defend himself adequately or to cross-examine the other party. He was also compelled to comply with the order to transfer to the upper barracks. This cost him £1 for carriers, and £10 in respect of damage to his property.

6. On 19 January he was informed that he was dismissed from the Nigeria Police Force as from that date. He received pay from 1 January to 18 January, although he worked on the 19th also; he claims that in any case he was entitled to one month's pay in lieu of notice. Further, he was informed that he was not entitled to transport home to his village, and he was refused a gratuity to which he claims he was entitled according to the Police Ordinance. He was even refused a testimonial.

7. He claims :

(a) That "the decision of dismissal should be immediately rescinded and reversed to resignation";

(b) That he should be given a satisfactory testimonial;

(c) That he should be paid the gratuity to which he is entitled in respect of his first six years' satisfactory service;

(d) That he should be paid his full salary for January 1952 together with an extra month's pay in lieu of notice.

(e) That his transportation expenses from Victoria to Manjibo at the time of his quitting the force (£70) should be refunded, together with the expenses incurred by him when proceeding on and from home leave (£32 4s. 2d.);

(f) That he should be reimbursed £10 for damage to his property incurred when moving from barracks to barracks.

8. The petition was examined and discussed at the 121st and 130th meetings of the Standing Committee (T/C.2/SR.121 and 130).

9. The special representative stated that the petitioner would be paid all the travelling expenses to which he was entitled under the relevant regulations.

10. The petitioner's dismissal, the special representative stated, was the final outcome of his refusal to move quarters. His refusal led to his indulging in an unseemly dispute with the ASP. The case was tried under orderly room procedure by the Senior Superintendent who, having regard to all the circumstances, decided that the petitioner be discharged for disobedience and insubordination. Had the decision been upheld, the petitioner would have been eligible to receive all the privileges, such as a gratuity and a month's pay in lieu of notice, provided by regulations. The decision, however, required confirmation by the Commissioner of Police, who was unable to take such a lenient view of the case. Having taken into consideration all the mitigating circumstances, the Commissioner nevertheless decided that the petitioner's conduct merited dismissal. He ordered accordingly, and the petitioner thereupon became ineligible for any ter-

mination privileges. The Commissioner's decision was final, and not subject to reconsideration.

11. The question whether or not the petitioner's resignation should have been accepted did not arise: all police officers (like all soldiers) accepted appointment for a definite period, and the regulations precluded their resigning before the period expired. Had the petitioner been retained in the force he would, so long as he had remained unfit, have been assigned light duties in accordance with medical recommendations.

12. At its 130th meeting, the Committee adopted, by 5 votes to 0 with 1 abstention, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

### III. PETITION FROM CAMEROONIAN MEMBERS OF THE NIGERIAN EASTERN HOUSE OF ASSEMBLY (T/PET.4/100)

1. In a cable dated 6 May 1953, the petitioners state that the Eastern Regional legislature did that day reject, by 45 votes to 32, Cameroonian representation in the Regional Executive Council. They consider the decision to be contrary both to the provisions of the Nigerian Constitution Order in Council, section 127, sub-section 4 (a), and to "Trusteeship Council resolution No. 9 of July 1951".

2. The petitioners declare that they now break with the Eastern legislature and repeat their demand for a separate legislature for the Cameroons since they are not prepared to participate in any future elections to the Eastern legislature.

3. The petition was examined and discussed at the 121st and 130th meetings of the Standing Committee (T/C.2/SR.121 and 130).

4. The Committee took note of the statement concerning constitutional developments in the Territory which was made by the special representative to the Trusteeship Council at its 485th meeting. It had now been decided in principle that the Southern Cameroons should be removed from the Eastern Region of Nigeria and should be provided with its own legislature and executive. The petition therefore reflected a state of affairs which had undergone considerable change since it had been presented.

5. The special representative was unable to say how soon the separate organs would be established, but the necessary preliminary arrangements would be carried out as quickly as possible.

6. At its 130th meeting, the Committee adopted, by 4 votes to 1, with 1 abstention, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

### IV. PETITION FROM MR. E. F. FAWTY (T/PET.4/101 AND ADD.1 AND 2)

1. The petition, which is dated 10 November 1953, is in effect a claim against the Inspector-General of Police, Nigeria, for losses incurred as a result of the petitioner's arrest and detention on two charges of which he was ultimately acquitted by the Supreme Court of Nigeria. From the copy of the court proceedings of the case attached to the petition, the petitioner and one other were charged with promoting Native war and conspiring to commit a felony; and, in acquitting the prisoners, the judge remarked that the case for the prosecution was somewhat threadbare.

2. The petitioner claims that, owing to his imprisonment, he suffered damages estimated by him at £950. He says that prior to his arrest he had a number of contracts to build houses and other structures, which he could not fulfil because of his detention. In addition his farms and house were damaged during his detention.

3. The first addendum consists of a copy of a letter written by the petitioner to the Inspector-General of Police, Nigeria, on the subject of his claim. It is largely a commentary on the conduct of the court proceedings taken against him.

4. From the first annex to the second addendum it is learned that the Inspector-General of Police, writing to the petitioner on 23 December 1953, is satisfied that the police action in connexion with the petitioner's arrest and prosecution was taken in good faith and carried out in proper manner. In the second addendum itself the petitioner, remarking that "it is the rich what gets the pleasure, it is the poor what gets the blame", reiterates his request for reasonable compensation in respect of unlawful detention.

5. The petition was examined and discussed at the 121st and 130th meetings of the Standing Committee (T/C.2/SR.121 and 130).

6. The special representative stated that the petitioner had been acquitted of the charge brought against him because the witnesses who had first sworn evidence against him reversed their evidence when the case came to court. They were being prosecuted for perjury. It was open to the petitioner to bring an action in court, either against the police for wrongful arrest and detention, or against the false witnesses. This had been explained to the petitioner, and he had been advised to consult a lawyer as to the likelihood of his being successful in one or other such action.

7. At its 130th meeting, the Committee adopted by 3 votes to 1, with 2 abstentions, draft resolutions IV, annexed to the present report, which it recommends that the Council adopt.

## ANNEX

### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the text of draft resolutions II, III and IV, adopted without change at the 504th meeting of the Trusteeship Council, see resolutions 898 (XIII), 899 (XIII) and 900 (XIII), respectively.*

## DOCUMENT T/L.411

### Fifty-sixth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

*[Original text: English/French]  
[18 February 1954]*

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#### INTRODUCTION

1. At its 103rd, 104th, 105th, 125th, 126th, 127th and 129th meetings on 18, 19 January, 10, 11, 12 and 16 February 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the fourteen petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table

of contents. These petitions concern political and administrative matters.

2. Mr. G. H. Becquey participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I, II, IV, XII and XIV.

#### I. PETITION FROM MR. DOB DANG BENOÎT (T/PET.5/128)

1. The petitioner, who lives at Doumé in the Haut-Nyong region, states that at the death of his father, the late Chief Amougou Sassié, he and his brothers were all minors and unable to claim their inheritance. As a result, other chiefs succeeded his father and even took possession of his house. One of these chiefs, Kamanda Ngoba, having recently died, the petitioner now claims the chieftainship and the house and possessions of his late father for himself and his brothers. Moreover, he claims that the house "was stripped by Kamanda and his brother Bakabé Ngoba, for no valid reason" and the petitioner is therefore of the opinion that Kamanda's family should be responsible for the necessary repairs.

2. In its observations (T/OBS.5/9, section 3) the Administering Authority states that Mr. Dob Dang Benoit, aged about 25 years, is not the son of Paramount Chief Amougou Sassié, who died in 1924, but of his brother and successor, Amougou Dang, who was removed from office in 1927 following several convictions. Amougou Dang was succeeded in turn by various chiefs chosen by the population in accordance with tradition.

3. As regards the brick house the petitioner claims as his, the Administering Authority states that inquiries made after previous complaints by the petitioner revealed that this house was built in 1922 by Amougou Sassié with the assistance of the Administration, which provided the bricks and labour. The house was intended as residence for the paramount chiefs and Amougou's successors occupied it in turn. In 1946 a dispute arose between Kamanda and the heirs of Amougou Dang, who requested him to vacate the house. Kamanda complied, but is said to have removed the roof slats, the rafters and the bricks of the veranda, with the aid of his brother Bakabé Ngoba. Since then the house has remained abandoned. Dob Dang Benoît could have taken the case to the customary court had he so wished, but has not done so, probably because he is only a junior member of his family.

4. The petition was examined and discussed at the 103rd and 125th meetings of the Standing Committee (T/C.2/SR.103 and 125).

5. The special representative stated that the present chief, who had been elected in 1950, was Mr. Emile Langoul, a nephew of Kamenda. Mr. Langoul had his own house at Doumé, quite apart from the house mentioned in the petition.

6. The special representative further explained that when the petitioner stated that he was the son of Amougou Sassié, he probably meant merely that he was related to him and was among those who were eligible to succeed him. The chieftainship was not absolutely hereditary; the local sub-chiefs, notables and heads of families elected the new chief, whose election was then confirmed by the Administration.

7. At its 125th meeting, the Committee adopted, by 4 votes to 0, with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MR. MBIDA JOSEPH ASSENE (T/PET.5/136)

1. The petitioner charges that his place as "king" of the Mbidambani tribe after the death of his father was usurped by another, and that he himself was then reduced to the status of a village chief. He states that he brought a case against the usurper, but that this only resulted in the imprisonment of the petitioner.

2. The Administering Authority (T/OBS.5/14, section 4) points out that the petitioner never brought the grievances to which he refers before any *chef de subdivision*. He was formerly chief of the village of Biyébé, but was sentenced to three years' imprisonment in 1935 for embezzlement of tax money and was deposed as a result of his conviction.

3. The petition was examined and discussed at the 103rd and 125th meetings of the Standing Committee (T/C.2/SR.103 and 125).

4. At its 125th meeting, the Committee adopted, by 3 votes to none with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

## III. PETITIONS FROM MR. SYLVESTRE AKONO (T/PET.5/140) AND MR. BASILE MONEYEMBONG NKOULOU (T/PET.5/146)

1. Both petitioners, residing in the canton of Messok, in the Sangmélina subdivision of the region of Ntem,

complain that their chief has beaten them, forced them to work without pay and stolen poultry from them.

2. Mr. Basile Moneyembong Nkoulou further accuses the chief of selling administrative documents such as civil registration certificates, charging 1,250 CFA francs<sup>5</sup> and three days' work for them, and of forcing the people of the district to do hard building work without payment.

3. In its observations (T/OBS.5/9, section 10) the Administering Authority stated that in October 1952 Mr. Sylvestre Akono and Mr. Basile Moneyembong approached the representative of the Administration at Sangmélina with complaints about Paramount Chief Allem Mfoula. They were, however, unable to give precise facts about the beatings and thefts of poultry and bananas of which they accused the chief. The accusations concerning the functioning of the civil registry at Messok were investigated. No evidence was found to corroborate the statements made by the petitioners, though it was found that the secretary had not kept the records of summonses to the customary court up to date.

4. It is pointed out by the Administering Authority that both the petitioners and Allem Mfoula stood for election to the *commune rurale* on 21 December 1952. The latter was elected by 189 votes to 150 for Akono and 50 for Moneyembong. These results should be the best answer to the critics of the Paramount Chief.

5. The petitions were examined and discussed at the 103rd and 126th meetings of the Standing Committee (T/C.2/SR.103 and 126).

6. The special representative stated that the local administrator could find no evidence to corroborate the allegations of beating made by the petitioners. With regard to the allegation of forced labour, the petitioners were probably referring to the custom whereby from time to time the local chiefs sought the voluntary assistance of the people under their administration in carrying out work in the public interest such as road-building. The people usually co-operated willingly because they were perfectly aware of the value of such work. Those who were unwilling were entirely free to refuse their assistance; no constraint other than moral could be placed upon them.

7. At its 126th meeting, the Committee adopted, by 3 votes to 1 with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

## IV. PETITION FROM LE COMITÉ CENTRAL DE PROGRÈS, MASSANGAM (T/PET.5/154)

1. The petitioners, who live in a part of the Fombot subdivision of the Bamoun region, complain that their Paramount Chief takes their property away and behaves "like a mad dog". They claim that "he is on bad terms with the white men and we do not like him".

2. They relate how their neighbour Fombot complained to the Head of the Fombot subdivision, when he came to take the census, concerning his palm grove. The Head of the subdivision told the chief to leave the palm grove in the possession of the owner but "he did not wish to".

3. Because of the vagueness of this petition, the Administering Authority (T/OBS.5/10, section 3) states that it is unable to make any observation on it.

<sup>5</sup> One CFA franc equals two French francs.

4. No such complaint as was supposed to have been made by Fombot was received during the last two censuses at Massangam, in 1950 and 1952.

5. The petition was examined and discussed at the 103rd and 126th meetings of the Standing Committee (T/C.2/SR.103 and 126).

6. The special representative stated that the Comité Central de Progrès had not been registered and therefore was not officially recognized. The Administration had had no difficulties with the local chiefs, who had just undertaken much work of public utility in the area.

7. He added that no one named Fombot was known in the area. A certain Fombout owned a palm grove at Massangam, but he had made no complaint about it to the *chef de subdivision*.

8. At its 126th meeting, the Committee adopted, by 3 votes to 1 with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

#### V. PETITION FROM MR. ISSAH NJOYA (T/PET.5/174)

1. The petitioner complains that Chief Njiasse Adamou has been imposed upon the people of his area, a part of the Fombot subdivision of the Bamoun region, by the French authorities, and that he rules them like slaves. The petitioner states that he has been carrying on a dispute with the French authorities for eight years. At one time he was even imprisoned for six months without reason and on coming out of prison was warned "not to talk about anything concerning this country". Subsequently French officials and the chief inspected his cocoa plantation for no good reason. Since then, the authorities have confiscated his entire legal record, so that they can do anything to him.

2. The Administering Authority states (T/OBS.5/15, section 1) that the Paramount Chief whose appointment is challenged by the petitioner was properly elected, in 1950, by a majority of the village chiefs and notables of the whole group. His election was confirmed by decision of the Administration.

3. The petition was examined and discussed at the 103rd, 126th and 127th meetings of the Standing Committee (T/C.2/SR.103, 126 and 127).

4. The special representative informed the Committee that the Administration had on several occasions investigated the conduct of Chief Njiasse, since the region was in a state of considerable unrest owing to the hostility of two tribal factions.

5. The petitioner was well known in the locality for his constant claims and had on 19 May 1950 been sentenced to six months' imprisonment by the correctional court for making false and slanderous statements.

6. The special representative stated that the legal "record" referred to by the petitioner could not be the record of his conviction since that would be kept by the clerk of the court.

7. At its 126th and 127th meetings, the Committee considered two proposals before it. The operative part of the first proposal read as follows:

"1. Requests the next visiting mission to the Territory to carry out on the spot an investigation of the complaints of the petitioner and to report its findings to the Council."

The second proposal was as follows:

"1. Notes the statement of the Administering Authority that Chief Njiasse was properly elected by a majority of the village chiefs and notables of the group;

"2. Notes the statement of the Administering Authority that the petitioner was convicted by the *Tribunal correctionnel* for making false and slanderous statements."

8. When these proposals were put to the Committee, each of them received, on two successive occasions, three votes for and three against. Consequently neither of the proposals could be adopted, and the Committee has no draft resolution to propose to the Council.

#### VI. PETITION FROM MR. JACOB GOUAWA (T/PET.5/158)

1. The petitioner states that he was elected *chef de quartier* at Nkongsong, Mungo region, in 1943, and in 1949 he acted as spokesman for 436 people from Dschang who wished to complain against Chief Daniel Kawa. The petitioner complains that, although he is responsible for collecting taxes in his area and has "never had a deficit", he receives no commission, commissions being paid only to the paramount chiefs who are responsible for the actual handing over of the tax money to the authorities.<sup>6</sup>

2. The petitioner then appears to charge that on one occasion Paramount Chief Jean Sah misappropriated 124,000 francs of the taxes collected by a Mr. Michel Tchida and the petitioner, with a view to discrediting them with the Administration. On another occasion the petitioner seemingly had to pay the chief 33,000 francs twice, as he had lost the receipt for the first payment.

3. The petitioner considers that paramount chiefs should be elected and expresses his opinion that "the Cameroons must be reunited, for the customs officials are a great cause of annoyance to the Cameroonians". Further he complains of the low prices paid for local products and finally, he states that "the United Nations should see that the UPC continues with its full programme without the interference of the Administration".

4. The Administering Authority explains (T/OBS.5/10, section 7) that Chief Daniel Kawa, chief of all the Bami-lékés of Melong (Mungo) collects the taxes in that area. As a result of protests from the great number of inhabitants who come from the subdivision of Dschang, a "capitat" from this subdivision has long been sought to help Kawa collect the taxes. Jacob Goumana (the petitioner signs himself Goumawa) offered himself as a candidate, but an unofficial inquiry made by the local representative of the Administration showed that the people preferred Michel Tchida. However, neither has been officially appointed; a palaver will be held in June 1953, at the time of the Melong census, and the matter will be settled then.

5. The petition was examined and discussed at the 104th and 129th meetings of the Standing Committee (T/C.2/SR.104 and 129).

6. The special representative informed the Committee that the petitioner was a "capitat" or sub-chief who had helped the village chief to collect taxes. Sub-chiefs were aware that they were not entitled to any remunera-

<sup>6</sup> See in the next section the observations made by the Administering Authority on T/PET.5/169 (T/OBS.5/11, section 1) concerning the remuneration of customary chiefs.

tion for doing so, but there was usually competition for such posts, which conferred prestige and social position, as well as advantages of a non-pecuniary nature.

7. The special representative informed the Committee that, because of the death of Chief Pandong, the palaver for the election of a new "capitat" had been postponed until early 1954.

8. The special representative pointed out that the petitioner had produced no evidence in support of his allegation of misappropriation of funds or of extortion by Paramount Chief Jean Sah nor had he complained at the time to the local authorities.

9. At its 129th meeting, the Committee adopted, by 4 votes to 2, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

#### VII. PETITION FROM MR. IBRAHIM NSANGOU (T/PET.5/169)

1. The petitioner, writing on behalf of village chiefs in the region of Bamoun, complains that they are not paid by the French Administration for their services. He states that the paramount chiefs of their group and their *chef de région* are in agreement with them in this matter.

2. The Administering Authority in its observations (T/OBS.5/11, section 1) points out that the remuneration of customary chiefs is governed by the Orders of 4 February 1933 and 10 March and 1 April 1949. Chiefs of the first and second degree, that is, paramount chiefs and chiefs of groups or cantons, receive a fixed annual salary, a special post allowance and a rebate on the taxes they collect, and chiefs of the third degree, that is village chiefs or *chefs de quartier*, receive only a rebate on the taxes they collect.

3. In its observations (T/OBS.5/6, section 3) on a previously examined petition (T/PET.5/123), the Administering Authority stated that independent village chiefs received 10 per cent if the tax was collected within three months of the issue of the lists and 6 per cent if it was collected within six months. The rates are 8 per cent and 5 per cent for chiefs attached to a group.

4. The petition was examined and discussed at the 104th and 129th meetings of the Standing Committee (T/C.2/SR.104 and 129).

5. The special representative informed the Committee that the taxes collected by village chiefs were head taxes and cattle taxes. Part of the difficulty in collecting them arose from the fact that opposition to a village chief was often expressed by delay in the payment of taxes, in order to reduce the chief's commission. The Administration had studied the problem and a new Order dated 18 December 1953 had been put into effect, which would increase the village chiefs' commission and would reduce that of the higher chiefs. That Order should go far to remedy the existing abuses.

6. At its 129th meeting, the Committee adopted, by 3 votes to 1 with 2 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

#### VIII. PETITION FROM MR. NOMAUDOU ABOUBEKAIN (T/PET.5/191)

1. The petitioner, chief of the village of Njindaré, complains that the villagers pay their taxes when it pleases them, and not on a fixed date, which complicates matters

for the chiefs who collect the taxes. He claims that it is extremely difficult for the chiefs to make ends meet and requests that they be paid a salary for their work.

2. The Administering Authority points out (T/OBS.5/11, section 17) that it has already explained the procedure for the remuneration of customary chiefs in connexion with T/PET.5/169 (T/OBS.5/11, section 1) and also in connexion with T/PET.5/123 (T/OBS.5/6, section 3). It concedes the real difficulty encountered by the chiefs among certain tribes in ensuring the rapid collection of taxes. In such cases the chiefs risk having the amount of their rebate reduced. It points out however that the duties of village chiefs are not such as to prevent them from following other and more remunerative occupations.

3. The petition was examined and discussed at the 104th and 129th meetings of the Standing Committee (T/C.2/SR.104 and 129).

4. The special representative informed the Committee that the taxes collected by village chiefs were head taxes and cattle taxes. Part of the difficulty in collecting them arose from the fact that opposition to a village chief was often expressed by delay in the payment of taxes, in order to reduce the chief's commission. The Administration had studied the problem and a new Order dated 18 December 1953 had been put into effect, which would increase the village chiefs' commission and reduce that of the higher chiefs. That Order should go far to remedy the existing abuses.

5. At its 129th meeting, the Committee adopted, by 3 votes to 1 with 2 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

#### IX. PETITION FROM MR. DANIEL ENGOULI (T/PET.5/139)

1. The petitioner complains that he was dismissed from his post in the agricultural service without reason, after four years of service. He states that his chief accused him of arriving back late from a journey on official business, but the petitioner does not feel that this was sufficient reason to dismiss him.

2. The Administering Authority in its observations (T/OBS.5/9, section 9) states that the petitioner, who was assistant supervisor of a phyto-sanitary team at Sang-mélina, was dismissed from service in August 1952 on the grounds that he had left the workers of whom he was in charge without supervision for a period of at least five days. The petitioner had received previous warnings. In April 1952 he was suspended from work for five days for extortion committed in the course of his work. Another warning was given him in May 1952 when he appeared at work in a state of drunkenness.

3. The petition was examined and discussed at the 104th and 129th meetings of the Standing Committee (T/C.2/SR.104 and 129).

4. The special representative informed the Committee that the petitioner was not a career civil service employee and therefore his case had not been brought before a disciplinary council. Having received two disciplinary penalties and a warning, he had been summarily dismissed for neglecting his supervisory duties over workers in his charge. He could have appealed to the *Conseil du contentieux administratif* within three months from the date of his dismissal, but had not done so.



5. At its 129th meeting, the Committee adopted, by 3 votes to 2 with 1 abstention, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

#### X. PETITION FROM MR. DANIEL BAYIHA (T/PET.5/141)

1. The petitioner states that injuries incurred while serving with the Cameroonian police obliged him to retire from his post. He was granted a small pension for one and a half years. However, having been injured while in the service of the State, he is of the opinion that he is entitled to some assistance from the State, "for I have stolen nothing from it". He now feels well enough to do office work, and he requests the Visiting Mission to help him obtain such a post.

2. The Administering Authority states (T/OBS.5/9, section 11) that Mr. Bayiha did in fact receive a leg injury while on duty as a trainee in the Police Force. As a result he was granted a 30 per cent disability pension by an Order of 31 August 1950 and was invalidated out of the service. On leaving the hospital, he was given employment on a daily basis at the Central Commissariat of Police at Yaoundé. While working there, he was arrested in *flagrante delicto* for stealing cloth and sentenced to three months' imprisonment. Because of his conviction it was not possible to re-employ the petitioner in the Administration.

3. The petition was examined and discussed at the 104th and 129th meetings of the Standing Committee (T/C.2/SR.104 and 129).

4. The special representative stated that the petitioner continued to be entitled to receive the pension for the service-incurred injury to his leg.

5. At its 129th meeting, the Committee adopted, by 4 votes to none with 2 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

#### XI. PETITION FROM MR. FRANÇOIS NDÉ (T/PET.5/195)

1. The petitioner states that he worked for the French Administration from 1941 to 1947, in which year he was dismissed. The reason for his dismissal was a fight which he had with one of his friends, as a result of which his friend was indisposed for two days and for which he was sentenced to two months' imprisonment and fined 165 francs. He was only 23 years old at the time and has served the Administration irreproachably for six years. Since then he has been unable to find employment and he asks that he may be reinstated in his former position.

2. In its observations (T/OBS.5/12, section 1) the Administering Authority confirms that the petitioner was dismissed from government service by an Order of 29 October 1947, following a sentence of two months' imprisonment for assault and battery whilst under the influence of drink. The petitioner has submitted several applications for reinstatement, but owing to the nature of his offence, this has not been possible.

3. The petition was examined and discussed at the 104th and 129th meetings of the Standing Committee (T/C.2/SR.104 and 129).

4. At its 129th meeting, the Committee adopted unanimously draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

#### XII. PETITION FROM MR. GOTTLIEB-ISAAC EKOULLE (T/PET.5/216)

1. The petitioner, a former customs official with more than ten years' service, complains that he has been the victim of persecution on the part of his superiors since the year 1948, when he made a complaint on the subject of the unfair distribution of overtime.

2. He claims that as a result of this complaint he was given a disciplinary assignment to the post at Babadjou (western sector, Bamiléké region) in 1949, although his superiors claimed that the transfer was simply because of the needs of the service. Subsequently he was refused an appointment as sergeant, fourth class, despite the fact that he came fifth out of ten in competitive examinations held on 26 and 27 December 1950. The person who came sixth in the competition was promoted instead because "my chief alleged that I was behaving badly".

3. Finally, the petitioner complains that he lost his job due to an incident at Babadjou on 30 June 1951, where, he asserts, he "only exercised his legitimate right of defence". In a letter of 25 January 1952, a copy of which was enclosed, to the *chef de service* he gives a description of the event, relating how on one occasion when he was acting for his superior officer who was in a state of drunkenness, he was attacked by a Cameroonian who had come with his wife to make complaints about a tax which the woman had paid on a cask of palm-oil. As a result of the incident the petitioner was sentenced to a suspended term of three months' imprisonment and 2,000 francs costs by the High Court at Yaoundé. A year later, the Disciplinary Council met and decided on his dismissal.

4. The petitioner requests the Trusteeship Council to make a detailed study of all the documents connected with this petition and, should it take steps to have him reinstated, to take into account his claim to the rank of sergeant since 1951.

5. In its observations (T/OBS.5/16) the Administering Authority states that, on 15 January 1952, the petitioner was sentenced by the Dschang Penal Court to one month's imprisonment and a fine of 2,000 francs for assault and battery against a traveller committed in the course of his duties. The Cameroons Court of Appeal increased this sentence to three months' imprisonment with suspension of sentence and a fine of 2,000 francs.

6. By a decision dated 7 August 1952, Ekoullé was ordered to appear before a disciplinary council, which he attended on 27 June 1953, accompanied by an inspector of customs and a defence counsel, postponement of the case having been granted at counsel's request. Due consideration having been given to the Disciplinary Council's opinion and to the petitioner's service record, he was dismissed from the service by Order of the High Commissioner dated 21 July 1953.

7. The petition was examined and discussed at the 104th and 129th meetings of the Standing Committee (T/C.2/SR.104 and 129).

8. The special representative informed the Committee that the Disciplinary Council included members of the staff of the service to which the petitioner belonged. The petitioner had received no termination indemnity since he was dismissed for misconduct and was not eligible to a pension because of the short period of his service.

9. At its 129th meeting, the Committee adopted, by 3 votes to none with 3 abstentions, draft resolution XII, annexed to the present report, which it recommends that the Council adopt.



XIII. PETITION FROM MR. MAURICE M'BARGA ZAMBO  
(T/PET.5/218)

1. This petition, emanating from a former assistant orderly in the Cameroons public health service, a resident of Yaoundé, contains general complaints of the working conditions of the Cameroonian civilian orderlies who, it is stated, "are treated like slaves, to the point of being dismissed without just cause".

2. The petitioner goes on to give an account of the unjust treatment he himself claims to have suffered at the hands of the authorities. He states that he entered the Cameroons public health service in 1946 and was appointed to the mobile hygiene and prophylaxis service at the end of six months' training in the medical instruction centre at Ajos. The next four years were spent travelling in the Bantu and Northern Cameroons regions under very hard and dangerous living conditions. Subsequently, he was admitted in 1949 to the school for certificated orderlies at Ajos.

3. During his second year of study there he suffered a severe fracture of his right leg during physical exercises which were a compulsory feature of the school programme and, falling behind in his studies as a result, he was dismissed from the school. The petitioner wished to repeat the course, but this was refused him. He had to leave the school without even being reclassified at the higher grade to which a second-year student is entitled.

4. On his return to Yaoundé the petitioner was assigned to the Messa dispensary, where he worked under the direction of an African doctor, Mr. Jacques Esso. After four months he was suspended from duty without pay and arrested on a charge of having stolen 40,000 francs from the doctor's office. The petitioner claims that the reason for the accusation was that Dr. Esso, who had wished to marry his sister but had been refused, bore him a grudge. After due investigation and court proceedings, the petitioner was found innocent and acquitted after having been kept in custody for forty days. He claims that he was subjected to "a brutal beating" by police officers while in prison. Dr. Esso appealed against the judgment, but on 30 November 1951 the Court of Appeal ruled that there were no grounds for prosecution and sentenced Dr. Esso to pay 165 francs costs.

5. The petitioner then informed the Director of the Health Service of the outcome of the case, but he still had to wait until 21 July 1952 for reinstatement, having at that time been suspended for eighteen months. Finally, he was assigned to the Nvog Ada dispensary under the direction of Dr. Théophile Abega, a friend of Dr. Esso's.

6. The petitioner strongly criticizes the work of Dr. Abega and claims that the people are not satisfied with the treatment he gives them. Further, he complains that the orderlies are requested to carry bricks for the construction of the doctor's house. One day the petitioner refused as he had to take his mother to the hospital. Thereupon the doctor drew up a report on him, the result of which was that the petitioner's promotion was deferred for two years by Decision No. 00528/PA.

7. In March 1953, after having worked at the dispensary for eight months, the petitioner became engaged and the marriage ceremony was set for 6 April 1953. On 4 March he received orders to transfer to the Saa dispensary, although his superiors knew of his marriage plans. He requested permission to remain where he was until after the wedding, but this was refused him. Travel orders to Saa were given him on a Saturday but he had to wait till Tuesday for the next bus to Saa. Dr. Abega seeing the petitioner on Sunday reported him to Dr. Piriou,

chief doctor of the Nyong and Sanaga region, who summoned him to his office but refused to listen to his explanations. Nevertheless, the petitioner went to Saa on the Tuesday. His request for four days' leave to get married was not granted and finally he "took two days' leave on his own account" and was married on 14 April in Yaoundé. Ten days after the wedding he received his dismissal note.

8. The petitioner now demands:

(a) A pension for his fractured leg,

(b) Since he should have been promoted two years ago, the various increases which may have accrued to him during those years,

(c) Damages with interests for the forty days of preventive arrest and for the "cruel punishment I suffered at the hands of the police", also for his four years of duty in the Northern Cameroons under very hard living conditions.

9. The petitioner contends that while he was working for the public health service he "felt like a fish thrown alive into boiling water".

10. In its observations (T/OBS.5/19, section 2), the Administering Authority affirms that the *curriculum vitae* submitted by the petitioner is, on the whole, correct, though there is nothing in his record to show that he was the victim of any accident while at the medical school at Ajos. As for his complaint that he was not then promoted, the Administering Authority agrees that according to the Order of 31 May 1951 pupils entering the school at Ajos are automatically promoted, but points out that this decision is not retroactive, and therefore did not apply to the petitioner.

11. The Administering Authority further states that having been accused of thefts on 9 May 1951, Mr. M'Barga was suspended from the service by a decision of 12 June 1951, there being strong reasons to suspect him. The court, however, granted him the benefit of the doubt and the case was dismissed on 26 September 1951. His accuser appealed against this decision, but the *Chambre des mises en accusation* decided on 30 November 1951 that his appeal was out of order.

12. Mr. M'Barga applied for reinstatement on 28 May 1952 and was reinstated by a decision of 14 July 1952, retroactive as from 9 May 1951. The back pay due to him was paid him.

13. The Administering Authority describes the accusations made by the petitioner against the police officers as untrue. Not only are they denied by the police officers on duty at Yaoundé in May 1951, but the officer principally accused was not then serving at Yaoundé.

14. On 14 April 1953 the petitioner was dismissed for unsatisfactory service, there being many disciplinary actions against him on his record. It was open to the petitioner to appeal against this decision within a time limit of three months. He did not do so.

15. The petition was examined and discussed at the 105th and 129th meetings of the Standing Committee (T/C.2/105 and 129).

16. The special representative stated that there was nothing in the petitioner's record to show that he had suffered a serious accident which would prevent him from working. He could however apply to the *Conseil du contentieux*, which would have no difficulty in deciding whether he was entitled to a pension.

17. The special representative gave details of fifteen reprimands received by the petitioner in the course of

his service. As regards the various charges against officials made by the petitioner, they had been investigated by the authorities, but no proof had been found.

18. The special representative stated that during his suspension from service, including the period of his preventive arrest, the petitioner had received half his salary. On the petitioner's reinstatement, the other half was paid to him retroactively.

19. At its 129th meeting, the Committee adopted, by 4 votes to 1 with 1 abstention, draft resolution XIII, annexed to the present report, which it recommends that the Council adopt.

#### XIV. PETITION FROM THE SECRETARY-GENERAL OF THE UNION DES POPULATIONS DU CAMEROUN (T/PET.5/L.1)

1. The petitioner, having stated that he is transmitting four issues of *La Voix du Cameroun*, a UPC newspaper, requests the United Nations to forward to the above publication information on the United Nations, in accordance with resolution 36 (III) of the Trusteeship Council and the relevant General Assembly resolution, which recommended that the Administering Authorities should submit the addresses of publications, trade unions etc. to which such information should be communicated.

2. Further he claims that the Administering Authority had deliberately neglected to submit the address of *La Voix du Cameroun* and of the groups and persons concerned because these groups and persons did not always agree with government policy.

3. The Administering Authority (T/OBS.5/2) states that it has transmitted to the permanent delegation of France to the United Nations a list of the individuals and heads of sections to whom information on United Nations activities might be sent and a list of members of Parliament and of the elected representatives of the Cameroons in the various assemblies, for the same purpose.

4. Information on the United Nations and on the operation of the Trusteeship System has been included in the curriculum of the schools in the Territory. Special lessons are given on United Nations Day. The Foreign Relations Service acts as a voluntary information centre, approved by the Department of Public Information of

the United Nations, and circulates information received from the United Nations and the specialized agencies to those interested.

5. The Administering Authority observes that the Press of the Territory is comparatively insignificant. The most frequent publication is the government newssheet, *Radio-Presse*, which is published every other day and often contains information about the United Nations. Other publications in the Territory may copy and circulate that information.

6. *La Voix du Cameroun* applied for registration on 17 June 1949. Though purporting to be a bi-monthly publication, it appears extremely irregularly, having reached its ninth issue more than three years after its establishment. It was not felt, therefore, that any useful purpose would be served by including it among the media for the dissemination of information about the United Nations.

7. The petition was examined and discussed at the 105th and 129th meetings of the Standing Committee (T/C.2/SR.105 and 129).

8. The Secretariat pointed out that the request for information about the United Nations contained in the petition had been referred to the appropriate department and arrangements had been made for a weekly newsletter prepared for use by the Press in general to be sent to the *Voix du Cameroun*. This newsletter was no longer published, but it was believed that the United Nations Information Centre in Paris was continuing to send information to the newspaper.

9. At its 129th meeting, the Committee adopted, by 3 votes to 1 with 2 abstentions, draft resolution XIV, annexed to the present report, which it recommends that the Council adopt.

#### ANNEX

##### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

For the texts of draft resolutions I, II, III, IV, VI, VII, VIII, IX, X, XI, XII, XIII and XIV, adopted without change at the 519th meeting of the Trusteeship Council, see resolutions 903 (XIII), 910 (XIII), 914 (XIII), 926 (XIII), 930 (XIII), 940 (XIII), 959 (XIII), 913 (XIII), 915 (XIII), 963 (XIII), 982 (XIII), 984 (XIII) and 987 (XIII), respectively.

#### DOCUMENT T/L412

#### Fifty-seventh report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

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[26 February 1954]

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## INTRODUCTION

1. At its 105th, 106th, 107th, 108th, 131st, 132nd and 133rd meetings on 19, 20, 21 January and 18, 19 and 23 February 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, examined the sixteen petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents. The sixteen petitions in this group have as a common feature dissatisfaction with the administration of justice. They have been grouped according to the region to which they relate.

2. Mr. G. H. Becquey participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I, III-V, VII-X and XII-XVI.

## I. PETITION FROM MR. BERNARD BASSEGNÉ (T/PET.5/142)

1. The petitioner, who resides at Ebolowa, complains of large fines amounting in all to 1.5 million francs imposed upon indigenous persons in 1948 for using incorrect scales. He admits that these persons, of whom he was one, cheated their neighbours, but does not see why "the whites should get this money" and asks that the fines should be returned to the indigenous inhabitants.

2. The Administering Authority (T/OBS.5/9, section 12) notes that the petitioner admits that the sentences imposed were justified. Further, it points out that the judicial fines accrue as revenue to the local budget and benefit the Territory.

3. The petition was examined and discussed at the 105th and 131st meetings of the Standing Committee (T/C.2/SR. 105 and 131).

4. The special representative informed the Committee that an inspection of weights and measures had been instituted in the Territory by an Order dated 29 October 1953 with a view to preventing such widespread frauds in the future.

5. At its 131st meeting, the Committee adopted, by 4 votes to none with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MR. ALBERT MENGUÉLÉ (T/PET.5/196)

1. The petitioner complains of incidents that took place at Sangmélina on 1 June 1952. He states that during a football match on that day, Mr. Bernard Bonnet, the police commandant of the town, beat up an African whom he accused of "having an arrogant air". Cameroonian guards also came to the commandant's aid, and the African was arrested.

2. The petitioner says that this rather trivial incident would not have merited any complaint if the authorities at Sangmélina had not followed it up by sending a veritable punitive expedition "led by a certain Mr. Girard, a mechanic from the Administration garage, and the

Police Commandant" to the indigenous quarter on the same evening, demanding to see all identity cards and beating men, women and children and finally arresting about thirty persons, who were later subjected to brutal treatment in the prison. Most of the prisoners were released the following day, but three were kept in prison for several days. As regards the African who was first arrested, he also was beaten and later sentenced to three months' imprisonment for using violence against an official. The Africans who had been maltreated all complained to the authorities, but to no avail.

3. The Administering Authority observes (T/OBS.5/12, section 2) that Mr. Bonnet, a police officer, was attending a football match when Bétolo, the petitioner's brother, addressed him in an aggressive manner. The police officer asked to see his identity papers and, when Bétolo replied asked to see his identity papers and, when Bétolo station for an identity check. Bétolo refused, whereupon Mr. Bonnet ordered two Cameroonian guards to take him there. A brawl ensued, in the course of which Mr. Bonnet had his finger bitten by Bétolo. The police officer was taken to the hospital and Bétolo to the police station.

4. The head of the subdivision gave orders to disperse the crowd on the football field in order to quiet the excitement aroused, and sent some Cameroonian guards, led by a Native sergeant, to patrol the Akon quarter to avoid possible demonstrations. A few persons without identity papers were taken to the police station for an identity check. The mechanic Girard merely drove the vehicle in which the guards were transported.

5. Bétolo was sentenced to three months' imprisonment on a charge of assaulting a police officer. He and five other Africans have brought a charge of violence and instituted civil proceedings. Bétolo accuses the Cameroonian guards, Mr. Bonnet, Mr. Girard and the head of the subdivision. Bétolo was certainly somewhat roughly handled by the guards, but this was due to the violent resistance he put up. The European officials named in the action have denied having struck Bétolo or having given orders to strike him. The case is being investigated by the *juge de paix à compétence étendue* at Sangmélina.

6. The Administering Authority further states that a disciplinary penalty was inflicted on Mr. Bonnet, whose superiors considered that he had shown lack of judgment in his initial reaction. He has been transferred, as have also some of the Cameroonian guards who were suspected, despite their denials, of having participated in the violence used against Bétolo.

7. It further points out that, while the affair is regrettable, it was not a serious incident. Football matches in this area frequently give rise to scenes in which tempers become frayed.

8. The petitioner also mentions the case of an old paramount chief "who was beaten publicly by an administrative official and ducked in a stream", and further complains that forced labour is still practised, relating that: "the work of beautifying and cleaning the town of Sangmélina was carried out by indigenous inhabitants from the bush, who were forcibly recruited as in the old days of forced labour."

9. As regards these grievances, the Administering Authority states that they appear to be unfounded. All road workmen in Sangmélina are recruited in accordance with the existing labour legislation and no one remembers having seen "an old paramount chief of Sangmélina publicly struck by an administrative official and ducked in a stream".

10. The petition was examined and discussed at the 105th and 131st meetings of the Standing Committee (T/C.2/SR.105 and 131).

11. The special representative stated that the charges of violence brought by Mr. Bétolo were still being investigated by the *juge de paix à compétence étendue* at Sangmélina. So far it had not been possible to arrive at any definitive conclusion, as the testimony was very confused. It was known that Mr. Bétolo had been beaten, but the person or persons actually guilty had not been found. Disciplinary sanctions had been taken against the police officer and guards involved in June or July 1952.

12. The special representative informed the Committee that Mr. Bétolo, a male nurse in the Administration, was dismissed on 25 September 1953 for his conduct in the affair. It was open to him to appeal against his dismissal to the *Conseil du contentieux administratif*, but he had not done so.

13. As regards the charges of forced labour, the special representative observed that no corroborative evidence had been found by the Administration.

14. At its 131st meeting, the Committee adopted, by 4 votes to 1 with 1 abstention, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

### III. PETITION FROM MR. NDONG NGEMA MBA (T/PET.5/204)

1. The petitioner, a native of Gabon, French Equatorial Africa, requests the deportation from tropical Africa of a Frenchman, Mr. Louis Le Bris, now living at Ebolowa in the Cameroons, whom he accuses of murdering two Africans while in Gabon before the war.

2. The Administering Authority points out (T/OBS.5/13) that the petitioner is not a resident of a Trust Territory, nor do the facts alleged concern a Trust Territory.

3. Nevertheless, the Administering Authority held an inquiry, but was unable to trace or identify the petitioner. It was found that no action at law had been brought against the accused person, who left Woleu-Ntem, in Gabon, in 1934 and established himself at Ebolowa, across the frontier in the Cameroons.

4. The petition was examined and discussed at the 105th and 131st meetings of the Standing Committee (T/C.2/SR.105 and 131).

5. The special representative informed the Committee that Mr. Le Bris now resided in Ebolowa, where he owned a plantation. He also had a plantation at Bitam, in French Equatorial Africa, which he occasionally visited. Mr. Le Bris enjoyed an honourable reputation in the Cameroons and had not been known to have any difficulties with the indigenous population.

6. At its 131st meeting, the Committee adopted, by 4 votes to 1 with 1 abstention, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

### IV. PETITION FROM MR. MAX-LEGRAND EVÉHÉ (T/PET.5/145)

1. The petitioner, a resident of Kribi and a government employee since 1941, states that on the evening of 30 December 1951, while out walking with his wife, he went into a bar to make some purchases, his wife meanwhile waiting outside. When he rejoined her, he found that a

European, Mr. Henri Varney, was insulting her. The petitioner rebuked him in a polite way, but Mr. Varney called him "swine—dirty nigger" to which the petitioner found himself forced to reply: "Dirty half-white swine, you are not a real Frenchman, real Frenchmen don't behave like that", with the result that he received a blow on the right eye, and a fight ensued. Seven other Europeans came to the aid of their compatriot, whereupon the petitioner, finding himself alone against so many, rushed into the bar to let the proprietors know what was going on and that he was being beaten up for nothing. The Europeans pursued him and used all kinds of weapons against him—a gun, bottles, furniture. When he tried to escape, his attackers came after him and he received a slight cut from a knife about his left eye. Finally the petitioner succeeded in knocking down Mr. Varney. Mr. Ledoux, a government official who arrived on the scene, restored order.

2. The petitioner asserts that the chief of the police brigade at Kribi, during an interrogation which took place at the petitioner's instigation five days after the incident, went so far as to say: "Now you see the disadvantage of having a pretty wife".

3. The day after the incident the petitioner lodged a formal complaint against Mr. Varney with the *juge de paix à compétence étendue* and later formally requested damages amounting to 350,000 francs for threats against his life, the Europeans involved having used a knife and rifle. On 11 January 1952 the *juge de paix* replied that his complaint against Mr. Varney had been ruled out of order, but that the petitioner could continue the case at his own risk and peril, i.e. by bringing a civil suit.

4. The Administering Authority gives the following details of the incident complained of (T/OBS.5/9, section 15). The petitioner was in the bar when two Europeans made advances to Mrs. Evéhé, who was standing at the door of the restaurant. When Mr. Evéhé became aware of this he was extremely annoyed and a fight ensued between several Europeans and several Africans. One European fired a shot in the air to attract the attention of the police and the assistant of the *chef de région* did in fact arrive on the scene and restored order.

5. The Administering Authority adds that during the investigations made by the police both Mr. Varney and Mr. Evéhé were heard; each wished to bring a case against the other. As it was impossible to decide who was, in fact, responsible, the *juge de paix à compétence étendue* at Kribi dismissed both complaints. The petitioner was informed that it was open to him to bring a civil suit against Mr. Varney, but has not done so.

6. The petition was examined and discussed at the 106th and 131st meetings of the Standing Committee (T/C.2/SR.106 and 131).

7. The special representative informed the Committee that, as a result of the intervention of the Administration, the contract of Mr. Varney had not been renewed. Consequently, Mr. Varney, who had been on leave in France at the time, could not return to the Territory.

8. At its 131st meeting, the Committee adopted, by 4 votes to 2, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

### V. PETITION FROM MR. PIERRE BADJECK (T/PET.5/200)

1. The petitioner, assistant inspector of police at Yaoundé, transmits a copy of a letter from his father, Mr. Robert Badjeck, to the Attorney-General at Brazza-

ville, testifies as to the truth of the allegations made therein and, further, describes the conditions under which his aged father is now living, an exile from his village (Ekoum).

2. Mr. Robert Badjeck, who states that he is the father of 87 children, complains that his troubles began in the year 1944, when he discovered that his eldest son, Daniel, was robbing him. He forced his son to return the stolen property, but the latter, who had the support of the assistant to the *chef de subdivision* at Eséka and of a Catholic priest, complained to the authorities, asserting that the property rightfully belonged to him; whereupon the *chef de subdivision* forced Mr. Badjeck to return it to his son.

3. In 1945, Mr. Badjeck was sentenced to three months' imprisonment on an unjust complaint brought by his paramount chief, Mbem Mayi, who had been summoned by the *chef de subdivision*, of having caused disturbances in his *canton*; and to one year's imprisonment on a false charge of having fraudulently attempted to obtain 10,000 francs from Mr. Gilbert Bitcha, a clerk in the service of the Administration. Although Mr. Badjeck had a receipt to prove that Mr. Bitcha had borrowed the money from him and could produce witnesses, the verdict of the court went against him. He states that in July 1945 the Public Prosecutor ordered his release as he had been found innocent of the charges against him, but the *chef de subdivision* refused to comply with this order. A few weeks later, the *chef de région* convened the chiefs of the district, inviting them to witness against Mr. Badjeck. With the exception of Daniel, not one complied. Daniel, however, repeated his charges of a year before that his father had stolen his property and, as a result, Mr. Badjeck was sentenced to five years' penal servitude and to five years' banishment from the Territory on a charge of illegal restraint of persons and complicity in burglary by a gang. Daniel, who has won the favour of the authorities, replaced his father as village chief and took over his lands and possessions. Mr. Badjeck claims that this is all a vast intrigue against him.

4. Mr. Badjeck protests that he is innocent of the crimes of which he was accused, and states that he had repeatedly appealed to the authorities for amnesty and for the return of his property, but to no avail. He is now living in exile and in abject poverty, with no means of supporting his large family.

5. The Administering Authority states (T/OBS.5/12, section 3) that in 1945 the petitioner, the chief of the village of Ekoum, received four sentences—one of three months' imprisonment, one of one year's imprisonment and two of five years' hard labour and five years' restricted residence, the sentences to run concurrently, on charges of repeated defiance of authority, of slanderous accusation and of illegal restraint of persons and violence as well as of robbery and burglary.

6. The petitioner was conditionally released on 8 May 1948 and was authorized to reside at Kribi. An Order of 12 September 1950 permitted him to reside in the subdivision of Eséka, and consequently in his native village. In 1952 he applied for remission of the sentence of restricted residence which he still had to serve. This appeal was rejected by the *Conseil supérieur de la magistrature* on 13 January 1953. Mr. Badjeck consequently remained subject to restricted residence until 9 May 1953, five years after his conditional release.

7. The Administering Authority states that since that date he has been free to move where he likes within the Territory.

8. The petition was examined and discussed at the 106th and 131st meetings of the Standing Committee (T/C.2/SR.106 and 131).

9. The special representative informed the Committee that if Mr. Robert Badjeck wished to claim any property, it was open to him to bring a suit before the appropriate customary court.

10. At its 131st meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

#### VI. PETITION FROM MR. PIERRE DIMALLA (T/PET.5/205 AND ADD.1)

1. The petitioner, a resident of Ngong Ngock, Eséka, states that he is the founder of the political party Evolution Sociale Camerounaise (ESOCAM), and contends that during the elections for the Territorial Assembly in March 1952 he was requested by the Administration to withdraw his candidature and to canvass for its "official" candidate, Father Melone. Mr. Dimalla refused and has since been persecuted by the authorities and was eventually arrested. He states that, prior to his imprisonment, an attempt was made on 15 August 1952 to have him removed from the presidency of ESOCAM by visiting the members of his party and telling them not to re-elect him.

2. The Administering Authority, in its observations (T/OBS.5/12, section 7), states that Mr. Dimalla was, in fact, one of the founders of ESOCAM and was its president. However, he was removed from office by a congress of the movement held at Edéa in August 1952. For this he blames the Government, but this is merely his personal point of view, which does not seem to be shared by the other members of the movement.

3. The petitioner claims that in the long run these attempts to ruin him politically succeeded. On 9 February 1952 (this appears to be an error for 1953) he was sentenced to six months' imprisonment and ordered to pay 290,000 francs damages, and was on 13 November 1952 put into prison as the result of a purely civil action brought by a white trader who had delivered products to the petitioner against a signed receipt. The petitioner contends that this was therefore a case of an ordinary debt.

4. As regards this complaint, the Administering Authority explains that on 9 February 1953 the petitioner was sentenced by a judgment of the *tribunal correctionnel* at Yaoundé to six months' imprisonment for false pretences together with 290,000 francs damages to be paid to Mr. Zenoun, the civil party to the action. On appeal this judgment was confirmed by an Order of the Appeal Court dated 15 April 1953, but the damages were reduced to 220,950 francs. The petitioner has moved to have the judgment set aside. On 13 November 1952 the petitioner was committed to prison.

5. The petitioner further relates how the inhabitants of the North Ndogbéa canton brought a collective charge against Jean Pierre Neutot, superintendent of building works at Sanaga port, Nkong Ngock (Nikote) village, together with his accomplice Ndjock Daniel. Mr. Neutot is accused of having personally administered violent blows to Mr. Dimalla; further, of having arrested and sentenced people and chained them up in his building yard; of having made the villagers work without pay; of having killed and eaten other people's goats without accounting for them to their owners; of having prevented the in-

digenous inhabitants from fishing in the Sanaga; of forbidding them to walk on the carriage road and of making the villagers pay 60,000 francs CFA for the authorization of periodic markets already authorized by the High Commissioner.

6. The petitioner alleges, however, that, instead of prosecuting Mr. Neutot, the Administering Authority is prosecuting the petitioner and his family. A European *gendarme* accompanied by five Cameroonian guards and Paramount Chief M'Bem Mayi of the North Ndogbéa district went to Nkong Ngock, on 16 January 1953, while the petitioner was still in prison, and arrested his four brothers, after beating them soundly for three days in succession. Several other members of the family also suffered the same treatment. Some of his domestic animals were killed and eaten, and clothes and 85,000 francs in cash were also stolen from him by unknown persons. The petitioner suspects persons in the service of M'Bem Mayi. At a later date other members of his family were also arrested.

7. In this connexion, the Administering Authority states (T/OBS.5/12 and Add.1) that, after serving his first sentence, the petitioner is being kept in protective custody in view of the charge against him, which is being investigated by the examining magistrate of Eséka, of violence, illegal restraint of persons and of being an accessory to theft by giving instructions, in connexion with a series of acts of hostility, sabotage and theft against the staff and property of a civil engineering firm at Kikot. If these offences are established, he will be subject to criminal proceedings. On 30 September 1952 the government representative at Eséka was informed of these acts and sent four guards to the scene to prevent disorder. When the guards arrived, they were seized by people who apparently acted on the orders of the petitioner, and were bound and disarmed. Following a local inquiry made by a police officer on the instructions of the *juge de paix à compétence étendue* at Eséka and the Public Prosecutor of Yaoundé, five persons were arrested.

8. As regards the accusations made by the petitioner against employees of a public works contractor, the Administering Authority asserts that these were the subject of a complaint by the petitioner to the *chef du territoire* on 11 October 1952. An administrative inquiry was held, and the accusations were shown to be unfounded. They will be considered by the competent court in conjunction with the judicial examination opened against Dimalla and his accomplices.

9. The petitioner expresses anxiety as to possible reprisals and expresses his belief that this is the last petition he will send to the United Nations and "that it will promptly cause my death".

10. A complaint is made by the petitioner that the letter from the United Nations acknowledging receipt of his petition of 18 February, which was dated 26 February 1953, did not reach him till 4 April 1953.

11. In this connexion, the Secreteriat wishes to point out that the letter referred to was sent by sea-mail. According to the United States Post Office in New York, sea-mail for the Cameroons leaves New York irregularly, varying as much as from two weeks to one month between departures.

12. Finally, the petitioner requests the United Nations to establish a permanent delegation to collect information in the Trust Territory. If that is not possible, he writes, "record my name in your register of United Nations delegations as your intermediate delegate...".

13. The petition was examined and discussed at the 106th and 131st meetings of the Standing Committee (T/C.2/SR.106 and 131).

14. The special representative informed the Committee that there were now seven persons detained with the petitioner in connexion with events at Kikot and that the judicial inquiries had not yet been completed.

15. At its 131st meeting, the Committee adopted, by 2 votes to 1 with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

#### VII. PETITION FROM MEMBERS OF LA SOLIDARITÉ BABIMBI (SOLIBABI) (T/PET.5/217)

1. The petitioners protest against the prosecution of their General Chairman, Mr. Pierre Penda. They claim that the Administration, seeing the growing influence of the SOLIBABI, embarked on a campaign against the organization and prosecuted the responsible head, Mr. Pierre Penda, using as pretext the "Memorandum from the people of Babimbi", which Mr. Penda had addressed to the High Commissioner on 17 July 1949.<sup>7</sup> Mr. Penda was charged with selling his influence in the Babimbi country and inspiring the people with the idea of a collective refusal to pay taxes and was sentenced to one year's imprisonment.

2. Mr. Penda was also sentenced to fifteen days' imprisonment and fined 1,200 francs for having tried to set up a "French school" at Babimbi.

3. The Administering Authority, in its observations (T/OBS.5/19, section 1), states first that, as the names of the petitioners were not submitted, it has been impossible to verify if the petitioners do in fact belong to the SOLIBABI. It notes, however, that they consider Mr. Penda as the General Chairman of this organization; Mr. Penda was, however, removed from this post in January 1950 by a decision of the General Assembly of the organization. The petitioners can thus represent only a minority and do not appear to be qualified to speak on its behalf.

4. The Administering Authority explains that Mr. Penda was charged on 14 November 1952 with usurpation of title, with incitement to non-payment of taxes and with opening a private school without authorization. On 28 April 1953 he was sentenced to fifteen months' imprisonment by the *juge de paix à compétence étendue* at Edéa. He appealed, and on 15 July 1953 the Court of Appeals at Yaoundé sentenced him to fifteen days' imprisonment and a fine of 1,000 francs for opening a private school without authorization and to one year's imprisonment for selling his influence and for incitement to non-payment of taxes. Mr. Penda has applied to the *Cour de Cassation* to have the judgment set aside. The opening of private schools is subject to authorization by the High Commissioner under Order No. 1850 of 19 May 1949.

5. The petitioners regret that the members of the United Nations Visiting Missions have never found time to visit Babimbi, despite repeated requests, "as they would have found a province of 60,000 inhabitants regularly paying its taxes and shamefully abandoned—

<sup>7</sup> A copy of this memorandum was presented to the United Nations and was reproduced in T/PET.5/70 (resolution 156 (VI)). The memorandum contained, at the end, a declaration from the people of Babimbi that, if the authorities continued to neglect their district, they would in future be obliged to cease paying any taxes.



without roads, clinics or maternity hospitals, or business firms—by authorities who, not content with that, sentence to imprisonment anyone who tries to take the initiative in helping them with their work". They claim that the only thoroughfare in the subdivision of Babimbi is a 24-kilometre stretch of road. The Babimbi have frequently asked the Administering Authority for the equipment necessary to enable them to build roads for themselves. Nevertheless, nothing has been done to meet these requests. They also complain that the authorities have refused to build a bridge across the Sanaga although canoes constantly capsize there in the rainy season.

6. Replying to this complaint, the Administering Authority notes that the economic and social development of the Babimbi subdivision has already been the subject of T/PET.5/49, T/PET.5/61 and T/PET.5/70 (resolutions 157 (VI), 212 (VI) and 156 (VI)) in which the Trusteeship Council, taking note of the observations of the Administering Authority that the slow development of the subdivision was due mainly to its geographical isolation, invited it to continue its efforts to develop the area.

7. The Administering Authority points out in its present observations that road-building is extremely difficult and burdensome in this mountainous area. The difficulties involved have delayed the realization of the plans made. A road 28 kilometres long and open to trucks all the year round, has, however, been built between Ngambé, the chief centre of the subdivision, and Songmbengué, a village on the Sanaga. The crossing of the Sanaga, which has been impossible by ferry during the rainy season, will soon be made possible by the installation of an improved ferry. The road from there continues to the subdivision of Edéa and joins the main road and the railroad from Yaoundé to Douala. Roads which are accessible to cars, except during the rainy season, link Ndom to Nitoukon (Mbam) and Kelleng to Kikot. The inhabitants are actually engaged in building a road from Ndom to Kelleng with equipment furnished by the Administration. A bridge has been built over the Sanaga at Kikot.

8. The petitioners further complain of the lack of hospitals, clinics and schools.

9. As regards hospitals and clinics, the Administering Authority explains there is a medical centre with 48 beds at Ngambé, with a dispensary which was erected in 1951 of durable materials, and gives details of other facilities provided by the Administration and missions for the area.

10. As regards schools, the Administering Authority states that it runs six elementary schools in the area. There are also fifty-two mission schools.

11. Finally, the petitioners complain of the lack of commercial centres.

12. Replying to this, the Administering Authority maintains that three commercial centres have been set up in the subdivision, namely at Ngambé, Songmbengué and Kelleng.

13. The Administering Authority agrees that the subdivision of Babimbi is in fact poorer and endowed less well than the neighbouring subdivisions of Edéa and Eséka. However, the basic tax rate in Babimbi is 500 francs, while it is 700 francs in Edéa and Eséka.

14. The petition was examined and discussed at the 106th and 132nd meetings of the Standing Committee (T/C.2/SR.106 and 132).

15. The special representative stated that Mr. Penda is still free pending a decision by the *Cour de Cassation*.

16. The special representative also stated that, in view of the improved ferry to be installed over the Sanaga River, access to the Babimbi region would in future be possible under almost all conditions. It would therefore be possible for the next visiting mission to the Territory to visit the region.

17. At its 132nd meeting, the Committee adopted, by 3 votes to 1 with 2 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

#### VIII. PETITION FROM MR. ALPHONSE M'BOUA M'BOUA (T/PET.5/221)

1. The petitioner, chief monitor at a Catholic mission, complains that as a result of a slanderous statement made against him by the Hersent Company of Edéa in 1950, he was charged with having stolen a sack of macabos while working as a sales clerk of the company. After having spent ten days at the police station at Edéa, he was set free by the *juge de paix à compétence étendue*. Several weeks later and under pressure from his employer, the court sentenced him to two years' imprisonment by default. Having lodged an objection, he was given a hearing and set free by decision of the magistrate on 30 October 1950.

2. The petitioner now complains that, after working for three years, he has just recently been arrested and brought before the court at Edéa on the same charge without any material evidence, and is threatened with a sentence of two years' imprisonment by default.

3. The petition was examined and discussed at the 107th and 132nd meetings of the Standing Committee (T/C.2/SR.107 and 132).

4. The special representative stated that while the petitioner was employed by the Hersent Company, he was accused of several thefts, not only of stealing a sack of macabos. As he did not appear in court, he was sentenced by default to two years' imprisonment for theft on 2 October 1950. The petitioner protested on 23 October 1950 and on 6 November the court demanded further information in the case. Mr. M'Boua was summoned to appear before the court on 19 March 1953, but it was impossible to locate him. A new sentence was passed by default, which confirmed the sentence of 1950. The petitioner appealed, and on 16 December 1953 the Court of Appeal sentenced him to two months' imprisonment. He was granted an amnesty by reason of the Act of 6 August 1953.

5. At its 132nd meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

#### IX. PETITION FROM MR. NICOLAS EHOLO (T/PET.5/160)

1. The petitioner, who is President-General of the Union des Populations du Cameroun (UPC) at Mamang, in the Nkongsamba area, claims that a man named Ossambi Ehoba, from the village of Mamang, sold the petitioner's wife, who had one child and was expecting another, to Stanislas Gnano, also from Mamang. The petitioner asserts that they "constituted the greater part of his inheritance from his late father".

2. Wishing to recover his wife, the petitioner summoned Ossambi to appear in court at Nkongsamba in June 1948. In the presence of the *chef de subdivision*, Ossambi was

there obliged to return the petitioner's wife and was also told to return a saucepan and a hut which the petitioner had inherited from his father. Further, he was ordered to repay Gnano the sum of money paid by him for the woman. Finally, Ossambi and the petitioner were made to draw up two agreements as evidence of what had been settled.

3. However, in 1950 a new *chef de subdivision*, who had replaced the one mentioned above, came to the village with Chief Fritz Pandon and a Mr. Jean Ngoh. The petitioner claims that these three then plotted with the chief of the village to take the petitioner's wife and children away from him and give her back to Mr. Gnano "on the pretext that he had civil status". Accordingly they took his wife and children away from him, and also the written agreement.

4. The petitioner claims that Chief Pandon on this occasion said: "I am King in the Mungo region. I am taking the agreement from you because you are a member of the UPC. Let the UPC come and get your wife from me."

5. The Administering Authority contends (T/OBS.5/10, section 9) that the dispute under customary law referred to by the petitioner was amicably settled in 1950 in the presence of the local representative of the Administration, the chief of the village and the persons concerned and their families. There is no file relating to the affair. No protest has been raised on the matter since 1950.

6. If the petitioner had wished, it was open to him to appeal to the court of first instance of the *circonscription*, but he did not do so.

7. The petition was examined and discussed at the 107th and 132nd meetings of the Standing Committee (T/C.2/SR.107 and 132).

8. The special representative informed the Committee that when a man died his heir generally assumed responsibility for the widow. It was open to her to object and the right of women to decide their future had been expressly recognized in several decrees promulgated by the Administration.

9. The special representative stated that it was still open to the petitioner to bring a suit before the customary tribunal. The woman would not be forced to live with him, but the question of her personal status and related financial matters could be put to the court.

10. The special representative stated that the petitioner would not be impeded in his suit by lack of the written agreement since he could easily produce witnesses. The special representative observed that Chief Pandon, who is alleged to have taken the agreement, had died during 1953.

11. At its 132nd meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

#### X. PETITION FROM MR. LUCAS NANA (T/PET.5/163 AND ADD.1)

1. The petitioner, who resides at Loumchantiers, complains that on 19 May 1952 his plantation was overrun by a Mr. Tchintcheu and a group of young men, who proceeded to destroy his banana trees, coffee shrubs, etc.

and to demolish two large houses containing all his possessions. On 27 May, the *chef de subdivision* came to the plantation to take stock of the damage. He was, however, attacked by the same group, wounded and forced to retreat. The *chef de région*, arriving at a later date with police officers to investigate these incidents, was subjected to the same treatment. The petitioner claims that he knows of no reason for the actions of Mr. Tchintcheu.

2. Finally, he states that his family has been dispersed; and owing to his inability to provide for them, two have recently died. He claims indemnities amounting to 1,500,000 francs for the total loss of his property, 1 million francs for the interest on the damages, and 1,200,000 francs for expenses pertaining to his family.

3. In a later communication (T/PET.5/163/Add.1) dated 28 April 1953 the petitioner relates that his only son died in March and that his life could have been saved but for the petitioner's desperate financial circumstances. He fears for the lives of the remaining members of his large family as he is not able to provide for them.

4. The Administering Authority (T/OBS.5/10, section 12) calls attention to the fact that observations on the incidents referred to by the petitioner were made in connexion with T/PET.5/117 from the Comité Régional de l'Union des Populations du Cameroun, Nkongsamba (resolution 776 (XII)).

5. The Administering Authority states that Lucas Nana was the innocent victim of the people's anger as a result of the fire which ravaged the village of Loumchantiers (May 1952).

6. Lucas Nana brought charges against François Tchintcheu, Paul Kuite and their accomplices and the case was tried on 30 December 1952 by the *juge de paix à compétence étendue* of Nkongsamba. The six persons accused received varying sentences of imprisonment or imprisonment and banishment and, in addition, they were sentenced jointly to pay 300,000 francs damages to Lucas Nana.

7. Tchintcheu having appealed, the Yaoundé Court of Appeal, on 20 May 1953, confirmed the judgment of the *juge de paix à compétence étendue* and raised the sum for damages to 400,000 francs.

8. The petition was examined and discussed at the 107th and 132nd meetings of the Standing Committee (T/C.2/SR.107 and 132).

9. The special representative stated that he did not know whether the petitioner had been able to recover the damages awarded him by the Court of Appeal. If the defendants did not pay, the petitioner could apply to the courts for the execution of the judgment by seizure of their property.

10. In reply to a question as to whether the petitioner could apply to the *Conseil du contentieux administratif* and eventually to the *Conseil d'Etat* for damages against the Administration for failure to protect his property, the special representative stated that the petitioner was certainly entitled to bring such a complaint, but that he very much doubted whether such an action would produce any result.

11. At its 132nd meeting, the Committee adopted, by 2 votes to none, with 4 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.



XI. PETITION FROM THE UNION DES POPULATIONS DU CAMEROUN, COMITÉ RÉGIONAL BAMILÉKÉ, SUBDIVISION DE BAFANG (T/PET.5/171)

1. The petitioners, who state that fear of reprisals "makes them sorely afraid and prevents them from expressing their thoughts", begin by requesting unification, a fixed term for the independence of the Cameroons and amendment of the Trusteeship Agreement.

2. The Administering Authority states (T/OBS.5/11, section 2) that its position on these questions has already been explained to the Trusteeship Council.

3. The petitioners go on to complain of present conditions in the Bamiléké region. Amongst other complaints, they state that almost all other regions, with the exception of theirs, the most densely populated region, have secondary schools. The Administration concerns itself only with the interests of its officials and of so-called customary chiefs. Petitions submitted by chiefs and notables and maintaining a viewpoint different from theirs have been prepared by the Administering Authority, "which has even forced some notables of the villages to sign them".

4. The Administering Authority observes that their claim that petitions maintaining a different viewpoint from that of the petitioners have been inspired by the Administration is not based on fact.

5. The petitioners further contend that the Administering Authority is abolishing some chiefdoms in favour of certain chiefs who have won the approval of the Administration. As an example, they cite the case of Chief Ntapie of Balafie, in the Bafang subdivision, who, after his release from Bagangté prison where he has been imprisoned unjustly, is now denied the right to return to his own territory. The petitioners protest against this injustice and demand that Chief Ntapie be permitted to return to his home immediately.

6. Replying to this, the Administering Authority explains that former Chief Ntapie was sentenced to a term of imprisonment and to local banishment, which expired in 1951. Since that date he has returned to Bafang and is again living in the Balafi district. The complaint made by the petitioners is thus unfounded.

7. The petitioners also request permits to buy sporting guns.

8. It is stated by the Administering Authority that the traffic in firearms is subject to authorization by the High Commissioner. Permits are issued fairly liberally: 1,029 permits were issued to indigenous persons in 1952.

9. Finally the petitioners request the establishment of factories and of trade unions and other associations in their territory.

10. The Administering Authority points out that the industrialization of the country is one of its most constant concerns and it is attempting to provide the conditions necessary for such industrialization under the plan for economic and social development.

11. The petition was examined and discussed at the 108th and 132nd meetings of the Standing Committee (T/C.2/SR.108 and 132).

12. The special representative stated that although the Bamiléké region did not have a full secondary school, a partial secondary school existed in Dschang.

13. He also informed the Committee that former Chief Ntapie had not wished to return to his village immediately after his sentence of local banishment expired in 1951, but had subsequently done so.

14. With regard to the complaints concerning permits for sporting guns and other firearms, the special representative stated that questions of public security were involved. The Administration issued permits to carry such arms to people of good standing and character.

15. At its 132nd meeting, the Committee adopted, by 1 vote to none, with 5 abstentions, draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

XII. PETITION FROM MESSRS. MAKÉMBÉ MOUKORY MOÏSE AND NDOBO ELESSA SIMON (T/PET.5/194)

1. The petitioners state that they have spent five years in the prison of Bagangté, having been sentenced in 1947, the one to fifteen years', the other to ten years' penal servitude. In 1948 they applied to the *Cour de Cassation* in Paris to have the judgment set aside, but so far to no avail. They feel that they are not criminals at heart, and that the punishment meted out to them was excessive.

2. The petitioners do not disclose the nature of the crime for which they were sentenced.

3. The Administering Authority states (T/OBS.5/11, section 20) that the two petitioners were sentenced, the one to fifteen years and the other to ten years of penal servitude, for illegal restraint of persons and physical torture, and confirms that they appealed on 5 July 1948 against this decision. The file was sent to the *Procureur-général* at the *Cour de Cassation* on 12 August 1958. No decision has yet been handed down. The petitioners could submit a request to be released provisionally, but it is of course impossible to prejudge the decision of the court.

4. The Administering Authority notes that one of their accomplices, who was also sentenced to ten years' penal servitude, was recently released on bail because of the state of his health.

5. The petition was examined and discussed at the 108th and 133rd meetings of the Standing Committee (T/C.2/SR.108 and 133).

6. At its 133rd meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution XII, annexed to the present report, which it recommends that the Council adopt.

XIII. PETITION FROM MR. ISSAH MOUASSÉ (T/PET.5/175)

1. The petitioner, who is Chairman of the Foubot branch of the Union des Populations du Cameroun, complains that at a time when he was absent from the town, the French Governor sent government agents to Foubot to arrest people in the movement and that eighteen of his comrades were arrested. Moreover, they promised to promote a guard if he would enter the petitioner's house and take his property. Conspiring with the petitioner's serving women, the guard collected Mr. Mouassé's goods and also went off with the serving woman. The petitioner complained to the authorities and he asserts that the *commissaire* who investigated the matter found his charges were true, assessed his losses at 50,000 francs and said that the Governor would have to pay this sum.

2. The petitioner presented his claim in October 1951 and again in January 1952, but so far with no result.

3. The Administering Authority observes (T/OBS.5/15, section 2) that the arrests referred to occurred as a result of the dispute regarding the chieftainship of Foubot.<sup>8</sup>

<sup>8</sup> See T/PET.5/120 (resolution 779 (XII)) and T/PET.5/180 (section XIV below).

4. The Administering Authority states that the petitioner did in fact file a complaint against a police guard, whom he accused of stealing from him while he was at Foubot. The complaint was transmitted to the *juge de paix à compétence étendue* at Foubot on 23 October 1951. The petitioner, however, furnished no proof of the facts alleged.

5. The petition was examined and discussed at the 108th and 133rd meetings of the Standing Committee (T/C.2/SR.108 and 133).

6. The special representative stated that a serious and lengthy investigation was carried out by the authorities but nothing was uncovered to support the petitioner's claim and, consequently, no official sanctions were taken against the police guard. The petitioner had no particular reputation in the neighbourhood for wealth or industry.

7. At its 133rd meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution XIII, annexed to the present report, which it recommends that the Council adopt.

#### XIV. PETITION FROM MR. NJIKAM SALIFOU (T/PET.5/180)

1. The petitioner, a planter residing at Foubot, claims that he and sixteen others were unjustly imprisoned because they had refused to vote for the candidate favoured by the French authorities as paramount chief. This candidate, he states, had paid the authorities a large sum of money to win their support.<sup>9</sup>

2. The Administering Authority refers to T/PET.5/120 on which observations were submitted (T/OBS.5/5, section 2) and states (T/OBS.5/15, section 3) that Njikam Salifou was sentenced on 28 May 1951 to eighteen months' imprisonment and a fine of 2,000 francs by the *juge de paix à compétence étendue* at Fouban for assault and battery against officers of the law and participation in a tumultuous assembly. On appeal, his sentence was reduced to one year's imprisonment on 3 March 1952.

3. It further states that the seventeen persons sentenced by the *juge de paix à compétence étendue* to terms of imprisonment ranging from three to twenty months all appealed against their sentences. The Court of Appeal rescinded the fines and maintained the terms of imprisonment between three months and one year according to the seriousness of the offences.

4. The petition was examined and discussed at the 108th and 133rd meetings of the Standing Committee (T/C.2/SR.108 and 133).

5. At its 133rd meeting, the Committee adopted, by 3 votes to 2, with 1 abstention, draft resolution XIV, annexed to the present report, which it recommends that the Council adopt.

#### XV. PETITION FROM MR. OUMAROU YOUNG (T/PET.5/176)

1. The petitioner, who resides at Foubot, states that a Mr. Ngcassanefu Ibrahi set fire to his hut. The authorities estimated the damage at 50,000 francs, which

they promised to pay the petitioner as soon as Ngcassanefu, who received a sentence of one and a half years, was released from prison. At the time of writing, however, two and a half years had elapsed since his release and, in spite of repeated appeals to the authorities, the petitioner had not yet received any payment.

2. The Administering Authority affirms (T/OBS.5/11, section 6) that the petitioner brought a complaint against Ngam'iafu Ibrahim before the *juge de paix à compétence étendue* at Fouban. Ngam'iafu was sentenced to imprisonment and to pay 2,500 francs damages to the plaintiff. This amount has been refused by the petitioner, probably because he considers it too small.

3. The petition was examined and discussed at the 108th and 133rd meetings of the Standing Committee (T/C.2/SR.108 and 133).

4. At its 133rd meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution XV, annexed to the present report, which it recommends that the Council adopt.

#### XVI. PETITION FROM MR. ISSAH NGNAMBI (T/PET.5/177)

1. The petitioner, a farmer now residing at Foubot, protests that the Administration unjustly accused him of murder and imprisoned him. During his imprisonment the chief of his village of Maripa took possession of the petitioner's property and set fire to the five huts belonging to him, chasing away the men who had remained there.

2. The petitioner claims that he brought a case against the chief on his release from prison, but that to the day of writing—three years later—he has heard nothing.

3. He maintains that the reason for his persecution is that he "speaks the truth too often".

4. That the petitioner was arrested is confirmed by the Administering Authority (T/OBS.5/11, section 7). However, as no proof of the crime was adduced, he was released.

5. While the petitioner was remanded, the huts of his family were burned and he accused the village chief of Maripa of having set fire to them. Although he was requested in 1952 to furnish proof and to bring a complaint before the *juge de paix à compétence étendue* at Fouban, the petitioner has still taken no steps to that end.

6. The petition was examined and discussed at the 108th and 133rd meetings of the Standing Committee (T/C.2/SR.108 and 133).

7. The special representative informed the Committee that the petitioner was arrested in October 1948 on suspicion of murder and was released in February 1949. The local authorities investigated the burning of his huts but were unable to find who was responsible for the action.

8. At its 133rd meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution XVI, annexed to the present report, which it recommends that the Council adopt.

### ANNEX

#### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

For the text of draft resolutions I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV and XVI, adopted without change at the 519th meeting of the Trusteeship Council, see resolutions 916 (XIII), 964 (XIII), 971 (XIII), 919 (XIII), 967 (XIII), 972 (XIII), 983 (XIII), 986 (XIII), 932 (XIII), 934 (XIII), 942 (XIII), 962 (XIII), 945 (XIII), 950 (XIII), 946 (XIII) and 947 (XIII), respectively.

<sup>9</sup> The petitioner refers to the election of Njikouotou Issa as chief, which was the cause of a disturbance at Foubot on 17 May 1951, as the result of which seventeen persons were arrested. See T/PET.5/120 on this subject. The Trusteeship Council decided (resolution 779 (XII)) that no action was called for on that petition, after having noted the observations of the Administering Authority and, in particular, that to avoid further friction between the two rivaling clans the opponents of Chief Njikouotou had been removed from his sphere of authority, and further that no disturbances had taken place at Foubot since 17 May 1951. See also T/PET.5/175.

## DOCUMENT T/L413

## Fifty-eighth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

[Original text: English]  
[2 March 1954]

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## INTRODUCTION

1. At its 109th, 110th, 133rd, 134th, 135th, 136th and 137th meetings, on 22 January, 23, 24, 25 and 26 February and 1 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the twenty petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. The petitions related to various questions of an economic, social or educational nature.

3. Mr. G. H. Becquey participated in the examination as the special representative of the Administering Authority concerned.

4. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-IV, VII-XI, XIII, XVI, XVII, XIX and XX.

## I. PETITION FROM MR. FÉLIX MBÉLÉ (T/PET.5/129)

1. The petitioner, a business agent residing in the Haut-Nyong region, claims that the business agents of the 2nd zone in the Haut-Nyong region pay 18,000 francs for their licence, not including the tax and supplements.

2. He states that under article 4 of Order No. 2915 of 15 June 1951 they are considered as traders irrespective of whether the transactions they perform are civil or commercial.

3. He complains that they do not fix the charges for the orders they make out for third parties, whereas a trader or member of a liberal profession can fix the price of his goods.

4. The Administering Authority (T/OBS.5/9, section 4) fails to understand the reason for this petition, as the charges for the business agents are not subject to any limitation.

5. Article 13 of the Order of 15 June 1951 merely lays down certain regulations regarding accounting, including the keeping of proper receipts for each transaction.

6. The petition was examined and discussed at the 109th and 133rd meetings of the Standing Committee (T/C.2/SR.109 and 133).

7. At its 133rd meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MR. SAMUEL EKWE (T/PET.5/155)

1. The petitioner, a baker residing at Douala, complains of the present administration of the French Cameroons, and declares himself in favour of independence and unification.

2. He also complains of personal difficulties with the Administration. He states that he is an ex-soldier of the last war and now finds himself without any resources. On 14 February 1952 he applied to the Administering Authority for permission to open a restaurant in the Bassa-Edéa quarter, Sanaga-Maritime, but his application has so far been refused for the reason "that I am a democrat". He attaches copies of his correspondence with the authorities.

3. The Administering Authority states (T/OBS.5/10, section 4) that Mr. Samuel Ekwe, a baker at Edéa, did in fact apply for permission to open a bar-restaurant. However, as his premises did not comply with the general regulations (Order No. 1674 of 2 April 1951) for safety and hygiene for establishments licensed to sell drinks, this permission was refused him.

4. The petition was examined and discussed at the 109th and 133rd meetings of the Standing Committee (T/C.2/SR.109 and 133).

5. At its 133rd meeting, the Committee adopted, by 5 votes to 1, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

## III. PETITION FROM MR. SIMÉON KAMGANG (T/PET.5/164)

1. The petitioner, a travelling salesman, residing at Bafoussam in the Bamoun region, complains in a letter dated 4 November 1952 that on 24 October the police at Nkongsamba confiscated merchandise belonging to him and took it to the police station, on the grounds that it had been bought in the Cameroons under British administration and that he had not paid duty. Two of his porters were arbitrarily imprisoned for three days without a warrant. As the goods were actually purchased at Douala, he refuses to pay any duty. He appeals to the United Nations for the return of his property, which is still in the customs house at Nkongsamba. The petitioner further contends that the customs officials are demanding that he pay duty of 30,000 francs on purchases he made for 20,000 francs.

2. The Administering Authority observes (T/OBS.5/10, section 13) that on 26 October 1952, about 7.15 p.m., a Mr. Tchiendje, while being questioned by the police at Nkongsamba, admitted that the goods he was carrying had been imported from British territory without customs checking. Mr. Tchiendje declared that he had requested a settlement with the customs office. He was kept at the police station over the weekend and taken to the customs officer on the Monday morning.

3. On 2 December 1952, the petitioner, Mr. Tchiendje's employer, agreed to an offer of settlement by the customs services and paid 18,280 francs. The goods were returned to him the same day.

4. The petition was examined and discussed at the 109th and 133rd meetings of the Standing Committee (T/C.2/SR.109 and 133).

5. At its 133rd meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

## IV. PETITION FROM MR. DJIBO ZINDER (T/PET.5/127)

1. On behalf of the population of Guider, the petitioner, who claims to have been born about 1908 and yet to have been an ex-serviceman of the First World War, welcomes the United Nations Visiting Mission and expresses satisfaction with the French administration.

2. He has, however, one complaint. He states that he has seventeen children, ranging in age from 6 months to 27 years, and that "two more will be born shortly". He complains that the Administration "does nothing for him, provides no money or food and clothing for his children and yet officials who have children earn more money and work less than he does".

3. According to the Administering Authority (T/OBS.5/9, section 2), the General Pensions Code provides for the payment of a retirement allowance to ex-servicemen who hold combatants' cards on their reaching the age of fifty. As the petitioner has not yet reached this age, he is not entitled to the allowance. However, he does not seem to be destitute in any way.

4. The petition was examined and discussed at the 109th, 133rd and 134th meetings of the Standing Committee (T/C.2/SR.109, 133 and 134).

5. The special representative informed the Committee that the petitioner appeared to be too young to have fought in the First World War. He had a reasonably prosperous transport business and, although his family was large, several of his sons were helping him in the business or were employed on their own account.

6. The special representative stated that the Territory had at present no general system of family allowances. At present there were family allowances for Administration employees only. The question of extending the system to other employees was being considered, but the economic situation of the Territory would undoubtedly make it impossible for many years to come to apply such a system to the whole population.

7. At its 134th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

## V. PETITION FROM MR. SOSTHÈNES MEKA (T/PET.5/132)

1. The petitioner, on behalf of the ex-servicemen of the subdivision of Mbalmayo, complains that:

(a) The subdivision of Mbalmayo has no ex-servicemen's office;

(b) The ex-servicemen have had to pay taxes since their return from France, although no such regulation existed at the time they left France;

(c) Their campaign money should have been paid to them three years ago;

(d) Their uniforms were taken away from them on their return from France;

(e) They did not receive the allowance which they had been promised for their wives while they were in war service.

2. Replying to this petition, the Administering Authority observes (T/OBS.5/9, section 5) that:

(a) It is impossible to establish an office of the Ex-Servicemen's Bureau in the main town of each subdivision. Whenever an ex-servicemen's association does exist in a main town, however, every effort is made to establish a permanent office there. It is up to the ex-servicemen themselves to establish an association at Mbalmayo. However, the central office of the Ex-Servicemen's Bureau is located at Yaoundé, which is only 50 kilometres from Mbalmayo.

(b) It was decided by the Territorial Assembly in 1951 that ex-servicemen holding combatants' cards should be exempt from the fixed personal tax for a period corresponding to their length of service.

(c) and (d) The campaign money to which the petitioner refers represents a campaign bonus which was paid to the ex-servicemen before they were sent home. To this should be added a clothing bonus of 1,000 francs and leave pay based on the length of time the soldiers had served outside the F.E.A.-Cameroons group.

(e) The separation allowance referred to by the petitioner was paid directly to the wives themselves.

3. The petition was examined and discussed at the 109th and 134th meetings of the Standing Committee (T/C.2/SR.109 and 134).

4. The special representative stated that the Ex-Servicemen's Bureau had investigated the charges brought by the petitioner and had found no evidence to support them. The Bureau, he said, afforded every assistance to ex-servicemen in securing all benefits or allowances to which they might be entitled.

5. At its 134th meeting, the Committee adopted, by 2 votes to 1, with 3 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM MR. NDJEFENFANG BANDA (T/PET.5/133)

1. The petitioner, an ex-serviceman of the Second World War, complains of not receiving the pension to which he feels he is entitled.

2. He relates that he applied for a discharge from the army when his wife died and left a baby of nine months, since he could not afford to pay anyone to take care of the child and since "the authorities had decided that he had a right to leave the army in order to look after his child, and also that he had a right to a monthly pension". At the time, the petitioner had only three months more to serve in order to complete fifteen years of military service. He complains that ex-servicemen who served ten years have received pensions while he who served for more than fourteen years receives none.

3. The petitioner has now no means of supporting his seven children, and he claims payment of his pension as from the end of the war, that is, for the past eight years.

4. According to the Administering Authority (T/OBS. 5/9, section 6), the existing legislation provides for a retirement pension, computed on a sliding scale, for men who have completed fifteen years' active service without interruption.

5. The petitioner, who does not fulfil these conditions, and left the army voluntarily before he had completed his fifteen years of service, is not entitled to any pension.

6. The petition was examined and discussed at the 109th and 134th meetings of the Standing Committee (T/C.2/SR.109 and 134).

7. The special representative stated that the petitioner could request help from the central office of the Ex-Servicemen's Bureau at Yaoundé in presenting his claims and, if need be, in seeking economic assistance.

8. At its 134th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

VII. PETITION FROM MR. BISSA LUCAS KONO (T/PET.5/135)

1. The petitioner, a tailor residing at New-Bell, Mbal-mayo, states that he is an ex-serviceman of the First World War and was wounded in that war. Subsequently, as a result of Decision No. 3882 of 26 November 1949, he was granted financial aid to purchase a surgical appliance for his right foot.

2. He is now absolutely destitute and has requested help from the Administration to build a house; he also needs financial aid to be able to subsist.

3. The Administering Authority, in its observations (T/OBS.5/9, section 7), states that the petitioner is an ex-serviceman of the German army who was wounded in the 1914-1918 war. Although he cannot claim any benefits under the French legislation concerning pensions for disabled ex-servicemen, he is entitled to apply for relief through the Ex-Servicemen's Bureau. In this way he did in fact obtain 20,000 francs, which was granted him by a decision dated 27 April 1952, and which he received after the date of the present petition.

4. The Administering Authority also states that the Orthopaedic Equipment Centre at Brazzaville has not yet been able to furnish the surgical appliance because of unforeseen difficulties. The matter is, however, being

investigated by the Ex-Servicemen's Bureau and the Health Service, which have sent several reminders to the Centre.

5. The petition was examined and discussed at the 109th and 134th meetings of the Standing Committee (T/C.2/SR. 109 and 134).

6. The special representative informed the Committee that the appliance had been delivered in July 1953 and fitted to the petitioner's leg.

7. At its 134th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VIII. PETITION FROM MR. IBRAHIMA NJOYA (T/PET.5/190)

1. The petitioner, an ex-serviceman of the Second World War, complains that the Administering Authority has failed to help ex-servicemen in any way, in spite of all the promises made to them on their demobilization. He states that it is practically impossible for them to obtain employment as they do not have the necessary education or training; and that when they appeal to the authorities for loans to enable them to build homes or to start a business, this is refused them. He himself has applied for a loan of 50,000 francs, but in vain.

2. The Administering Authority explains (T/OBS.5/11, section 16) that the petitioner served in the British army. It has, however, been conceded in principle that this group of ex-servicemen should have the same benefits as those who served with the French forces. The petitioner was recently granted 15,000 francs through the Ex-Servicemen's Bureau by a decision dated 25 March 1953. No reply can be given to the petitioner's grievances in other respects as they are not specific.

3. The petition was examined and discussed at the 109th and 134th meetings of the Standing Committee (T/C.2/SR.109 and 134).

4. At its 134th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

IX. PETITION FROM MR. ADOLPH AMOUGOU NGONGBWA (T/PET.5/143)

1. The petitioner, a trader, living in the village of Ating in the Ntem region, states that he established a business two years ago and needs capital to keep it going. As he finds it very hard to borrow money in his region, he wishes to take advantage of the presence of the Visiting Mission to request a loan of one million francs CFA from the United Nations, which he promises to repay at the end of five years. As references he gives the names of his wife, his eldest son and two other persons, besides listing his shop and a plantation of 5,000 cocoa shrubs.

2. The Administering Authority states (T/OBS.5/9, section 13) that it has no observations to make on this petition, which contains a request for financial aid from the United Nations.

3. The petition was examined and discussed at the 109th and 134th meetings of the Standing Committee (T/C.2/SR.109 and 134).

4. The special representative informed the Committee that the petitioner could apply for a loan of this nature to the Crédit du Cameroun.

5. At its 134th meeting, the Committee adopted unanimously draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

#### X. PETITION FROM MR. FIT CHOURAIBOU (T/PET.5/185)

1. The petitioner, after praising the local administrators and Sultan Seidou for their efforts to improve conditions in the Bamoun region, asks the United Nations to arrange for a loan to develop his business as a butcher.

2. The Administering Authority (T/OBS.5/11, section 13) has no observations to make on the above petition, which it considers to be a request for assistance from the United Nations.

3. The petition was examined and discussed at the 109th and 134th meetings of the Standing Committee (T/C.2/SR.109 and 134).

4. The special representative informed the Committee that the petitioner could apply for a loan of this nature to the Crédit du Cameroun.

5. At its 134th meeting, the Committee adopted unanimously draft resolution X, annexed to the present report, which it recommends that the Council adopt.

#### XI. PETITION FROM MR. MFULU BANGA ESAIE (T/PET.5/193)

1. The petitioner, who is a bachelor residing in the village of Bikong in the Ntem region, requests 250,000 francs to help him support six children and a blind person who have all been left in his care.

2. He claims that he left school only two years ago and that his small plantation produces only 3.5 quintals of cocoa a year.

3. The Administering Authority (T/OBS.5/11, section 19) has no observations to make on the above petition, which is a request for assistance from the United Nations.

4. The petition was examined and discussed at the 109th and 134th meetings of the Standing Committee (T/C.2/SR.109 and 134).

5. The special representative informed the Committee that the petitioner was the son of a village chief and that, while his plantation was not large, his father's was quite extensive. The petitioner's father was actually supporting the blind relative and the children.

6. The special representative added that the Administration had recently introduced a system of pensions for indigent blind persons ranging up to 500 francs per month.

7. At its 134th meeting, the Committee adopted unanimously draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

#### XII. PETITION FROM REPRESENTATIVES OF THE SYNDICAT UNIQUE DES CHEMINOTS (T/PET.5/147)

1. The railway workers of the Cameroons under French administration, assembled at a general meeting at Douala on 28 October 1952, after extending a welcome to the Visiting Mission, proceeded to list their grievances.

2. They claim that since the establishment<sup>10</sup> of La Régie des Chemins de Fer du Cameroun, grave uneasiness has existed among the indigenous railway workers. They complain of racial discrimination, contending that preference is given to the European staff in matters of pay, promotion and housing. A subordinate European worker is paid a wage which is eight times higher than that of the indigenous worker, to whom advancement is also refused. Further, they claim that indigenous workers are frequently dismissed and replaced by highly paid European women workers.

3. As regards these complaints, the Administering Authority states (T/OBS.5/9, section 16) that there is no discrimination against the African staff. The Administration is anxious to see more Cameroonians enter the technical professions and all posts are open to them once they have acquired the necessary vocational skill. To improve the general and vocational training of the railway workers, the Administration holds various classes and correspondence courses. In 1952 courses were held for the training of railway officials and telephone mechanics. At present, courses are being held for the training of diesel-electric locomotive drivers and supervisors of maintenance gangs. Examinations and competitions for promotions are held.

4. An engineer who is in charge of vocational training and social questions studies the ways of meeting, as far as possible, the wishes of the staff. The Administering Authority states that workers are retired only for reasons of age or because of physical unfitness.

5. The petitioners further claim that a military rather than police force has been introduced in order to oppress the indigenous railway workers and a disciplinary council set up (consisting of 14 Europeans and 10 African members) solely in order to persecute the indigenous workers. They also contend that grievances put before the Director by the railway workers are disregarded.

6. The Administering Authority states that before any disciplinary measures are taken, the employees in question are asked for written explanations. The Disciplinary Council consists of the Chairman, who has no vote, of two representatives appointed by the Director and of two representatives appointed from a roster of staff representatives.

7. The Administering Authority goes on to state that trade union rights are recognized and trade union representatives sit on the Administrative Board. Delegates of the workers, elected by secret ballot, have access to the Director and the departmental heads. Every category of worker is represented in this way. The railway workers' union seems to envy the administrative services their promotions by seniority. This system is not used by the railway administration because of the technical skills required to ensure the smooth working of the service.

8. Finally, the petitioners claim that the present administration of the railways tends not only to exploit the African railroad worker but also to unbalance the budget of the Territory by forcing upon it continued deficits of several million francs a year, and further that many accidents take place as a result of "a total lack of public safety measures".

9. In view of their grievances, the railway workers demand a return of the former system of administration

<sup>10</sup> In 1947, the railways system was transferred from the control of an administration department and was placed under a separate administration.

on the railways, the immediate application of real and not theoretical democratic measures and request that a commission of inquiry be set up to investigate their complaints.

10. The petition was examined and discussed at the 109th, 110th and 134th meetings of the Standing Committee (T/C.2/SR.109, 110 and 134).

11. The special representative stated that before the establishment of the Régie des Chemins de Fer du Cameroun, promotion was by selection only, which gave better results in an organization employing a large number of technicians, but was unfortunate for mediocre workers.

12. The special representative added that the management of the railways held frequent discussions with the union on the conditions of the railways workers.

13. At its 134th meeting, the Committee adopted, by 3 votes to none, with 3 abstention, draft resolution XII, annexed to the present report, which it recommends that the Council adopt.

### XIII. PETITION FROM THE WORLD FEDERATION OF TRADE UNIONS (T/PET.5/215)

1. The petitioners protest that the French authorities have flagrantly violated trade union rights in prohibiting, by Decision No. 2270 of 6 May 1953, the circulation of a certain number of their trade union publications. They assert that there is no justification for the prohibition of documents dealing with questions essential to trade union activity.

2. In its observations (T/OBS.5/18, section 4), the Administering Authority explained that Decision No. 2270 was made because of the political propaganda which is constantly put forward by the World Federation of Trade Unions in its publications and which goes far beyond the limits of trade union activity. It considers that such propaganda, frequently founded on interpretations and statements which are grossly incorrect, is liable to disturb the peace in a country where the mass of the population has not yet developed the necessary critical sense or acquaintance with political discussions.

3. The Administering Authority states that it has taken the measures which it considered necessary to maintain order in accordance with the rights and obligations conferred on it by article 10 of the Trusteeship Agreement.

4. The petition was examined and discussed at the 110th and 135th meetings of the Standing Committee (T/C.2/SR.110 and 135).

5. The special representative explained that the prohibition affected publications of the World Federation of Trade Unions only. The publications of the Confédération Générale du Travail or any other publications printed in France could, subject to the general provisions of French law, be freely introduced into the Territory.

6. At its 135th meeting, the Committee adopted, by 4 votes to 1, with 1 abstention, draft resolution XIII, annexed to the present report, which it recommends that the Council adopt.

### XIV. PETITION FROM MR. ALPHONSE MOSTAGAY AMOUGOU (T/PET.5/137)

1. The petitioner maintains that he has worked for three different firms—the firm of Bourdin and Chaussé, the SEFA Forestry Works and the CAT Works—and has been dismissed from them all without cause and without receiving any pay.

2. The Administering Authority, in its observations (T/OBS.5/14, section 5), states that sufficient data are not submitted in the petition to determine whether his claims are justified. It notes further that the petitioner has lodged no complaint against the employers he mentions either with the *chef de subdivision* of Mbalmayo or with the labour inspector.

3. The petition was examined and discussed at the 110th and 135th meetings of the Standing Committee (T/C.2/SR.110 and 135).

4. The special representative stated that the labour inspector had not been able to locate the petitioner, and inquiries addressed to the three firms concerned had brought the reply that they had no record of having employed him.

5. At its 135th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution XIV, annexed to the present report, which it recommends that the Council adopt.

### XV. PETITION FROM MR. JEAN SANCHEZ (T/PET.5/201)

1. The petitioner, an electrical and hydraulic engineer living at Yaoundé, requests aid in collecting unpaid salaries from some of his former employers. He states that the actions he has taken against them have not yet been settled, although some of the cases date back as far as 1949. He cites two: that of Mr. Hatye, who he believes was sentenced to pay but appealed; and that of the Reverend Father Dehon, who although ordered by default to pay, refused to do so.

2. It is stated in the observations of the Administering Authority (T/OBS.5/12, section 4) that, as the petitioner is absent from the Territory at the present time, it has not been possible to obtain any additional details on which to base a reply.

3. The petition was examined and discussed at the 110th, 135th and 136th meetings of the Standing Committee (T/C.2/SR.110, 135 and 136).

4. The special representative stated that a preliminary investigation had been made by the *Procureur général* of the Cameroons Court of Appeal, but no trace of the two cases mentioned by the petitioner had yet been discovered; and that the investigation would remain open and in suspense pending the return of the petitioner.

5. At its 136th meeting, the Committee adopted, by 3 votes to none, with 2 abstentions, draft resolution XV, annexed to the present report, which it recommends that the Council adopt.

### XVI. PETITION FROM MR. ZACHARIE ZENGUELÉ (T/PET.5/208)

1. The petitioner states that on 17 October 1952 he lodged a complaint against Mr. Batalla, on whose plantation he worked, but "has heard nothing further". The plantation has now been sold to Mr. Claude, who has dismissed the petitioner as well as his ten fellow-labourers and their wives, who are harvest workers. The petitioner complains that they are all without means, and requests a sum of money to enable them to return to their homes at Doumé.

2. The Administering Authority, in its observations (T/OBS.5/18, section 1), states that the petitioner was employed as supervisor on Mr. Batalla's plantation when



it was sold to Mr. Fister in January 1952. The latter defaulted, however, and Mr. Batalla took the plantation back and sold it in October 1952 to the Société des Plantations de Nguebili, of which Mr. Claude is a director. In June 1952 the workers lodged a complaint against Mr. Fister for non-payment of wages. The case is before the court of first instance at Yaoundé, but judgement has not yet been made.

3. The manager of the Société des Plantations has confirmed that it was he who dismissed Mr. Zenguélé, whose work was not satisfactory. Most of the workers who were employed at the plantation previously were kept on, but several of them, of their own free will, left with Mr. Zenguélé. These are presumably the workers to whom he refers.

4. Finally the Administering Authority states that Mr. Zenguélé has not complained to the labour inspection services concerning his dismissal.

5. The petition was examined and discussed at the 110th and 135th meetings of the Standing Committee (T/C.2/SR.110 and 135).

6. The special representative informed the Committee that the complaint had still not yet been settled by the court. The Administration was, however, trying to obtain payment for the workers on the plantation. The defaulting employer was in prison on a charge unconnected with the petition and owned no property which could be seized to pay his debts.

7. The special representative stated that the workers had at first wished to return to Doumé, but now wished to remain in the Yaoundé area because it was easier to find work there.

8. At its 135th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution XVI, annexed to the present report, which it recommends that the Council adopt.

#### XVII. PETITION FROM MR. FRÉDÉRIC AVA (T/PET.5/138)

1. The petitioner, who is the director of a private school at Ebabot, Mbalmayo, requests a loan of 750,000 to 1 million French francs from the United Nations in order to be able to maintain his school while awaiting a subsidy which was promised him by the Government of the Territory but has not yet been granted.

2. He states that several schools in the Cameroons have been established by the indigenous population itself and are now ready to expand, with the aid of the Administration. The petitioner recommends such participation by the Africans in the building of their country.

3. The Administering Authority states (T/OBS.5/9, section 8) that it has no observations to make on the present petition, which requests financial aid from the United Nations.

4. The petition was examined and discussed at the 110th and 135th meetings of the Standing Committee (T/C.2/SR.110 and 135).

5. The special representative stated that in 1953 the petitioner had been granted a subsidy of 19,000 francs for the purchase of equipment. The Government also paid the salaries of three of the five indigenous teachers. He thought it likely that a similar amount would be granted in 1954. In addition to the school referred to in the petition, Mr. Ava had opened a course for adults, which was also functioning satisfactorily.

6. At its 135th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution XVII, annexed to the present report, which it recommends that the Council adopt.

#### XVIII. PETITION FROM MR. ANDRÉ BEAUREPAIRE YOMBA (T/PET.5/153)

1. The petitioner, a resident of Edéa, feels that he is being unfairly treated. He claims that in general the French Administration shows its gratitude towards chiefs who have rendered exceptional services, not only by conferring honours on the chiefs themselves, but also by providing for the education of their children; he cites two examples in proof of his contention. The petitioner therefore fails to understand why, in his case, repeated appeals to the authorities for help to continue his studies have brought no response, his father being the late Paramount Chief Max Mbomé, who received several decorations from the French Government.

2. He now appeals to the United Nations to help him obtain a scholarship to follow a two-year law course at a university in France.

3. The Administering Authority states (T/OBS.5/10, section 2) that the petitioner was dismissed from the Lycée Général Leclerc at Yaoundé in July 1951 because of unsatisfactory work, at the end of his year in the fourth class. It is not possible to grant him a government scholarship at the expense of his more able and meritorious fellows.

4. The petition was examined and discussed at the 110th and 135th meetings of the Standing Committee (T/C.2/SR.110 and 135).

5. The special representative explained that scholarships were awarded by a special committee on a competitive basis.

6. At its 135th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution XVIII, annexed to the present report, which it recommends that the Council adopt.

#### XIX. PETITION FROM MR. PAUL-LOUIS SCHUNMELE (T/PET.5/168)

1. The petitioner, a former seminary student now a teacher, complains that seminary students do not receive a diploma on completing their studies. Those students who do not become priests are thereby placed at a disadvantage when competing for other positions. He states that he completed his second year at the seminary, which corresponds to the first part of the *baccalauréat*, and he therefore requests a certificate recognizing this.

2. The Administering Authority contends (T/OBS.5/10, section 17) that the petitioner can sit for the official examinations for teaching certificates and diplomas on the same conditions as pupils of public or private teaching establishments. He has only to submit his application to the Director of Education.

3. The petition was examined and discussed at the 110th and 135th meetings of the Standing Committee (T/C.2/SR.110 and 135).

4. At its 135th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution XIX, annexed to the present report, which it recommends that the Council adopt.



## XX. PETITION FROM MR. NORBERT YAMGWET DE BANA (T/PET.5/212)

1. The petitioner relates that on 5 March 1953 he was arbitrarily and summarily expelled from the Lycée Général Leclerc at Yaoundé for having declared his support of the unification of the Cameroons on a "democratic and fraternal" basis. At a meeting where Mr. Um Nyobé had reported on his mission to New York, the petitioner had in fact transmitted a report drawn up by the Cameroonian student body of the Lycée which criticized the administration, claiming that it was "malicious, if not to say racist, by reason of the many abuses and annoyances of which the European teachers are actually if not openly guilty towards the mass of indigenous students".

2. Further, he claims that not only was he expelled, he was also "cruelly tortured by being kept in prison for three days without food, by being subjected to corporal punishment until he bled, by being handcuffed for three days, by risking poisoning by a meal prepared in the European officials' club at Yaoundé and by being stripped and taken to a neighbouring town 224 kilometres away".

3. Finally, the petitioner vehemently criticizes the educational policy of the Administration, and cites several examples to prove his contention.

4. The Administering Authority, in its observations (T/OBS.5/12, section 10), states that the petitioner, who held a scholarship at the Lycée, was expelled on 5 March 1953, by decision of the Disciplinary Council, for having made abusive and defamatory statements about the administration of the school at a public meeting. The decision to expel him was reached after questioning the petitioner and after examining his record; he had previously been reprimanded and punished (a) for having sent an improper note to one of the female pupils; (b) for having refused to obey one of the dining-room supervisors; and (c) for displaying insolence and insubordination on various other occasions.

5. On 24 March the petitioner turned up at the school and protested against his expulsion and refused to leave the premises. The school authorities were obliged to request the intervention of the police, and as the petitioner still refused to leave, the police were obliged to remove him forcibly to the police station. On 25 March he was taken to Edéa, where he asserted that he had a relative who would be willing to lodge him. During his stay at the police station, and while he was being transported to Edéa, the petitioner did in fact refuse to eat or drink, on the pretext that attempts were being made to poison him. He was not subjected to any brutality, but as he consistently refused to move, the police were at times obliged to carry him.

6. The Administering Authority states that the remaining complaints made by the petitioner merit no comments, having no foundation whatsoever in fact.

7. The petition was examined and discussed at the 110th and 135th meetings of the Standing Committee (T/C.2/SR.110 and 135).

8. The special representative related that the petitioner had not been summarily expelled without warning. He had previously been temporarily expelled from the boarding establishment for ten days.

9. At its 135th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution XX, annexed to the present report, which it recommends that the Council adopt.

### ANNEX

#### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX and XX, adopted without change at the 519th meeting of the Trusteeship Council, see resolutions 904 (XIII), 927 (XIII), 935 (XIII), 902 (XIII), 906 (XIII), 907 (XIII), 909 (XIII), 958 (XIII), 917 (XIII), 954 (XIII), 961 (XIII), 920 (XIII), 981 (XIII), 911 (XIII), 968 (XIII), 975 (XIII), 912 (XIII), 925 (XIII), 939 (XIII) and 978 (XIII), respectively.*

## DOCUMENT T/L414

### Fifty-ninth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

[Original text: English]  
[4 March 1954]

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#### INTRODUCTION

1. At its 111th, 112th, 113th, 137th and 138th meetings, on 25 and 26 January and 1 and 2 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the thirteen petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. All the petitions in this report relate to land disputes.

3. Mr. G. H. Becquey participated in the examination as the special representative of the Administering Authority concerned.

4. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I, III-VI, VIII and XII.

5. The special representative of the Administering Authority provided the Committee with general information on the system of land tenure in the Territory as a background to its consideration of all petitions dealing with land questions.

6. The special representative stated that in general the Territory was sparsely populated and that only a small proportion of the land was utilized at any one time. The land potentially available to each community was not owned by individuals, but the right to cultivate particular areas was assigned to members of the community by the chief on their application. When the fertility of a particular piece of land had been temporarily exhausted, the individual cultivating it would apply to the chief for a new plot of land.

7. From time to time disputes arose between indigenous inhabitants as to their rights to use certain pieces of land. If these disputes could not be settled otherwise, either party could bring the dispute before the court of second degree, presided over by the *chef de région*. Appeals from the decisions of this court lay to the *Chambre d'homologation* (Ratification Chamber).

8. It was open to indigenous inhabitants to apply to the administrative authorities to have their customary rights transformed into a registered title to the land in question. When such applications were received, a palaver would be held; if no objection was entered by the local chief or neighbours of the applicants, it was possible to grant the titles without difficulty. If objections were entered, the Administration endeavoured to settle the matter by conciliation. However, if the objections were still maintained, it would be necessary for the applicants to establish their customary rights to the land in question before the local court of second degree before their applications for a title could be further entertained.

9. The special representative gave the following details as to the procedure followed in granting concessions to non-indigenous inhabitants. When an application for such a concession was made, the local administrative officer gave notice to the chief and inhabitants of the village a month in advance of his intention to hold a palaver on the application. In due course the palaver would take place and the chief and notables and any other persons claiming rights over the land which it was proposed to concede had the right to state their views and present objections. If any of the land was under cultivation, the cultivators would be offered compensation for the value of the crops, plus compensation for disturbance. The record of the palaver was drawn up and persons present were invited to sign it.

10. Following the palaver, notice of the application for concession was published in the *Journal officiel* of the Territory and a copy was posted at the headquarters of the subdivision concerned. A further period of two months elapsed during which it was possible to present objections. If there were no objections, an order granting the concession could be issued immediately. If there were objections, the High Commissioner had, prior to 1946, decided whether the objections were justified; since 1946 the Territorial Assembly (formerly Representative Assembly) had decided such questions and its decision in any case to grant a concession was put into effect by an order of the High Commissioner. In order to facilitate such decisions, it was now customary for the local representative on the Territorial Assembly to be invited to the original palaver.

11. It was possible for an order of the High Commissioner to be challenged within a period of three months

before the *Conseil du contentieux administratif*, from which the case could be referred to the *Conseil d'Etat* in France.

12. Concessions were issued in the first instance on a provisional basis and subject to definite conditions of development of the property conceded. When these conditions were met, the concession was made final and subsequently it was possible for the concession holder to apply to the authorities for a registered title to the land in question.

13. The representative of the USSR stated that the present report contained draft resolutions which were unacceptable to his delegation. In particular, on those petitions which contained allegations of the alienation of land to European companies and individuals, the representative of the USSR had proposed that the Trusteeship Council should recommend to the Administering Authority that it take steps to see that the alienation of land belonging to the indigenous inhabitants should cease. That proposal had not been adopted by the Committee. For these reasons the representative of the USSR voted against the present report.

14. The representative of Syria stated that he had abstained from voting on most of the draft resolutions contained in the present report since, in his opinion, many of them would not give satisfaction to the petitioners. Moreover, most of the recommendations that had been put forward by the representative of Syria had not been adopted by the Committee. For these reasons, the representative of Syria abstained from voting on the report as a whole.

#### I. PETITION FROM MESSRS. JOSEPH LÉA ELONG, EKWALLA EKWA AND NGOUEN DJOUN (T/PET.5/149)

1. The petitioners representing the community of Bonéko, village of Penja, subdivision of Mbanga in the region of Mungo, state that in 1927 a fifty years' lease for the exploitation of 353 hectares was signed between Mr. Maurice Beynis and their community stipulating that Mr. Beynis should pay a yearly rent of 1,500 francs to the community. In 1943 the lease was transferred to the leaseholder's brother, Mr. Adolphe Beynis.

2. The petitioners claim that the terms of the lease have repeatedly been violated by the brothers; thus in 1947 Mr. Beynis destroyed the palm trees to make room for a banana plantation, in spite of the fact that the lease calls for the return of the lands in the same condition as they were in when they were taken over. Also, he now owes rent which, however, he claims that he has paid to the son of one of the original lessors. The petitioners contend that this man is not authorized to accept payment on behalf of the community of Bonéko.

3. In 1948 the petitioners wrote to Mr. Beynis that, in view of the fact that the terms of the lease were not being adhered to, they wished to revoke the lease. Receiving no reply to their communications, they finally notified the authorities. The authorities, however, have drawn out the case, seemingly favouring the leaseholder. The latter has offered to pay a yearly rent of 50,000 francs; this, however, is not acceptable to the lessors, who contend that Mr. Beynis has subleased two portions of the property and for each he receives a monthly payment which is about double the sum which he himself offers to pay to the petitioners yearly.

4. If the lease is to be continued they demand:

(a) That the rent be raised to 100,000 francs monthly;

(b) That Mr. Beynis reimburse them for the destruction of the palm-tree plantation ;

(c) That a rider be added to the lease of 1927 with effect from 1 January 1948 ;

(d) That Mr. Beynis prove that he has paid the rent to the persons entitled to it, and failing this that he pay immediately to the rightful lessors.

5. The petitioners ask the Trusteeship Council to consider their petition as "an appeal from persons in need" and to take a sympathetic view of the case.

6. The Administering Authority points out (T/OBS.5/9, section 18) that the clause whereby the lease can be annulled upon default of payment cannot be invoked against Mr. Beynis, since he offered to pay the rent on 18 February 1952 and the lessees would not agree. The rent was paid to the Deposit and Consignment Office.

7. The Administering Authority explains that this clause is the only one under which the contract can be legally annulled without a court decision to that effect. Hence, since the dispute relates to other clauses, it is a matter for the civil courts, to which the petitioners could take the case.

8. The petition was examined and discussed at the 111th and 137th meetings of the Standing Committee (T/C.2/SR.111 and 137).

9. At its 137th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MR. GABRIEL HONANA (T/PET.5/152)

1. The petitioner, writing from Nkongsamba, complains that land belonging to him was sold by Chief Padong<sup>11</sup>, who claimed that he had bought the land from the Administration. Chief Padong is said to have sold "the first part to a white man called Collinet, the second to a white man called Viotsa and the third part to Pierre Nzamé. The remaining part has been taken by the administrator. This part was planted with cocoa and coffee trees".

2. The petitioner states that he first lodged a complaint on 5 February 1952, but it was dismissed by the magistrate, and he is now without land and without money.

3. He goes on to relate how on 1 November 1952 Chief Padong brought with him forty persons to attack the petitioner in order to gather his green coffee which was not ready for harvesting, thus reducing the petitioner to poverty. He complains that "we are very thin".

4. Finally, he contends that the Administration and the chiefs try to compel people to work on the plantations of others, and complains that "when the poor buy something in the factories the white men increase the prices".

5. The Administering Authority maintains (T/OBS.5/10, section 1) that owing to the lack of detailed information, particularly regarding the whereabouts and the nature of the land, it has been able to investigate the petition only superficially. Chief Padong declares that he has never sold any land to Mr. Collinet, or to the Viossat Brothers Company, and that as regards Mr. Nzamé, he knows no one of that name.

6. The Administering Authority states that Mr. Collinet occupies 80 hectares of land previously fallow, which was provisionally conceded in 1950 in the usual way, that is to say, after a palaver.

7. The Viossat Brothers Company occupies 125 hectares of land previously fallow, which was originally conceded in 1934 to another person and to which they legally obtained a provisional title in 1952.

8. There is no record of any sale to a Mr. Pierre Nzamé.

9. The petition was examined and discussed at the 111th and 137th meetings of the Standing Committee (T/C.2/SR.111 and 137).

10. The special representative explained that the case had been dismissed by the magistrate on the grounds that it did not concern the judicial courts of the Territory. It was the opinion of the special representative that the many charges brought against the late Chief Padong were part of a campaign to discredit him for political reasons.

11. At its 137th meeting, the Committee adopted, by 2 votes to none, with 4 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

## III. PETITION FROM MR. JOSEPH EMADION (T/PET.5/156)

1. The petitioner, a catechist residing at Nkongsamba, complains that the authorities in the French Cameroons have repeatedly been guilty of land alienation.

2. He cites his own case as an example. He claims that while he was away from home serving with the British army after the First World War, the Administration handed over a part of his lands in the vicinity of Nkongsamba, measuring "more than 20 kilometres", to Mr. Tzouvelos on a provisional basis under Order No. 209 of 5 May 1946, and then under Order No. 22 of 6 February 1932 gave the land to him permanently. This was all done without the petitioner's knowledge.

3. The petitioner claims that after his return in 1932 the SATEI Company established itself on the land remaining to him and is exploiting its riches. The petitioner appealed to the *chef de région* of Mungo, hoping at least to receive some compensation for his land, but the official refused to see him. Moreover, he complains that several communications addressed to the authorities have remained unanswered.

4. He requests compensation and recognition of his customary land rights.

5. Finally, the petitioner expresses himself in favour of the unification of the Cameroons and against the policy of alienating lands and forests.

6. The Administering Authority points out (T/OBS.5/10, section 5) that there is obviously an error in the dates cited by the petitioner, according to which a 1946 Order should have been followed by a 1932 Order.

7. It states that in reality a plot of land of 53 hectares was granted Mr. Tzouvelos on a provisional basis by Order No. 209 of 5 May 1928 and that he was granted a confirmed title by Order No. 23 of 6 February 1932. A second plot of 275 hectares was later allotted to him. This area was reduced to 233 hectares as a result of an amicable arrangement and the confirmed title to this plot was granted by Order No. 22 of 26 February 1932. The Administering Authority states that no complaint has

<sup>11</sup> Complaints of Chief Padong (Pandong) are also contained in petitions T/PET.5/162 (section VII, below) and T/PET.5/160 (T/L.412, section IX).

been received since that date. Mr. Trouvelos' concession was registered in 1942. The fact was published in the usual way in the *Journal officiel* of the Cameroons on 1 December 1941.

8. The petitioner also claims compensation for land being worked by SATEI. The Administering Authority observes that this cannot be a reference to the quarry at present being worked by SATEI as it is the property of the Territory and is part of its private land. As regards land used for housing the staff, this question is currently under consideration. The palaver was held on 4 October 1950 and the only person who raised an objection received compensation of 70,000 francs from the company. If the petitioner really has customary rights to the land, he can register his opposition within the time limit and in the manner provided for by the law.

9. The petition was examined and discussed at the 111th and 137th meetings of the Standing Committee (T/C.2/SR.111 and 137).

10. It was pointed out by the special representative that there was no question of expropriation. The petitioner, if he had really occupied the piece of land in question, left it fallow when he left the Territory; in such cases the land was considered unoccupied.

11. At its 137th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### IV. PETITION FROM MR. DAVID KAMJEU (T/PET.5/157)

1. The petitioner, a carpenter residing at Nkongsamba, claims that for many years he has occupied a certain lot which he now wishes to buy. Several applications to the authorities for permission to purchase the land have, however, brought no reply. His neighbours have all been allowed to buy their lots, and he contends that the fact that he is a member of the Union des Populations du Cameroun (UPC) is responsible for the attitude adopted by the authorities in his case.

2. Further, he states that on 30 May 1952 the *chef de région* attempted to prevent him from buying boards from a certain company, also presumably on account of his political affiliations.

3. The Administering Authority points out (T/OBS.5/10, section 6) that the petitioner was in fact occupying urban lot No. 569 without legal entitlement. He had often asked for the lot to be put up for auction. However, the auctioning of urban lots, which entails an obligation subsequently to develop them, cannot take place before the work of opening them up and building essential roadways has been carried out. The lot was put up for auction on 8 May 1953 and the petitioner obtained the concession, as the highest bidder.

4. The Administering Authority denies that the petitioner was refused entry to the Société Africaine de Prévoyance (which he calls the Company) to buy sawn wood. Various receipts, made out in his name in 1952, disprove his contention.

5. The petition was examined and discussed at the 111th and 138th meetings of the Standing Committee (T/C.2/SR.111 and 138).

6. At its 138th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

#### V. PETITION FROM MR. ISAAC EKWEBOUA (T/PET.5/159)

1. The petitioner, a planter residing at Nkongsamba complains of the oppression suffered by the indigenous population under the French administration. He contends that every European who comes to the Mungo region settles on the land without asking permission from the customary owners, merely surreptitiously paying a *chef de région* or a *chef de subdivision* for the land.

2. He states that in July 1949 a Mr. Hugue took over the petitioner's lands, giving him only a few days to move away. Mr. Hugue then proceeded to uproot many thousands of cocoa trees bearing fruit, coffee trees, cola trees, native yam plants, maize, plum trees, raffia palms, macabo, taro, avocado trees and pineapple plants.

3. The petitioner has appealed to various authorities but to no avail. He states that finally the administrator at Nkongsamba brought a document for his signature, which, being illiterate, he was unable to understand. However, he was told that it was a statement to the effect that Mr. Hugue would vacate the lands he had occupied. The petitioner signed, but Mr. Hugue still occupies his land and has "continued to build houses on his land while the petitioner is living under a tree".

4. Having received no help from the Administering Authority, the petitioner now appeals to the United Nations. He requests that Mr. Hugue be forced to vacate the land in question, to compensate the petitioner for his sufferings during the time Mr. Hugue has occupied his land and to pay damages for the plants destroyed. The petitioner also demands recognition of his property rights.

5. Finally, the petitioner, who desires unification for the Cameroons, expresses himself in favour of the UPC.

6. The Administering Authority states (T/OBS.5/10, section 8) that the matter of land rights to which the petitioner refers was the subject of a palaver held on 5 February 1949. An agreement was concluded, at the petitioner's insistence, to compensate him after his trees and plants had been valued. Notice was thereafter published in the prescribed way announcing that the land would be put up for sale on 7 June 1949. No objection was received in the statutory period of two months.

7. The petition was examined and discussed at the 112th and 138th meetings of the Standing Committee (T/C.2/SR.112 and 138).

8. The special representative informed the Committee that the land in question was conceded to Mr. Hugue in accordance with the regular procedure and after a palaver at which the petitioner agreed to the concession, provided that he was duly compensated. The special representative explained that the reason why the petitioner received no compensation was that the experts found his plantation to be without value in view of the poor condition in which it was found. The cocoa trees had diseases which made them dangerous to other plantations and the palm trees were old and unproductive.

9. At its 138th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

#### VI. PETITION FROM MR. ABRAHAM EWO (T/PET.5/161)

1. The petitioner, writing on behalf of the community of Pola Banéka, Nkongsamba, states that a piece of their land was expropriated without their consent. It is now occupied by the Pastorale Company, by a Mr. Darmagnac and by the *Centre de repos*.

2. He asks that their rights in the matter of expropriation (presumably right to an annual payment) be recognized with effect from the actual event—about thirty years ago.

3. The Administering Authority states (T/OBS.5/10, section 10) that "the petitioner, writing on behalf of an unidentified group, claims ownership of lands for which concessions were granted in 1934 (Mr. Léon Darmagnac) and 1937 (Pastorale Company)". It contends that at no time did the Administration receive any objection from the petitioner in spite of the publication of the requests for concessions in accordance with the existing regulations; his complaints would therefore seem to be unfounded.

4. The petition was examined and discussed at the 112th and 138th meetings of the Standing Committee (T/C.2/SR.112 and 138).

5. The special representative informed the Committee that Pola Banéka was a village in the vicinity of Nkongsamba and that the petitioner was not the chief of this community on behalf of which he professed to speak. The village chief had raised at the time no objections to the granting of the concessions concerned.

6. At its 138th meeting the Committee considered two proposals before it, the operative parts of which read as follows:

#### A

"1. *Requests* the Administering Authority to carry out further investigations as to the right of the petitioner to speak on behalf of the community concerned and to investigate the substantive questions raised in the petition and to report the results of the investigations to the Council at its fourteenth session."

#### B

"1. *Draws the attention* of the petitioner to the statement of the Administering Authority that he is not the chief of the community concerned and that the concessions in question were granted in accordance with the regular procedure;

"2. *Considers* that under the circumstances no recommendation by the Council is called for."

7. Neither of the proposals could be adopted, because the votes for and against each of them were equal on two successive occasions. The Committee therefore has no draft resolution to propose to the Council.

#### VII. PETITION FROM MR. NICOLAS ESSO (T/PET.5/162)

1. The petitioner, a resident of the village of Nkongsang, states that since 1923 Chief Padong has handed over to other indigenous inhabitants land belonging to the petitioner, who now demands that it be returned to him and that indemnities be paid. He claims that the three plots in question comprise 180 hectares occupied by Isaac Pondja, 150 hectares occupied by Isaac Tchoua and 30 hectares occupied by Pierre Ezzo.

2. It is observed by the Administering Authority that a confirmed title was granted to Mr. Isaac Pondja in 1938 (a provisional title had been granted him in 1928) to 80 hectares of land at Melong. Mr. Isaac Tchoua occupies 80 hectares of land also at Melong. The concession was awarded him on a provisional basis in 1927 and he was given a confirmed title in 1937 in accordance with the prescribed procedure.

3. The petitioner further claims that Mr. Bonne Maison "has been occupying 150 hectares of my land for some time".

4. As regard this, the Administering Authority states that Mr. Bonne Maison actually occupies 171 hectares of land at Melong. The concession was granted him on a provisional basis in 1935 and he was given a confirmed title in 1948 after he had fulfilled the conditions laid down.

5. The Administering Authority explains that the concessions were all granted in accordance with the regulations and after proper notice, the lands having been uncultivated and the indigenous population having raised no objection to their sale by the *Service du domaine*. Furthermore, Mr. Nicolas Ezzo appears not to have made any claim to these lands when he could have done so.

6. Finally, the petitioner contends that in 1951 the *chef de subdivision* charged him 3,000 francs for coming to make a report on land which Pandong had arbitrarily handed over to his sons Philippe Ngoua and Edimo Abel-Youakelo. This land had originally been given by the petitioner's late father to Mathieu Tiesse, Marcous Makeu and Bella Bernard, and the petitioner asks that the land be restored to the rightful owners and that indemnities be paid them.

7. The petitioner also protests against the French administration in general, complains of the taxes which are crushing the planters, requests that the chiefs and the customary courts should be elected and complains that permits to purchase guns are given only to friends of the chiefs.

8. Moreover, the petitioner declares himself in favour of unification and demands freedom of association for the UPC.

9. The petition was examined and discussed at the 112th and 138th meetings of the Standing Committee (T/C.2/SR.112 and 138).

10. At its 138th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

#### VIII. PETITION FROM MR. OSCAR EHOUM (T/PET.5/165)

1. The petitioner, a clerk in the co-operative of Eboum at Nkongsamba, contends that the *chef de région* sold most of his land without his knowledge. He appealed to the authorities for a survey of his lands, but his request has not been granted, although he was promised a survey in connexion with his donation of a site for a school and a dispensary.

2. He writes that "there are eight persons in my family, each of whom has a cottage, but we are told we must leave our cottages. Why? Where can we go now, when we have no money."

3. In its observations (T/OBS.5/10, section 14) the Administering Authority states that the petitioner took part in a palaver held in August 1952 to classify as private property of the Territory a piece of land chosen as the site of a school block and a dispensary. Those present gave their consent to this classification.

4. The petitioner, customary holder of a piece of land planted with coffee shrubs not included in the classified lot, later asked for the recognition of his rights to the said piece of land. His request was noted and his land was not disposed of in any way. On 31 January and

3 March 1953 he was asked to furnish a plan of the plot to substantiate his request. He had not done so by 30 April.

5. The petition was examined and discussed at the 113th and 138th meetings of the Standing Committee (T/C.2/SR.113 and 138).

6. The special representative informed the Committee that the petitioner had signed the record of the palaver concerning the land to be classified as private property of the Territory and had made no objection. The only persons who had claimed rights in the land were a number of women who had been compensated for their crops.

7. The special representative stated that it was up to the petitioner to prepare a simple plan of his land, which was contiguous with the classified land, if he wished to have it registered.

8. At its 138th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

#### IX. PETITION FROM MR. SAMUEL NGOTTI (T/PET.5/166)

1. The petitioner, a planter, complains that many years ago, when he was a small child, he and his grandfather were evicted from their land "by a white man named Darmagnac" (the petitioner does not state where this land was located) and had to move to another village where they "do not even have enough space to build".

2. He states that he has twice brought a complaint against Darmagnac, but has been informed by the *chef de région* that the case is too old to be considered.

3. With regard to this petition the Administering Authority states (T/OBS.5/10, section 15) that the land in question was unoccupied in 1930. Notice of request for the concession was published according to the regulations between 8 April and 8 May 1930; no objection was raised and the concession was granted. The petitioner offers no evidence in support of his claim.

4. The petition was examined and discussed at the 113th and 138th meetings of the Standing Committee (T/C.2/SR.113 and 138).

5. At its 138th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

#### X. PETITION FROM MR. LIMPA TAMFOTRO (T/PET.5/167)

1. The petitioner, a farmer from the village of Bafou presumably now residing at Dschang, complains that for seven years he has had a dispute with the Director of the Pastorale Company in Bafou, who seized land belonging to him and other indigenous inhabitants and also destroyed their food crops.

2. The petitioner states that he was the only one to report this destruction to the Administration, which subsequently imprisoned him ten separate times without making any investigation. He claims that at Dschang, when a black man brings a charge against a white man, it is the black man who is punished. He further accuses the police commissioner of Dschang of having thrown away one of the petitioner's letters concerning the Pastorale Company and moreover complains that the

commissioner's men took away the stick which the petitioner, a cripple, uses.

3. The petitioner also accuses the Director of the Pastorale Company of having recently burned two concessions without even discussing what their owners had done to offend him.

4. As regards the land belonging to the petitioner which he claims that the Director has taken over, he states that this is land which the petitioner's late grandfather temporarily gave to a German and for which he did not receive any payment, as it was the Bamiléké custom that a foreigner who settled in the territory should be given a small piece of land free.

5. The petitioner, who left his district seven years ago, now requests that the Director of the Pastorale Company pay for the crops destroyed, for his deliberate burning of property in their district and for the land which he has taken over and, further, that he pay compensation to the petitioner for his ten imprisonments.

6. The Administering Authority states (T/OBS.5/10, section 16) that it is difficult to reply to the above petition owing to the lack of precise information. It is, however, certain that the petitioner was never imprisoned for complaining about the Director of the Pastorale Company.

7. A complaint against a director of this firm has in fact been brought before the court and the examining magistrate has issued an indictment against him for destruction of huts and watchmen's dwellings. The decision is not yet known.

8. The petition was examined and discussed at the 113th and 138th meetings of the Standing Committee (T/C.2/SR.113 and 138).

9. At its 138th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

#### XI. PETITION FROM MR. GILBERT TSAFAC (T/PET.5/170)

1. The petitioner, who is chief of the Groupement de Fongo-Tongo, complains that since 1926 the Pastorale Company has occupied lands belonging to the communities of Fongo-Tongo and Fongon-Deng without paying any rent to the owners. Further, the boundaries originally agreed upon have been overrun, and as a result plantations and houses belonging to the community have been destroyed.

2. The communities now demand that the Pastorale Company pay the rent due as from the year 1926, and further that they abide by the boundaries agreed upon.

3. An almost identical communication dated 4 November 1952 has been received from Mr. Etienne Zamo, chief of the Groupement de Fongon-Deng. See also T/PET.5/167 containing a complaint against the Pastorale Company.

4. The Administering Authority points out (T/OBS.5/11, section 2) that this question was previously raised in petition T/PET.5/38.

5. In this petition, dated 21 November 1949, the Union des Populations du Cameroun, Comité Central du Groupement de Bafou, protested that in the endless land disputes the Administration constantly took the side of the Pastorale Company and that in November 1949 it had imposed upon the Bafou people a division of their land between themselves and the Pastorale Company based on consideration of so-called utility. The Ad-

ministering Authority, in its observations on this petition, gave an account of the steps it had taken to establish a demarcation line on the Bamboutos mountains between the lands of the stock-breeders and those of the growers in order to put an end to the everlasting disputes between them. The disputes were aggravated by the fact that the distaste of the Bamilékés for stock-breeding left this activity entirely to "foreigners" (African nomads or European stock-breeders). The Trusteeship Council at its sixth session adopted a resolution concerning the petition (resolution 149 (VI)) in which it urged the Administering Authority to intensify its efforts to settle this problem.

6. It is asserted by the Administering Authority that since then the Administration of the Territory has been continuously concerned with the question. Technical surveys have been made and by two Orders of 17 July 1950 the Bamboutos Mountains were made a pasture reserve with a view to putting an immediate halt to the danger of erosion and of exhausting the soil, and a priority right was established in favour of the indigenous communities. The boundaries of the reserve were fixed after consultation with representatives of the communities which have traditional rights on this range.

7. The Administering Authority further points out that the Bamiléké peoples are not interested in livestock-breeding but would like to extend their crops along the slopes of the Bamboutos. Such extension of crops, however, would lead to rapid destruction of the fertility of the soil through erosion, and the Administration has heretofore refused to admit this in principle, while exercising a certain tolerance in practice. This cannot be continued without risk, however, and an attempt is being made to find means of satisfying the Bamiléké communities by paying to their account an annual indemnity to be levied on stock-breeders not members of these communities. The principle of such an indemnity was established in the Order of 17 July 1950, but it is subject to the conclusion of written agreements between the parties. No agreement has yet been drawn up.

8. The Administering Authority points out that the steps described above are conservation measures and that it is actively trying to find a final solution to the problem.

9. The Pastorale Company, whose herds are pastured on the Bamboutos, keep their herds within the boundaries. However, when the herds destroy the neighbours' crops, the company pays compensation to the owners.

10. As regards the destruction of huts, a complaint has been brought against a manager of the company. This matter is under investigation.

11. The petition was examined and discussed at the 113th and 138th meetings of the Standing Committee (T/C.2/SR.113 and 138).

12. The special representative explained that the payment of an indemnity to the Bamiléké people of the area depended on their appreciating the need for soil conservation and therefore on their accepting the Orders of 17 July 1950. No final solution had been reached satisfactory to the Bamiléké peoples, who wanted freedom of movement rather than compensation and were unable to understand why Europeans were preventing them from extending along the mountain slopes.

13. The special representative informed the Committee that the manager of the Pastorale Company had been convicted by the court at Dschang of the destruction of two small sheds on the boundary of the concession and had been fined 5,000 francs plus 25,000 francs damages. Both parties had appealed.

14. At its 138th meeting, the Committee adopted, by 4 votes to 2, draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

## XII. PETITIONS FROM MESSRS. JEAN YAMAGANG AND MANENGOTENG AND FROM MESSRS. BERNARD SONGO, PAUL MPAKO AND MAX MOUEBELE (T/PET.5/206, T/PET.5/209)

1. The first petition is a brief cablegram, in which it is stated that the administration at Nkongsamba is threatening to expropriate for the use of a private company land which the petitioners have held for eighteen years under a "customary contract".

2. In the second petition, the petitioners, planters at Kolla in the Mungo region, enclose a letter to the High Commissioner complaining of and giving particulars of a case of threatened land alienation, and beg the Trusteeship Council to intervene with the Administering Authority on their behalf.

3. They state that before the First World War the late Chief Eta allotted a certain area of land to a Mr. Edika for the cultivation of tobacco. After the war Mr. Edika left and Mr. Tia and Mr. Mangou in turn took over the land. Neither Mr. Edika nor Mr. Tia surpassed the boundaries originally agreed upon, but in 1938 Mr. Mangou took possession of additional land. The petitioners claim that Mr. Mangou has now sold all this land to the *Compagnie Française Sanga-Oubangui* (CFSO), as well as land belonging to the petitioners which they had given over to twenty-five African planters for cultivation many years ago.

4. The petitioners state that for about five months now—the letter is dated 21 February 1953—the twenty-five planters have been threatened with eviction. They claim that the *chef de région* of Mungo, accompanied by a surveyor, Cameroonian guards and the chief of the subdivision came to Kolla to set up the old boundaries of Mr. Mangou's lands. Although these have not been found, the petitioners maintain that the surveyors are setting up new stakes, destroying many rich plants in so doing. When the planters protested, the *chef de région* is said to have alluded to the incident at Loum-Chantiers.<sup>12</sup>

5. The petitioners protest that Mr. Mangou is no more entitled to sell land which was never bought than he is entitled to sell the land which the twenty-five planters mentioned have occupied legally, most of them for eighteen years.

6. The Administering Authority makes the following observations (T/OBS.5/12, section 8) on the above petitions which concern the same affair.

7. The CFSO purchased a German estate at Kola which has been seized as enemy property.

8. Subsequently, Natives living in the area sold land on the CFSO territory to Bamiléké immigrants. Some Bamilékés settled there in good faith, believing that the Natives were the owners. Others, however, extended the land they were cultivating within the CFSO's territory without permission, well aware of what they were doing.

9. The case is at present before the court at Nkongsamba; the court has asked that the boundaries of the CFSO's land be restored and that the crops planted by the Bamilékés on that property be valued by an expert.

<sup>12</sup> See T/PET.5/117 (resolution 776 (XII)).



10. The local administrative authorities can do nothing until the court's decision is known, but they are keeping a close watch on the proceedings.

11. The petitions were examined and discussed at the 113th and 138th meetings of the Standing Committee (T/C.2/SR.113 and 138).

12. The special representative informed the Committee that some of the Bamiléké immigrants had probably been given land to work by the local chief, while others had probably purchased land in good faith from local indigenous inhabitants, believing them to be the owners. Some of the land thus occupied belonged in fact to the CFSO, while in other cases Bamiléké immigrants had knowingly extended their plantations into the CFSO's territory. The petitioners were therefore threatened, not with expropriation, but with eviction from land that was not their property.

13. The special representative added that he did not know who had instituted the proceedings before the court at Nkongsamba, but the object of the proceedings was to enable the court to determine rights and fix indemnities, if any. It was for the court to uphold or deny titles to property and to delimit the boundaries of concessions. Since the case was still *sub judice*, the Administration could not intervene. At the 138th meeting

the representative of France informed the Committee that the boundaries determined by the court had been surveyed and that the local administration was proceeding to value the possessions and crops of the indigenous inhabitants. At the same time discussions were being continued between the interested parties with a view to allowing the local population, who had settled on the company's land in good faith, to remain where they were and to compensate the CFSO.

14. The special representative stated that the claims that the surveyors had destroyed many rich trees had been investigated and found to be incorrect.

15. At its 138th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution XII, annexed to the present report, which it recommends that the Council adopt.

## ANNEX

### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II, III, IV, V, VII, VIII, IX, X, XI and XII, adopted without change at the 519th meeting of the Trusteeship Council, see resolutions 922 (XIII), 924 (XIII), 928 (XIII), 929 (XIII), 931 (XIII), 933 (XIII), 936 (XIII), 937 (XIII), 938 (XIII), 941 (XIII) and 973 (XIII), respectively.*

## DOCUMENT T/L.415

### Sixtieth report of the Standing Committee on Petitions: petitions concerning Togoland under British administration

[Original text : English]  
[4 March 1954]

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#### INTRODUCTION

1. At its 127th, 128th and 139th meetings, on 12 and 15 February and 3 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, examined the six petitions concerning the Trust Territory of Togoland under British administration which are listed in the preceding table of contents.

2. Mr. M. Ensor participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's

rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution I.

#### I. PETITION FROM MR. J. J. AMOA (T/PET.6/325)

1. The petitioner, writing on 12 September 1953, describes himself as one of those who are strongly opposed to the integration of the Trust Territory into the Gold Coast. While most of the petition is devoted to a discussion of the general questions involved, the first two paragraphs of it are concerned with the petitioner's specific grievance that, because of his political views, he has been deprived of his post of headmaster of the Ewe Presbyterian School at Kpandu, and has been transferred to a subordinate post over a hundred miles away. He also complains that, "contrary to the ordinary routine of organization", he has been required to pay the travelling expenses involved in his transfer.

2. The affair stems from a visit paid by Mr. S. G. Antor in January 1953 to two E.P. schools at Kpandu—the primary school and the middle school—and from a lecture given by Mr. Antor at the latter school. The two sides of the case can be gleaned from copies of four letters annexed to the petition. In the first, the Assistant Education Officer charges the petitioner with: (a) failing to obtain permission from the Manager in charge of the schools before Mr. Antor was allowed to visit the schools or lecture in them; (b) failing to enter a note of the visits in the records of either school; (c) being aware that Mr. Antor's visit to Kpandu was for political reasons; and (d) getting the headmaster of the middle school, who was a new man, "implicated" with Mr. Antor and his political views.



3. In the second letter annexed to the petition, the Assistant Education Officer informs the regional secretary of the Convention People's Party at Kpandu that "action has now been taken by the Head of my Department ... and a further action is being taken by the ... Director of Education, for disciplinary measures against Mr. Jones Amoa and Mr. E. Aggor ..." (the headmaster of the middle school).

4. The petitioner's side of the case is presented in the third and fourth letters annexed to the petition. In the third letter, he replies as follows to the Assistant Education Officer's charges: (a) the schools' Manager was absent, so that his permission for Mr. Antor's visit was unobtainable; (b) only official visits must be entered in schools' records, and this visit was not an official one; and (c) Mr. Antor strictly kept off party politics during his visit. He goes on to charge the Assistant Education Officer with political bias. The fourth letter is from the staff secretary of the middle school to the schools Manager. In it the writer states that Mr. Antor was passing through Kpandu and called on a personal friend who was a member of the staff of the middle school. The petitioner saw him and asked him to talk to the primary school on "The Children of America". The petitioner introduced him to the headmaster of the middle school, who asked him to talk to the pupils there on "The United Nations Organization". Mr. Antor did so; he gave an educative talk on the subject and had no time left for a talk to the primary school pupils. The United Nations is a topic in the middle school's syllabus, and the headmaster took advantage of the presence of one who had specialized on the subject. In particular, Mr. Antor kept off politics.

5. The Administering Authority states (T/OBS.6/4) that Mr. Amoa was transferred to Abor, with the full knowledge and approval of the Acting Director of Education, because he had contravened the instructions contained in a circular letter addressed by the Director of Education to all teachers in October 1949. Appended to the observations are copies of the relevant instructions which are to the effect that in no circumstances are party politics appropriate in schools. The following passage occurs in them:

"Children are sent to school for an exclusive purpose—education, that is the training of them during their years of immaturity to prepare them to use mind and judgment when the responsibilities of mature, adult life become theirs. It is essential to the proper development of the immature that they should be taught with determined objectivity and that neither their minds nor their emotions should be disturbed by the intrusion into their schools of party political activities of any kind."

6. The Administering Authority goes on to say that every encouragement is given to factual teaching in the schools about the United Nations Organization and its work but that Mr. Amoa acted improperly by inviting the leader of a political party, with whose views a large number of the parents of the children in his school disagree, to address his pupils.

7. The petition was examined and discussed at the 127th and 139th meetings of the Standing Committee (T/C.2/SR.127 and 139).

8. In reply to questions from members, the special representative explained the relationship between the Administration and the Ewe Presbyterian Church in the matter of education. The Administration does not directly administer any schools in the Trust Territory. The missions run the schools and, in exchange for the financial support of the Administration, what they teach must be

in conformity with the government's educational policy. The Ewe Presbyterian Church, whose governing body consists of Africans, manages schools all over the Trans-Volta region, which lies partly in the Trust Territory and partly in the Gold Coast.

9. The Ewe Presbyterian Church administers the staff in all its schools. It decides at which school each shall teach, and every teacher accepting employment with the Church does so on the understanding that he is liable to be transferred to any school under its management—whether the school be in the Trust Territory or in the Gold Coast.

10. The special representative went on to explain that the complaint against the petitioner had been made to the Assistant Education Officer by an officer of the Convention People's Party. The Assistant Education Officer investigated the complaint in consultation with the School Manager. They were satisfied that the speech delivered by Mr. Antor had been of a political character, and they jointly decided that it would be a suitable penalty to send the petitioner to another school, to degrade his rank to that of assistant master and to make him bear the costs of his transfer. The Church ordered accordingly, and its decision was ratified by the Education Department. The choice of Abor, in the Gold Coast, as the place to which the petitioner should be transferred, was the Church's—not the Education Department's. The Church always decided where its teaching staff should be employed.

11. Had he not wanted to be transferred to Abor, or to anywhere else in the Gold Coast, the petitioner would have been free to resign from employment with the Church. He had not been punished because of any political views which he might have held or expressed; he had been punished for contravening the school regulations. Nor had he been banished from the Trust Territory; he was perfectly free to go in and out of it as he pleased. No restrictions of any kind had been placed upon his political activities. The special representative added that the petitioner had recently been promoted again to a headmastership.

12. At its 139th meeting, the Committee adopted, by 3 votes to 2, with 1 abstention, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MR. GILBERT OSEI (T/PET.6/326 AND ADD.1)

1. This petition and its addendum consists of six communications. The petition proper is dated 18 September 1953 and is addressed to the Regional Officer, Ho, a copy being sent to the Secretary-General for information and action.

2. The petitioner was on the staff of the Ewe Presbyterian Middle School at Kpandu until 23 August 1953, when he received through the School Manager a letter from the Assistant Education Officer, Kpandu, notifying him of the termination of his appointment. The reason given for this action was that, after several warnings, he had failed to attend Saturday classes for pupil teachers.

3. The petitioner's version of the affair is that, when he eventually turned up at the Saturday classes, he entertained a low opinion of what was being taught in them. As the possessor, he says, of the Cambridge School Leaving Certificate, he had nothing to learn from the Saturday classes, and his tutor agreed. Therefore, the time during which he might have been attending the classes was occupied by him in preparing his next week's lessons. When he received his notice of dismissal, he

apologized both to the School Manager and the Assistant Education Officer, and begged them to reconsider the matter—but all to no avail.

4. The petitioner does not now contest his dismissal, but only the fact that he was dismissed without notice. He asks for his pay for the remainder of the school term in question.

5. The petitioner submits five other communications. Three of them are addressed respectively to the Assistant Education Officer, to the School Manager and to the Director of Education. There is little in them that adds anything to the facts of the case as adduced in the petition proper, and they may be described as running commentaries on the injustice suffered by the petitioner.

6. The other two communications are covering letters addressed to the Secretary-General, and in one of them—that dated 8 November 1953—is a statement by the petitioner to the effect that he had been informed by the General Manager of the E.P. schools that there was no regulation requiring a teacher of his scholastic attainments to attend the Saturday classes for pupil teachers.

7. In the petition proper, the petitioner states that before becoming a schoolmaster he had been employed in the Secretariat of the Togoland Congress as private secretary to the Secretary-General, and in his letter to the director of education, as well as in his letter to the Secretary-General, both dated 22 October 1953, he hints that his dismissal from the school was due to political party bias. In both letters he refers to the case of Mr. Jonas Amoa, whose complaint is the subject of T/PET.6/325 (section 1 above).

8. The Administering Authority states (T/OBS.6/6, section 1) that the reasons for Mr. Osei's dismissal were quite unconnected with politics. He was employed as a pupil teacher in training in Kpandu but found to be unsuitable for the teaching profession because of a repeated attitude of insubordination (of which his refusal to attend Saturday morning classes for pupil teachers was only one example) and his failure to account for school fees received by him.

9. The petition was examined and discussed at the 127th, 128th and 139th meetings of the Standing Committee (T/C.2/SR.127, 128 and 139).

10. The special representative stated that the Administration intervened with the petitioner's employer—the Schools Management of the Ewe Presbyterian Church—and directed that he should receive the month's pay to which he was entitled in lieu of notice. When, however, the matter was looked into further, it was found that the petitioner had failed to bring to account certain school fees that he had received; and, rather than take the matter to court, it was decided to withhold the month's pay due, since the two sums were roughly the same. It was, of course, still open to the petitioner to take court action with a view to recovering the month's pay.

11. The special representative stated also that the petitioner had flatly refused to attend the Saturday classes for pupil teachers.

12. At its 139th meeting the Committee considered two proposals before it, the operative parts of which read as follows:

“A

“*Draws the attention* of the petitioner to the statements of the Administering Authority and its special representative to the effect that:

“(a) The petitioner was dismissed from his post for insubordination;

“(b) The month's wages due to him in lieu of notice was withheld by the school management because certain school fees of a similar amount received by him had not been accounted for;

“(c) It is open to him to lay a complaint in the courts concerning the wages in lieu of notice.”

“B

“*Requests* the Administering Authority to assist the petitioner in recovering what is due to him from the school management.”

Neither of the proposals could be adopted, because the votes for and against each of them were equal on two successive occasions. The Committee therefore has no draft resolution to propose to the Council.

### III. PETITION FROM MR. SETH G. K. GOLOVI (T/PET.6/327)

1. The petitioner, a sixteen-year-old orphan from Kpandu, writes on 29 October 1953 that his burning ambition is to become an architect but that he is financially unable to continue his secondary education. He has tried to pay for his education by working, but a whole year's earnings took him only to the end of the second term at school.

2. The Administering Authority states (T/OBS.6/5) that the petitioner is not an orphan, though his parents are separated. He attended the new Kpandu Secondary School for the first two terms of 1953 where his work is regarded by his headmaster as having been satisfactory. He failed to appear for the third term and was thought locally to have gone to live with his father.

3. His mother's family are willing to pay his school fees of £12 a year if he lives with them. A competitive examination is shortly to be held for government bursaries worth £6. His name is still on the books of the school, and he would be eligible to compete.

4. The petition was examined and discussed at the 128th and 139th meetings of the Standing Committee (T/C.2/SR.128 and 139).

5. The special representative informed the Committee that the petitioner was stated to be living with his father at Kumasi, in the Gold Coast. He himself had not been able to meet the boy, but it could no doubt be arranged for a welfare officer to visit him in Kumasi and investigate his situation further. The government bursaries referred to in the observations of the Administering Authority were in respect of secondary education. When the petitioner had completed his secondary education, he would be eligible to compete with others for one of a number of government scholarships, tenable at institutions of higher education, where he could pursue architectural studies.

6. At its 139th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

### IV. PETITION FROM INHABITANTS OF THE LEPER SETTLEMENT AT HO (T/PET.6/328)

1. The petitioners, writing on 29 December 1953, state that, as from 1949, the inmates of the Leper Settlement at Ho have been working as builders, carpenters, farmers, etc. For this each used to receive a daily allowance of eight pence, which was recently increased to one

shilling. On 27 August 1953, however, the officer in charge of the settlement announced that the Government would stop the allowance as from 30 September 1953 and would moreover require each inmate to pay for his lodging and treatment, by rendering three hours' labour a day for six days a week.

2. The petitioners state also that the "lepers have not got treatment from the 27th and 28th of November" and that the officer in charge has threatened to stop all treatment "if work is not done".

3. The petitioners consider that this treatment is extremely harsh. Of the four signatories to the petition, the first is Mr. Silas A. Azuma, who was the author of a previous petition (T/PET.6/148) concerning conditions at the settlement. Two of the other signatories have written a communication, which is annexed to the petition, in which they recall the earlier petition—though they do not seek to re-raise the questions with which it was concerned. They state that Mr. Azuma has been elected chief of the settlement. (In its resolution 255 (VII) the Council decided that no action was called for on T/PET.6/148.)

4. The Administering Authority observes (T/OBS.6/6, section 2) that, until the appointment of a specialist leprologist and the establishment of a modern leprosy service it was the practice in government leper settlements in the Gold Coast and Togoland to pay subsistence allowances to inmates. It is accepted modern practice, however, that all patients except those in an advanced condition of leprosy should undertake suitable work as a form of occupational therapy and it is desirable, especially in view of the much larger proportion of cures being achieved with the aid of modern drugs, that inmates should not lose their capacity to work, which helps to maintain their confidence in themselves and self-respect.

5. The adoption of the new system in Ho was deferred until last year, by which time central cooking facilities had been provided there. Under this new system the inmates continue to receive free accommodation, treatment, clothing, blankets, mosquito nets, cooking utensils, soap, etc. and are provided with land on which to farm. But all cash allowances have been discontinued. All inmates physically capable of doing so are now required to work for three hours a day for the common good of the settlement. Patients employed by the settlement authorities over and above three hours are paid for the extra work at the standard rates for the type of work involved. Inmates who are incapacitated are supplied free of charge with cooked food.

6. Patients are at liberty to work in the settlement over and above the three hours on their own farms or at other tasks for their own gain. Those who are not infectious are at liberty to leave the settlement at any time and, if they do so, may obtain out-patient treatment at a number of centres free of charge.

7. The Administering Authority emphasizes that accommodation is provided free and the petitioners' complicated calculation of the rent alleged to be paid is pure fantasy.

8. The petition was examined and discussed at the 128th and 139th meetings of the Standing Committee (T/C.2/SR.128 and 139).

9. The special representative stated that the new arrangements described in the preceding paragraphs had given rise to slight dissatisfaction when they had been first introduced. The regular visitors to the settlement, however, all of whom were Africans, had investigated the trouble, and had been satisfied that there were no

grounds for the allegation that the new arrangements constituted harsh treatment.

10. The special representative went on to explain that the settlement was under the care of a trained leprosy worker who was skilled in the ordinary treatment of leprosy and certain common ailments. Inmates who required more complicated treatment were sent to the hospital at Ho. In addition, the medical officer at Ho regularly visited the settlement, and the specialist leprologist visited it once every three months.

11. The reason why treatment of certain lepers had been suspended during November 1953 was that some of them, led by the first petitioner, went on strike. They refused to work and disobeyed the camp rules, so they were informed that if they did not wish to abide by the rules they were free to leave the settlement and return to their homes and receive free treatment at the various out-patient clinics.

12. Incapacitated lepers are supplied with cooked food free of charge. Those who are not incapacitated are given land and encouraged to grow food, and in this way they obtain their basic food. Even so, some inmates still journey outside the settlement to obtain food. For example, there are those lepers with special skills—e.g., teachers and builders—who prefer to exercise their skills in return for cash payments, and if they cannot buy their food out of the surplus grown by other inmates, they journey outside the settlement to buy it. The special representative was mindful of the regret expressed by the 1952 Visiting Mission at the long walk to the market at Ho which the lepers were obliged to undertake (T/1040, para. 187), and he stated that, while it was no longer necessary for them to walk as far as Ho, it had not been possible to eliminate the walk entirely and they still had to go some distance towards Ho.

13. At its 139th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### V. PETITIONS FROM NANA AGBOKA AND FROM THE SECRETARY-GENERAL OF THE TOGOLAND CONGRESS (T/PET.6/L.7 AND T/PET.6/L.8)

1. The Standing Committee decided, at its 97th meeting, that the established procedure should be applied to these two petitions, which concern the status of the Trust Territory.

2. In a brief cable dated 20 July 1953, Nana Agboka states that, at Nkonya on 19 July 1953, the chiefs and people of Southern Togoland resolved that the Trust Territory should be integrated into the Gold Coast.

3. The petition from the Secretary-General of the Togoland Congress takes the form of two cables. In the first, dated 20 July 1953, the Congress charges the Gold Coast Government with employing members of the Legislative Assembly, regional officers and government agents serving in the Trust Territory, to induce a few individual chiefs in the Territory to sign documents endorsing the Convention People's Party's plans for integrating the Territory with the Gold Coast. In its second cable, dated 23 July 1953, the Congress charges that Nana Agboka's cable of 20 July 1953 was signed under secret instructions of the Gold Coast Government and is causing great unrest and alarm in the Territory. The Congress strongly protests against what it describes as "subversive action" on the part of the Gold Coast Government—which it describes as "unworthy, incapable and incompetent" to administer the Trust Territory on behalf of the United

Kingdom. Adding that the situation is grave, the Congress demands immediate action by the United Nations to avoid a breach of the peace.

4. The petitions were examined and discussed at the 128th and 139th meetings of the Standing Committee (T/C.2/SR.128/and/139).

5. The special representative denied the charges contained in T/PET.6/L.8 concerning the activities of government employees.

6. At its 139th meeting, the Committee decided to refer the two petitions to the Trusteeship Council for examination in conjunction with General Assembly resolution 750 (VIII).

## ANNEX

### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II and III, adopted without change at the 521st meeting of the Trusteeship Council, see resolutions 989 (XIII), 991 (XIII) and 992 (XIII) respectively.*

## DOCUMENT T/L.416

### Sixty-first report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

*[Original text: English]  
[8 March 1954]*

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#### INTRODUCTION

1. At its 114th, 115th, 116th and 140th meetings on 26, 27 and 28 January and 4 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the thirteen petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. These petitions relate entirely to questions of land tenure. It will be noted that a summary of information concerning the system of land tenure in the Territory and of the procedure for issuing titles to land and for granting concessions is contained in paragraphs 5 to 12 of the introduction to the previous report of the Committee (T/L.414).

3. Mr. G. H. Becquey participated in the examination as the special representative of the Administering Authority concerned.

4. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's

rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions III-V, and IX.

#### I. PETITION FROM MR. OUMAROU FONBANHANG (T/PET.5/172)

1. The petitioner, a farmer residing at Foubot, complains that the Administering Authority sold his land, which constituted all his wealth, to a Mr. Charitas and that he knew nothing about the transaction until Mr. Charitas proceeded to work there.

2. The petitioner has received no payment for his land and no compensation for his fruit trees, which have been destroyed by the Frenchman, who refused to reply to his complaints.

3. The Administering Authority asserts (T/OBS.5/11, section 4), that Mr. Charitas is occupying land which he bought from Mr. Crosier, who had obtained the grant to it in the usual way.

4. A palaver was held on 3 October 1935. Neither on that day nor at any time during the subsequent proceedings did the petitioner make any objection.

5. The petition was examined and discussed at the 114th and 140th meetings of the Standing Committee (T/C.2/SR.114 and 140).

6. At its 140th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

#### II. PETITION FROM MR. TIAM SAKIO (T/PET.5/173)

1. The petitioner, a farmer of Foubot, who is a member of the Union des Populations du Cameroun (UPC), complains that land belonging to him has been alienated by the Administering Authority, and claims that this is a result of his having voted for Njidam as chief. He states that for twenty years he has lived and worked on the land, which he inherited from his father, and the fruit trees he has planted there constitute all his riches.

2. The Administering Authority states (T/OBS.5/11, section 5) that the petitioner is a Bamiléké and cannot therefore claim to have customary rights to land in Bamoun country. His uncle had obtained the usufruct of the land from the father of the district chief Njimong-

bat. When this uncle died five years later, the land remained uncultivated for several years until it was again brought under cultivation by Bamoun farmers. The petitioner was then otherwise occupied, but later asked to resume the right to use the land and then abandoned it again. The heir of the customary occupier of the land then claimed it and is still cultivating it.

3. The matter has been submitted to the relevant customary court. An attempt at conciliation has failed and judgment will be handed down in the near future.

4. The petition was examined and discussed at the 114th and 140th meetings of the Standing Committee (T/C.2/SR.114 and 140).

5. The special representative informed the Committee that the petitioner had not continuously occupied or cultivated the land concerned and that various owners had had the right of usufruct at different times.

6. The special representative had no information as to the result of the case before the customary court.

7. At its 140th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

### III. PETITION FROM MR. IDRISAU NGHAPON (T/PET.5/178)

1. The petitioner, a farmer residing at Foubot, states that in 1925 or 1926, when he was still a child, the French Administration seized the land left him by his late father and transferred it to a Mr. Wilhem. On coming of age, the petitioner protested to the authorities, but to no avail.

2. In its observations (T/OBS.5/11, section 8), the Administering Authority states that the land in question was granted to Mr. Wilhem after a palaver on 9 February 1931 and in accordance with the usual procedure. At no time during the proceedings was any objection made. In 1950 the land was bought by the Agricultural and Pastoral Company of Foubot.

3. The petition was examined and discussed at the 114th and 140th meetings of the Standing Committee (T/C.2/SR.114 and 140).

4. The special representative explained that if the petitioner had been a minor in 1931 his rights would have been protected by the chief of the village or the head of the family.

5. At its 140th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

### IV. PETITION FROM MR. MOÏSE TCHOUATUN (T/PET.5/179)

1. The petitioner, a resident of Foubot, states that three years ago he, and numerous others, were forced from land which they had occupied for seventeen years and all their property was taken from them because they were Bamilékés. Compensation was promised them, but to the day of writing, 6 November 1952, they have received none. The area involved contained eighty-five houses and planted land, and the petitioner claims that "the place was taken over as a Fouban co-operative".

2. The Administering Authority states (T/OBS.5/11, section 9) that the petitioner is one of a group of Bamilékés who had obtained the usufruct of certain lands from the Bamoun community.

3. When this community wished to take over the lands again in 1947 to enable the Coopérative des Planteurs Bamouns de Café Arabica to expand, a palaver was held at which the Bamilékés agreed to vacate the lands in return for other plots. As disputes arose regarding the size and boundaries of these plots, the matter was brought before the court of second degree at Fouban, which handed down judgment on 19 September 1952.

4. Posts marking the boundaries of the lands were staked out in February 1953.

5. The petition was examined and discussed at the 114th and 140th meetings of the Standing Committee (T/C.2/SR.114 and 140).

6. The special representative informed the Committee that the Coopérative des Planteurs Bamouns de Café Arabica was a society of African planters only. He further stated that the Bamilékés did not receive compensation in money, but were granted new plots of land.

7. At its 140th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

### V. PETITION FROM MR. NSAPGUÉ ABOUBÉKAR (T/PET.5/181)

1. The petitioner, a farmer at Foubot, protests against Mr. Michel, head of the plantation of the Compagnie Industrielle et Agricole du Cameroun (CIAC) at Foubot, who, he states, looted his plantation, gathering forty baskets of maize and yams.

2. The petitioner claims that he has appealed to all the French courts, but to no avail. In spite of the fact that several officials were eye-witnesses of the incident, the case has now dragged on for five years, and the petitioner therefore begs the United Nations to intervene on his behalf.

3. In its observations (T/OBS.5/11, section 10) the Administering Authority declares that the petitioner planted crops on land which had been granted to the CIAC in accordance with the usual procedure. The director of the company warned him that work was going to be carried out there but the petitioner refused to give up cultivating the land. His crops were then destroyed as a result of the work carried out by the company.

4. The petitioner, who was therefore aware of the risk he ran, has complained orally to the *chef de subdivision*, but has never presented a complaint in writing so that the matter might be brought before the judicial authorities.

5. The petition was examined and discussed at the 114th and 140th meetings of the Standing Committee (T/C.2/SR.114 and 140).

6. At its 140th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

### VI. PETITION FROM MR. DIDIO NGOMSSI (T/PET.5/182)

1. The petitioner, who is a member of the UPC, states that after having worked on a plantation of the Compagnie Ouest Cameroun (COC) for seven years, he requested a piece of land from the late Paramount Chief Njindam. This was in 1934. In 1948 he was notified that he would have to give up this land as it was being

taken over by the Administration for the construction of buildings. He vacated the land and was paid damages, and at the same time (in 1951) he requested a new lot of land from Njindam, which was accorded him. The petitioner then proceeded to build a hut, using 3,600 bricks which cost him 5 francs each. However, "people from the subdivision then came to destroy the hut because he voted for the late Njindam of Foubot".

2. The last part of the petition is not clear, but it would appear that on 9 January 1952 the *chef de subdivision* informed the petitioner that he was liable to a fine of 6,000 to 12,000 francs and to imprisonment for from one to six months.

3. It is stated by the Administering Authority (T/OBS. 5/11, section 11) that the petitioner had begun the construction of a hut in the urban centre of Foubot early in 1952 without observing the urban zoning restrictions. The *chef de subdivision* requested him in a letter of 9 January 1952 to destroy the building and submit a request for a permit to build in a neighbouring area in accordance with regulations. The building which had been begun was destroyed by the petitioner himself and not by the *chef de subdivision*.

4. The petition was examined and discussed at the 115th and 140th meetings of the Standing Committee (T/C.2/SR.115 and 140).

5. The special representative stated that the petitioner's assertion that his hut had been destroyed because he had voted for the late Njindam of Foubot was incorrect. The petitioner had contravened the local building regulations in constructing his hut and had been ordered to dismantle it. He had kept his bricks and could thus rebuild in a neighbouring area.

6. It was stated by the special representative that the figures quoted by the petitioner for the possible fines and imprisonment were exaggerated. For minor offences one would be liable to fines from 600 to 1,200 francs and to imprisonment for from one to fifteen days.

7. At its 140th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

#### VII. PETITION FROM MR. ISSAH MOUASSÉ (T/PET.5/183)

1. The petitioner, who is President of the Union des Populations du Cameroun at Foubot, complains that eight years ago Paramount Chief Njikouotou took possession of land which for fifty years had belonged to the petitioner's late father, Njikam. The land was planted with "palm trees, fruit trees, alligator-pear trees, plum trees, banana palms and all the native trees of the country" and the petitioner's family is now in "dire straits" as a result of having been ejected from this property.

2. The petitioner claims that Chief Njikouotou also ejected "certain other people from their houses and destroyed the houses of others in order to construct his own".

3. Three years prior to the present petition the petitioner lodged a complaint against Chief Njikouotou, having been advised accordingly by the French authorities. Subsequently, "the *chef de subdivision* came with the surveyors, and noting that the petitioner spoke the truth they returned without taking any action". Since

then he has appealed to the customary court, the President of the court of second instance, the Public Prosecutor, the Governor, the National Assembly and lastly to the magistrate, but he asserts that to the day of writing he has received no reply.

4. The Administering Authority points out (T/OBS.5/15, section 4) that the land suit filed by the petitioner against Njikouotou Issah was heard by the Foubot customary court in 1952. The court found against the petitioner, who appealed. The matter is at present *sub judice* before the Fouban court of second instance.

5. The petition was examined and discussed at the 115th and 140th meetings of the Standing Committee (T/C.2/SR.115 and 140).

6. The special representative stated that the Administering Authority had no knowledge of people being evicted from their houses by Chief Njikouotou.

7. The special representative had no information as to whether the appeal made by the petitioner to the Fouban court of second instance had been decided on.

8. At its 140th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

#### VIII. PETITION FROM MR. NJIYANGOU SOULÉMANOU (T/PET.5/184)

1. The petitioner, a resident at Kounga, Fomban, claims that about twenty years ago, "the Europeans Michel and Koubo, planters at Foubot", unlawfully took possession of his land, and he now demands to have this land returned to him.

2. According to the Administering Authority (T/OBS. 5/11, section 12) the petitioner is claiming rights to land which was granted to the Compagnie Industrielle et Agricole du Cameroun, the director of which is Mr. Michel, and to Mr. Coubeaux after palavers held on 30 October 1930 and 10 January 1933 and after the usual procedures. No objections were made at any time.

3. The petition was examined and discussed at the 115th and 140th meetings of the Standing Committee (T/C.2/SR.115 and 140).

4. The special representative informed the Committee that there were a number of courts to which the petitioner could theoretically have recourse, but he believed that the petitioner had little chance of winning his case.

5. At its 140th meeting the Committee considered a proposal before it, the operative part of which reads as follows:

"1. *Draws the attention* of the petitioner to the statement of the Administering Authority that the concession in question was granted to the Compagnie Industrielle et Agricole du Cameroun in accordance with regular procedure and following palavers held on 30 October 1930 and 10 January 1933 and that no objections were raised at any time;

"2. *Considers* that under the circumstances no recommendation by the Council is called for."

6. The proposal could not be adopted, because the votes for and against it were equal on two successive occasions. The Committee therefore has no draft resolution to propose to the Council.

## IX. PETITION FROM MR. LOUIS MOUNCHILI (T/PET.5/186)

1. The petitioner, a resident of Njindare, Fouban, protests against the expropriation of his land by a certain Ngnatuka who, he asserts, "seized my land, on which are planted eighty palm trees, four plum trees and one avocado-pear tree, my hut containing my bed and other belongings, and thirteen chickens". The petitioner relates that he appealed to the customary court, which ordered that the land be restored to the rightful owner, but Ngnatuka's son, who holds a position as a court clerk, refused to comply with the order and even struck the petitioner in the face, obliging the latter to defend himself. For this the magistrate sentenced the petitioner to six days in prison and a fine of 440 francs, while his attacker was not punished and Ngnatuka still exploits the land in question.

2. He states that since then another person has taken possession of his palm trees, claiming that Chief Njiforyum Ousmanou gave him the lands.

3. Finally, the petitioner complains of the paramount chiefs in general.

4. In its observations (T/OBS.5/15, section 5) the Administering Authority declares that the petitioner refers to a land suit which was decided by the Fouban customary court. The court found that Mouchili was not the owner of the land in question and directed the rightful occupant to repay to the petitioner the sum of 1,000 francs paid by the latter to gain possession of the land, plus 500 francs compensation for invalidity of sale. Mr. Mouchili has not appealed.

5. The petition was examined and discussed at the 115th and 140th meetings of the Standing Committee (T/C.2/SR.115 and 140).

6. The special representative informed the Committee that the petitioner had paid 1,000 francs as an advance payment to the previous occupant for his customary rights over the land in question, but the latter refused to complete the transaction. The petitioner brought a suit in the customary court, which decided that the original occupant should retain the land and repay to the petitioner the 1,000 francs advance payment as well as 500 francs compensation for damages.

7. At its 140th meeting, the Committee adopted, by 2 votes to none, with 3 abstentions, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

## X. PETITION FROM MR. SOULÉ MÉKOU (T/PET.5/187)

1. The petitioner, a resident of Fouban, claims that while he was away from his home for eleven years, working at Douala and Nkongsamba, Paramount Chief Njikam Ousmanou made over to Mr. Njikam Ngoua the village which the petitioner had inherited from his late father.

2. The writer now demands restitution of his land, and as Njikam Ngoua has already been in possession for several years, he also claims the income from the land over this period.

3. The Administering Authority points out (T/OBS.5/11, section 14) that it can do nothing at this stage other than note the dispute between the petitioner and Njikam Ngoua.

4. Some twenty years ago the complainant abandoned a plot of land to go and work in the south of the territory,

and this land has been occupied and worked by Njikam Ngoua. On returning, the petitioner claims the right freely to dispose of this land.

5. It is for the petitioner, if he deems it advisable, to bring his claim before the customary court.

6. The petition was examined and discussed at the 115th and 140th meetings of the Standing Committee (T/C.2/SR.115 and 140).

7. At its 140th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

## XI. PETITIONS FROM MR. JEAN NJITAGUI AND FROM MR. NJI-MOUPAINE CHOURAIBOU (T/PET.5/188, T/PET.5/189)

1. The petitioners complain that their villages (Mr. Njitagui is visiting Fouban at the time of writing but does not give the name or location of his village, and Mr. Chouraibou lives at Njindoun in the Bamoun region) were taken over by Mr. Rippert of the Compagnie Ouest Cameroun, who demolished their houses and destroyed their plants and trees.

2. Mr. Njitagui requests return of his land and payment of 13 million francs for the houses and plants destroyed and Mr. Chouraibou requests return of his land and payment of 15 million francs in damages.

3. The Administering Authority has submitted a single set of observations (T/OBS.5/11, section 15) on the two petitions, which both relate to a concession of land granted to Mr. Rippert after a palaver on 20 April 1935 and after the usual procedure had been followed. At no time during the proceedings did the petitioners raise any objections to the granting of Mr. Rippert's request.

4. The Administering Authority points out that the entire concession granted to Mr. Rippert has since been turned over to the Compagnie Ouest Cameroun.

5. The petition was examined and discussed at the 115th and 140th meetings of the Standing Committee (T/C.2/SR.115 and 140).

6. The special representative informed the Committee that one of the petitioners had resided in the area for only two years.

7. At its 140th meeting, the Committee adopted, by 3 votes to none with 3 abstentions, draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

## XII. PETITION FROM MR. N DAM ADAMOU NJOYA (T/PET.5/192)

1. The petitioner claims that in 1950 he complained to the United Nations<sup>13</sup> that five persons had unlawfully taken possession of his lands while he was on military duty during the Second World War. He states that, as a result of this complaint, he was promised that the case would be taken up and his lands returned; so far, however, the Administering Authority has not taken up his case.

2. In its observations (T/OBS.5/11, section 18), the Administering Authority points out that the petitioner returned to Bamoun territory in 1945 after spending

<sup>13</sup> No previous petition from Mr. Ndam Adamou Njoya has been received by the Secretariat.



some twenty years in British territory, where he had been a merchant, and later served in the British army during the last war. He has submitted five claims to land worked by his family before his departure from the territory. One case has already been settled; the petitioner's claim was rejected and he has not appealed.

3. The Administering Authority adds that the petitioner recently received a loan of 15,000 francs granted through the Ex-Servicemen's Bureau.

4. The petition was examined and discussed at the 116th and 140th meetings of the Standing Committee (T/C.2/SR.116 and 140).

5. The special representative stated that he had no information as to the position regarding the four other claims advanced by the petitioner.

6. He explained that, under customary law, land which is left unoccupied for a certain period of time is regarded as abandoned. Accordingly, when the petitioner left and no one in his immediate family remained to cultivate the land, it was allotted to other members of the village. Under customary law, however, it was still the duty of the community to assist the petitioner to settle on unoccupied land now that he had returned.

7. At its 140th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution XII, annexed to the present report, which it recommends that the Council adopt.

was his intention to build huts there. The petitioner lodged a complaint against him with the customary court and, although the surveyors tried to dissuade him, later on with the court of first instance. He was told by Mr. Humbert that the case had been submitted to the court of second instance, but since then he has heard nothing further, and he now appeals to the United Nations for assistance.

2. The Administering Authority observes (T/OBS.5/12, section 5) that Chief Njikouotou applied for recognition of his rights to some land which included the plot in question. The petitioner opposed this and also applied for recognition of his rights. The dispute is to be heard by the court of second instance at Foubman.

3. The petition was examined and discussed at the 116th and 140th meetings of the Standing Committee (T/C.2/SR.116 and 140).

4. The special representative explained to the Committee that by "concession" the petitioner here meant land which had been granted to him according to customary law.

5. The special representative was not in possession of any information as to the outcome of the case.

6. At its 140th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution XIII, annexed to the present report, which it recommends that the Council adopt.

### XIII. PETITION FROM MR. IBRAHIM NGOH (T/PET.5/202)

1. The petitioner, a tailor residing at Foubbot, states that in 1944, after the death of Chief Ibrahim Njindam, Njikouotou came to Foubbot as paramount chief and installed himself on the petitioner's concession, where he proceeded to clear the ground and uproot the food crops. When questioned by the petitioner, he replied that it

### ANNEX

#### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II, III, IV, V, VI, VII, IX, X, XI, XII and XIII, adopted without change at the 520th meeting of the Trusteeship Council, see resolutions 943 (XIII), 944 (XIII), 948 (XIII), 949 (XIII), 951 (XIII), 952 (XIII), 953 (XIII), 955 (XIII), 956 (XIII), 957 (XIII), 960 (XIII) and 969 (XIII), respectively.*

## DOCUMENT T/L.417

### Sixty-second report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

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[8 March 1954]

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#### INTRODUCTION

1. At its 116th, 117th, 118th, 141st and 142nd meetings, on 28 and 29 January, 1 February and 4 and 5 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the ten petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. These petitions relate entirely to questions of land tenure. It will be noted that a summary of information concerning the system of land tenure in the Territory and of the procedure for issuing titles to land and for granting concessions is contained in paragraphs 5 to 12 of the introduction to the fifty-ninth report of the Committee (T/L.414).

3. Mr. G. H. Becquey participated in the examination as the special representative of the Administering Authority concerned.



4. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-X inclusive.

#### I. PETITION FROM MR. PIERRE SIMON NKÉN TCHALLÉ (T/PET.5/126)

1. The petitioner, a notable and an ex-serviceman now residing at Pont-Kellé, subdivision of Eséka, states that he was born in the village of Ngouangawanda, a subdivision of Eséka, "where, in 1935, there were over 150 taxable men and where in 1940 there were only 29". He claims that this "decrease in population is a consequence of the methods of repression and impoverishment used in the village by the French Administration". He relates that in times past the plantations of the villagers extended for more than 18 kilometres, but "these farmers and their property were sold by the French Administration to an inhuman chief named Robert Badjeck and the disinherited 'slaves' are wandering about to this day without having received compensation". The petitioner now claims such compensation and urges that the people of Ngouangawanda be left in peace on their property and their plantations at Ngouangawanda.

2. The Administering Authority states in its observations (T/OBS.5/9) that about the year 1918 several families from the Yaoundé region were authorized to settle on land belonging to the Badjeck family of the village of Ekoum (North Ndogbéa canton in the Sanaga-Maritime region). The newcomers named their settlement Ngouangawanda.

3. Following conflicts between these "foreigners" and Robert Badjeck, chief of the village of Ekoum, the Administration decided to move them to the canton of Ndogjoué on the banks of the Kellé, where they founded the village of Pont-Kellé. An agreement was reached whereby Robert Badjeck paid them 13,505 francs to compensate them for the work they had done on his land.

4. The Administering Authority adds that Robert Badjeck, who acted in a very authoritarian and dictatorial way during his term of office, was sentenced in 1945 to four years' imprisonment and five years' local banishment for false imprisonment with violence and house-breaking. It was precisely to free the "foreigners" from his tyranny that it was decided to remove them from his sphere of influence.

5. The Administering Authority considers that the petitioner may be acting as spokesman for Mr. Mbem Mayi, chief of the canton of North Ndogbéa. The latter probably desires to keep the emigrants from Ngouangawanda in his district, the allowances paid to the traditional chiefs being in proportion to the taxes collected.

6. The petition was examined and discussed at the 116th and 141st meetings of the Standing Committee (T/C.2/SR.116 and 141).

7. The special representative observed that the purport of the petition was not clear to him. The villagers who had left Ngouangawanda in 1938-1939 seemed to be satisfied with the land which had been allotted to them at Pont-Kellé. He explained that they were free to apply for land at Ngouangawanda should they wish to return, but that no one could force them to leave Pont-Kellé against their wishes.

8. At its 141st meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

#### II. PETITION FROM MR. MBOUDOU NGONO (T/PET.5/130)

1. The petitioner, living at Emaná, subdivision of Dgoungolo, Yaoundé, claims that he has suffered the following losses through the laying out of the projected railroad line from Yaoundé to Nanga Eboko: 110 adult cocoa trees valued at 500 francs each and 4 oil palms at 1,000 francs each, making a total of 59,000 francs. He complains that the Administering Authority has refused to grant him any compensation.

2. The Administering Authority observes (T/OBS.5/14, section 1) that on 9 February 1953 the petitioner and a representative of the Régie des Chemins de Fer du Cameroun agreed, in the presence of a representative of the Administration, that the Régie should pay Mr. Mboudou Ngono 1,180 francs for the loss of various fruit trees, in accordance with prevailing rates. The petitioner was granted no compensation for the destroyed cocoa plants as it was found that this plantation was abandoned and that no work had been done on it for a long time.

3. The petition was examined and discussed at the 116th and 141st meetings of the Standing Committee (T/C.2/SR.116 and 141).

4. The special representative explained that the petitioner's suit was one for damages, not for encroachment. If he were still dissatisfied, it was open to him to lay his dispute before the *Conseil du contentieux administratif*.

5. The Committee decided that the petitioner should be asked by cable to state whether, in view of the subsequent payment to him of the sum mentioned in paragraph 2 above, he still maintained his petition. The petitioner did not reply to the cable.

6. At its 141st meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

#### III. PETITION FROM MR. THOMAS ABA (T/PET.5/134)

1. The petitioner, a resident of Mbalmayo, states that in July 1946 he submitted an application for land rights in connexion with a piece of land, containing about 1,200 palm trees, which he had inherited from his late father according to customary law.

2. He claims that when he later asked the *chef de subdivision* what had become of his application, he was told that the paramount chief had said that it should be refused. The petitioner fails to understand the reason for this.

3. Finally, he complains that "the land rights at Mbalmayo are granted to foreigners only, so that Mbalmayo has become a town of intrigues".

4. The Administering Authority states (T/OBS.5/14, section 3, that the application submitted by the petitioner was opposed by other indigenous inhabitants. As the petitioner refused to reduce the area claimed in the light of this opposition and as he had submitted inaccurate plans, the Administration was unable to grant him the desired title. The case is now a matter within the com-

petence of the courts. On 27 June 1953, however, the petitioner asked that his application be withdrawn.

5. The petition was examined and discussed at the 117th and 141st meetings of the Standing Committee (T/C.2/SR.117 and 141).

6. The special representative explained that the matter in dispute was not the right of the petitioner to occupy the land previously occupied by his father, but the precise boundaries of that land. In view of the objections of his neighbours, a legal title could not be issued by the Administration until the dispute had been decided by the local court of second instance, to which it was open to the petitioner to have recourse.

7. At its 141st meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### IV. PETITION FROM MR. MAURICE MOFFI AND OTHER REPRESENTATIVES OF THE IPOUABATO FAMILY (T/PET.5/144)

1. The petitioners, residents of Kribi, state that during the period of German administration they were paid a monthly rent of twenty marks and received rice and stockfish every week for land belonging to their family on which government buildings had been erected or which was used as a commercial centre. After the arrival of the French administration, however, they did not know to whom to apply. When a town plan was adopted for Kribi, they made an application for compensation, which was, however, rejected by the *chef de région*. They then applied to the court, but the court, which is composed of French magistrates, "tore up our appeal and threatened to put us in prison if we pressed the matter".

2. They claim that the present petition will probably bring them "if not imprisonment, at least the implacable hatred of the Administering Authority".

3. The Administering Authority observes (T/OBS.5/9, section 14) that decision No. 175/49 of the Representative Assembly of the Cameroons, dated 21 October 1949, promulgated by Order No. 37 of 11 February 1950, determines the limits of the urban perimeter of Kribi and classifies the lot claimed by the representatives of the Ipouabato community as public property. A certain number of lots were assigned to the Ipouabato family, which incidentally sold most of them.

4. The petition was examined and discussed at the 117th and 141st meetings of the Standing Committee (T/C.2/SR.117 and 141).

5. The special representative stated that there was no record of any payment of rents to the petitioners during the German administration, at which time the land in question had been partly State property and partly a concession granted to a private firm. After the First World War, the land had become the property of the Territory and the Decision of the Territorial Assembly of 21 October 1949 had merely recognized a long established fact. The eight lots assigned to the Ipouabato family thereafter were in respect of their rights in other land which had been brought within the urban perimeter of Kribi.

6. The special representative denied the charge the French magistrates had torn up the petitioners' appeal; they had taken no formal action before the courts and had not challenged the Order of 11 February 1950, which was therefore final.

7. At its 141st meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

#### V. PETITION FROM MR. NANTON MÉTÉBÉ (T/PET.5/148)

1. The petitioner, a planter residing at Japoma in the Wouri region, contends that five hectares of land belonging to him have been sold without his consent to the waterworks at Japoma. He asserts that his complaints to the Administering Authority have brought no result, and implores the Visiting Mission and the Trusteeship Council to intervene with the Administration on his behalf.

2. The Administering Authority states (T/OBS.5/9, section 17) that the land claimed by the petitioner was classified as private State land by Decision No. 206 of 24 October 1952 of the Territorial Assembly of the Cameroons, promulgated by Order No. 113 of 5 January 1953. The decision of the Territorial Assembly awarded the community of Japoma 1,207,440 francs as compensation, which sum was divided among the different sections of the community after agreement between them.

3. At a palaver held on 5 November 1951 at which the paramount chief and the notables of Japoma were present, no objection was made to the classification of the land as private State land, as no individual had any traditional right to the area concerned. In spite of due notice and publicity, the petitioner was not present at the palaver, nor did he enter any protest against the classification within the time-limit prescribed.

4. The Administering Authority maintains that the petitioner's claim is against the community of Japoma and against the indigenous inhabitants who actually occupied the land and that it is for him to prove it before the customary courts.

5. The petition was examined and discussed at the 117th and 141st meetings of the Standing Committee (T/C.2/SR.117 and 141).

6. The special representative stated that no one had had a legal title to the land in question; consequently the compensation had been paid to the community as a whole and had been divided up amongst its members. The petitioner had engaged in frequent disputes with his neighbours over land questions and they had warned off persons sent by the petitioner to survey the land which he claimed.

7. At its 141st meeting, the Committee adopted, by 3 votes to 2, with 1 abstention, draft resolution V, annexed to the present report which it recommends that the Council adopt.

#### VI. PETITION FROM MR. GABRIEL TOUGOBU (T/PET.5/150)

1. The petitioner, who describes himself as "assistant representative" of the people of Ndonga, complains that about 50 years ago an area of their land, comprising several thousand hectares which yielded large crops of rubber, was taken over by SAFA, Dizangué, without any compensation being paid to the owners.

2. He also claims that the *chef de subdivision* had undertaken to build a school and a dispensary.

3. The Administering Authority observes (T/OBS.5/9, section 19) that the petitioner, who is an employee of the Public Works Department, arbitrarily describes himself

as "assistant representative" of the people of Ndonga. The people's legal representative is Félix Diwouta, cantonal chief and village chief at Ndonga.

4. The Administering Authority goes on to state that a concession of 4,000 hectares was granted in 1908 to the Molivie Pflanzung Gesellschaft. The concession was sequestered in 1919 and was later conceded first to the Société des Caoutchoucs de l'Equateur and subsequently to the Plantations de la Sanaga.<sup>14</sup> An additional 11,600 hectares was granted in perpetuity to this company in 1930. In 1937 another 53 hectares at Ndonga were conceded to SAFA for the construction of a jetty and 75 hectares for the construction of a road.

5. It is pointed out by the Administering Authority that the SAFA farms 6,500 hectares of para-rubber plants and thus provides work for seventeen Europeans and 4,000 Africans. A great many social improvements have been introduced: a school, a dispensary, a missionary station, 170 permanent houses, orchards, a cinema, and water supplies in the workers' settlements. SAFA's plantation at Dizangué is one of the greatest achievements in the Territory and its production plays an important part in the economy of the Cameroons.

6. The petition was examined and discussed at the 117th and 141st meetings of the Standing Committee (documents T/C.2/SR.117 and 141).

7. The special representative informed the Committee that the land conceded for the rubber plantation had been completely uninhabited virgin forest land; since there had been no crops on the land, no compensation had been paid to the surrounding communities.

8. The special representative mentioned that the company in question had exported 2,250 tons of rubber in 1952 and made a considerable contribution to the revenue of the Territory in the form of income tax and export duty on rubber.

9. At its 141st meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

#### VII. PETITION FROM MR. IGNACE KOUMDA (T/PET.5/198 and Add.1)

1. The petitioner, a male nurse stationed at Ebougsi in the Nyong-et-Sanaga region, states that he sent in an application for land rights in connexion with land belonging to him at Tala, Saa subdivision. As the *chef de région* and his *chefs de groupement* refused to hold a palaver because of a grudge they bore him on account of a protest he had made to the Representative Assembly of the Cameroons, the petitioner appealed to the High Commissioner. The latter, states the petitioner, thought that the case should be considered at a palaver attended by the *chef de région* and the local chiefs. Despite this, he complains, the *chef de région* is still letting the case drag on.

2. The petitioner also makes some general complaints. He contends that customary land rights are not recognized. Further that many of the paramount chiefs who have been chosen as representatives of various districts of the Territory are incapable of defending the cause of the Cameroons, most of them being illiterate. He feels that this is "like asking a blind man to lead someone with

sight". Finally, he complains that injustice prevails in the Cameroons, where "the police still beat African blacks during questionings so cruelly as to break their ribs". Further, he contends "that when a black is accused by a white, the case is settled in favour of the white even though he is in the wrong".

3. The petitioner complains that he himself has suffered from the discrimination existing in the Territory also as regards promotions. He maintains that "when I defend my interests I am subjected to all sorts of worries and vexations in the service, such as deferred promotion and disciplinary assignments".

4. The Administering Authority states in its observations (T/OBS.5/14, section 7) that the petitioner submitted an application for land rights which was opposed by the customary *chefs de groupement*. This opposition cannot be overruled by the Administration, but it is open to the petitioner to bring the matter before the competent court if he considers it unjustified.

5. With regard to the petitioner's complaint that he has been discriminated against in his profession, the Administering Authority states that he has been a first grade medical attendant since 1943. His professional training is, however, inferior to that of his younger colleagues who were admitted to the nursing staff later. By virtue of his seniority he was recommended for promotion in 1951, but the promotions board has so far given preference to other candidates whom it considered more deserving and better qualified.

6. In a further communication, dated 16 October 1953 (T/PET.5/198/Add.1), the petitioner complains that further difficulties have arisen.

7. He claims that he had been authorized by the *chef de subdivision* at Saa to clear trails to facilitate survey of the land. However, when members of his family started works on this project, Mr. Eyébé Onomo, chief of the villagers occupying the petitioner's lands, gave orders to his people to chase the workers away. On 21 September 1953 they seized eleven machetes belonging to the petitioner.

8. Mr. Koumda informed the *chef de subdivision* of the attack on the same day and asked him to provide guards for the work which he had assigned to the petitioner. A palaver was held on 5 October 1953. The petitioner protests against the proceedings at this palaver, claiming that the Administrator refused to listen to him and merely heard the views of the local chiefs, who are strongly opposed to Mr. Koumda.

9. The petition was examined and discussed at the 118th and 141st meetings of the Standing Committee (T/C.2/SR.118 and 141).

10. The special representative explained to the Committee that every time the petitioner tried to have a survey made of his land he encountered opposition from his neighbours, who were of the opinion that he had taken over more land than rightfully belonged to him. The special representative further stated that it was open to Mr. Koumda to bring his case before the local court of second instance.

11. As regards the petitioner's desire for promotion, the special representative stated that the decisions of the Promotions Board were final.

12. At its 141st meeting, the Committee adopted, by 3 votes to 2, with 1 abstention, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

<sup>14</sup> Former name of SAFA.

# VIII. PETITION FROM MR. ETIENNE BIVINA (T/PET.5/199 and Add.1)

1. The petitioner, a chauffeur attached to the *Direction de la Sûreté* at Yaoundé, complains that land belonging to the indigenous population is still being classified as "unoccupied and ownerless".

2. In two letters to the Administering Authority, of which he encloses copies, he contends that an area of land at Mfou, in the Yaoundé subdivision, which is to be classified as State land and on which it is proposed to build an administrative post, encompasses land to which certain indigenous inhabitants, among them the petitioner, have customary rights. He states that at a palaver held on about 28 March 1952 he pointed out his ownership to about one hectare of the land. The petitioner claims that Chief Evouna Manize, who does not own any of the land but who "apparently said that he was prepared to cede this whole land to the Administration free of charge", was the only person consulted by the Administering Authority.

3. In the second letter he relates how "instead of a palaver a second investigation was conducted on the spot on 26 May 1952". It was attended by the *chef de subdivision*, by the Paramount Chief of the Ewondos-Etengas, by three councillors of the Territorial Assembly of the Cameroons and by a number of notables and inhabitants of Mfou. The petitioner states that the result of the investigation was included in a record, which the petitioner refused to sign. A sum of 15,000 francs was promised him as compensation for damages to his cocoa and palm trees, but the petitioner was not satisfied and requests:

(a) That the boundaries of his plot of land be determined and that he be granted the deed to the plot;

(b) That, if possible, a deed to another plot of land in the vicinity of Mfou be granted him by way of compensation;

(c) That if such satisfaction is refused him he be paid a "just and reasonable price" for his land.

4. The Administering Authority observes (T/OBS.5/14, section 8) that the petitioner refers to a matter concerning which he filed a petition for an expropriation indemnity with the *Conseil du contentieux administratif* on 31 March 1953, through an expert surveyor.

5. The case arose as a result of a proposal to classify as private State land 50 hectares of land at Mfou for the purpose of establishing an administrative and commercial centre. A palaver was held on the spot on 26 May 1952. The chief and the inhabitants present agreed in principle to vacate the land in return for compensation for their crops and the promise that they would be granted free of charge one-fourth of the plots of the future commercial centre and facilities for obtaining land rights in the sub-urban area.

6. The petitioner was paid 18,000 francs in compensation for 150 cocoa trees and 30 palm trees on a plot of about one hectare.

7. The Administering Authority further states that notice of the classification proposal was published on 27 August 1952 and Bivina entered his objection within the prescribed time-limit. Nevertheless, by Decision of 12 May 1953 the Territorial Assembly classified the land as private State land, in view of the fact that the objection was not absolute, its purpose being to obtain an expropriation indemnity or another piece of land in exchange.

8. In a later communication, dated 16 November 1953, the petitioner complains that he has written to the *chef de région*, to the *chef de subdivision*, to the *Conseil du contentieux* and to the High Commissioner but that no notice has been taken of his letters.

9. He states that in July 1953 he paid a surveyor 20,000 CFA francs to assess his land, the Administration having refused to make such assessment.

10. On 25 September 1953 the *Conseil du contentieux administratif* heard the case, and he claims that all his land was confiscated, it being decided that "he will have had no profit from it".

11. The petitioner complains that he is "suffering terribly, his scanty savings being now exhausted by this affair of his land".

12. The petition was examined and discussed at the 118th and 141st meetings of the Standing Committee (T/C.2/SR.118 and 141).

13. The special representative informed the Committee that the *Conseil du contentieux administratif* had dismissed the complaint of the petitioner on the grounds that his opposition to the order classifying the land was in respect of compensation only and that he had received compensation in accordance with the existing regulations.

14. The special representative had no information as to whether the petitioner had been allotted any land elsewhere. He pointed out, however, that the community would allocate the plots made available to it in the future commercial centre and other land in the vicinity, but that it was unlikely that the petitioner, who was employed at Yaoundé, could effectively utilize any such land.

15. At its 141st meeting, the Committee adopted, by 3 votes to 2, with 1 abstention, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

# IX. PETITION FROM MR. PIERRE LIBII (T/PET.5/203)

1. The petitioner, a preacher living at Bogso, Eséka, complains that Mr. Guerin, director of the *Compagnie Forestière* at Pont-Kellé, 19 kilometres from Eséka, gave orders for the felling on the petitioner's plantation without his permission of "59 valuable trees, 10 productive cocoa trees and 3 productive oil palms".

2. The petitioner demanded payment for the trees, but was told by Mr. Guerin "that an African ape like him had no right to come before such an important European person", and was "pushed violently from behind".

3. He has appealed to the High Commissioner, the head of the Sanaga-Maritime region, the chief of the Eséka subdivision and the chief magistrate at Eséka. These authorities have conferred with Mr. Guerin, but have taken no further action.

4. The Administering Authority states in its observations (T/OBS.5/12, section 6) that Mr. Pierre Libii who, incidentally, is not employed by any mission, has not been able to show any plantation belonging to him which has been damaged. The land which the petitioner calls "his plantation" forms part of a forest area, for which the *Compagnie Forestière* holds a concession granted under forestry permit No. 112. Mr. Guerin began to operate the concession in August 1952.

5. There is no record that Mr. Libii claimed any compensation from Mr. Guerin, although other villagers of

Bogso whose plantations suffered slight damage have been compensated.

6. The Administering Authority considers, therefore, that there is no foundation for this petition.

7. In its observations (T/OBS.5/21) on another petition on the same question (T/PET.5/L.8), the Administering Authority points out that applications for compensation for damages caused by the issue of forestry permits can be submitted to the *chef de circonscription*, the Inspector of Waters and Forestry, or the competent court, but that in most cases such matters are settled by negotiation. They always involve comparatively small sums.

8. The petition was examined and discussed at the 118th and 141st meetings of the Standing Committee (T/C.2/SR.118 and 141).

9. At its 141st meeting, the Committee adopted, by 2 votes to none, with 4 abstentions, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

#### X. PETITION FROM MR. JEAN BIYA DE GONCOURT (T/PET.5/213 AND ADD.1)

1. The petitioner, a teacher at Ilanga, Eséka, states that the Régie Générale des Chemins de Fer et Travaux Publics (RGCFTP) has established itself in the village of Matomb-Route for the purpose of quarrying stone.

2. He contends that a palaver was held and that the Administering Authority "carried out a number of fraudulent deals with its lackeys, namely, the village chief, the chief of the canton and the delegates of Sanaga-Maritime to the Territorial Assembly, with the object of selling our rock, on which our ancestors once lived, without paying compensation to any of the indigenous inhabitants".

3. He protests against the use of the term "vacant and ownerless land" when the petitioner's land covering an area of about 1 km. by 0.8 km. was despoiled and his crops consisting of oil palms, cocoa trees and food crops were ruined. Further, he states that the RGCFTP has built three stone houses on his land.

4. The petitioner demands payment for the rock used by the RGCFTP and agrees to lease his land to the company "for a specified period for a price to be negotiated without any pressure, direct or indirect, being brought to bear on my village".

5. The Administering Authority submits the following observations (T/OBS.5/20) dated 1 December 1953.

6. The petitioner does not live at Matomb and is hardly known there, nor does he own any land there.

7. The Régie Générale des Chemins de Fer et Travaux Publics, a private company working for the Administration on road maintenance in the Territory, has been authorized to work a quarry at Matomb for a period of two years.

8. The Administering Authority goes on to explain that a palaver was held on 22 December 1951. The chiefs

stated that they had no objection to the 5.5 hectares of land needed for the quarry becoming part of the public domain of the Territory or to a licence to work it being granted to a private company for two years. It was noted that two indigenous farmers owned crops on the land. They consented, however, to abandon their crops in exchange for compensation. It was not found that Biya, known as Jean de Goncourt, had any claim whatsoever to the land in question.

9. If the petitioner felt that he had been wronged, it was open to him to lodge an appeal with the *Conseil du contentieux administratif* of the Territory.

10. In a second communication, dated 5 November 1953, the petitioner contends that on 24 July 1953 he was summoned to the office of his subdivision at Eséka "where he was subjected to bitter accusations and even threatened with imprisonment". He claims that the *chef de subdivision* stated that the order in question came from the United Nations.

11. He goes on to protest against the "imperialist methods" of the Administering Authority and of the canton and paramount chiefs who, he asserts, are leading the country into a precarious situation and expresses his admiration of Ruben Um Nyobé, whom he considers "a worthy and responsible citizen of the Cameroons".

12. The petitioner further complains of Chief Eonné II Oscar, who, he asserts, initiated the arrangement with the RGCFTP. The petitioner relates how this chief, a member of the Ndok Send tribe, was granted a plot of land for a house at Matomb by the village chief. The petitioner complains that Chief Eonné II is now returning evil for good in seeking to expropriate the property of the villagers. For this reason, the petitioner states thirty-one inhabitants of the village of Matomb (a list of their names including that of the petitioner is submitted) "reject all this as intolerable and formally propose that the so-called canton chief Eonné II and all his family return at once to their native homes".

13. The petition was examined and discussed at the 118th and 142nd meetings of the Standing Committee (T/C.2/SR.118 and 142).

14. The special representative observed that the allegations made by the petitioner in his second communication in regard to the *chef de subdivision* were obviously incorrect.

15. At its 142nd meeting, the Committee adopted, by 3 votes to none, with 2 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

#### ANNEX

##### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

For the texts of draft resolutions I, II, III, IV, V, VI, VII, VIII, IX and X, adopted without change at the 520th meeting of the Trusteeship Council, see resolutions 961 (XIII), 905 (XIII), 908 (XIII), 918 (XIII), 921 (XIII), 923 (XIII), 965 (XIII), 966 (XIII), 970 (XIII) and 979 (XIII), respectively.

## DOCUMENT T/L.423

## Sixty-third report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

[Original text: English]  
[8 March 1954]

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## INTRODUCTION

1. At its 119th, 120th and 142nd meetings, on 2, 3 February and 5 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the four petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. Mr. G. H. Becquez participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I, III and IV.

## I. PETITION FROM THE SECRETARY-GENERAL OF THE UNION DES POPULATIONS DU CAMEROUN (T/PET.5/211)

1. The petitioner, Mr. Ruben Um Nyobé, contends that the Administration attempted to prevent him from going to New York in 1952 and also facilitated the sending to United Nations Headquarters of many telegrams affirming that he was not qualified to speak for the population, meanwhile sending to New York two Cameroonian members of the French Parliament, Douala-Manga-Bell and Charles René Okala, who were in no way representative of their people, both having been rejected in the elections for the Territorial Assembly in March 1952.

2. The petitioner goes on to say that "everywhere the population indignantly repudiates the notorious telegrams which the Administration caused to be sent to New York claiming that 'Um Nyobe was not qualified to speak for the population'". Further, it is his contention that just as the Cameroonians willingly paid for his voyage to the United States, so have they willingly accepted responsibility for the cost of the lecture tour which he undertook on his return to report on his mission.

3. He proceeds to give an account of the poor attendance at the meetings held in the Territory by the two other representatives since their return and compares those meetings with the ones held by himself since he returned to Douala in January 1953 and "was received triumphantly by the crowds". Already he has held more than forty-four public meetings, the first one at Douala being attended by more than 30,000 persons and other meetings in the large centres having attracted from 4,000 to 20,000 persons. He has also held many private meetings. Mr. Um Nyobé states that there has been no sign of opposition from the Cameroonians at these meetings, and he relates how at meetings at Bafoussam and Bafang two hecklers, said by him to have been acting on instructions of the Administration, were shouted down by the crowd.

4. The Administering Authority, in its observations (T/OBS.5/18, section 2), confirms that Mr. Um Nyobé displayed considerable activity on his return from New York. It maintains, however, that he does not give the correct figures when reporting on the attendance at his meetings. At no time have his meetings attracted 4,000 to 20,000 persons. The largest meeting, held at Douala, assembled about 2,000 persons. At the meetings at Bafang and Bafoussam there were 50 and 300 persons respectively. It is not correct that the opponents of Mr. Um Nyobé were shouted down by the persons attending the meeting at Bafoussam; on the contrary, it was Mr. Um Nyobé who was prevented from replying to his opponents.

5. The petitioner further complains that the Administration, from hatred of the Cameroonian nationalist movement, has tried systematically to prevent him from holding meetings, prohibiting the use of various public places and even trying to prohibit the holding of meetings on private concessions. In fact, at Songmbengué, on 7 February 1953, the *chef de subdivision* violently forced his way into a private meeting, firing shots into the air, and several persons were arrested. Before the meeting, the *chef de subdivision* arbitrarily seized a banner on which was inscribed in brief the claims of the UPC. Five citizens of Babimbi are now being prosecuted before the *tribunaux correctionnels* for having carried the banner, which was not even unfurled.

6. The Administering Authority explains that certain public meetings were prohibited in order to prevent disturbances. This was due to the fact that the UPC leaders had represented the hearing granted by the Fourth Committee as an invitation extended to Mr. Um Nyobé to speak on behalf of the whole population, and protests had been made by traditional chiefs and the elected representatives of the people. No private meetings were interfered with except at Songmbengué, where the *chef de subdivision* had to intervene on 7 February 1953 at the request of the owner of the land on which, despite his protest, the petitioner and the organizers of the meeting had established themselves. The *chef de subdivision* denies having forced his entry into the place and having fired any shots. It further states that suits were filed against three persons who were charged with staging a demonstration in a public place and against one person on a charge of threatening a police officer. Mr. Um

Nyobé has on his side, the Administering Authority affirms, brought a complaint against persons unknown on the charges made by him above.

7. The petitioner contends that since his return he has been persecuted by Europeans and by their Cameroonian supporters. On 17 January 1953 Mr. Douala-Manga-Bell visited Mr. Um Nyobé during the night and invited him to his house. Mr. Um Nyobé, who was suspicious of him, did not accept. On 1 March 1953 at Yaoundé, three Europeans inquired at the house of Dr. Théophile Abega as to where Mr. Um Nyobé was staying and where he took his meals. Although the UPC gave the authorities the licence number of their car, it has not been informed of the result of any inquiry. On 9 March 1953 a Frenchman, Mr. Gateau, went to Mr. Um Nyobé's house, openly armed with a revolver, and demanded to see "Um Nyobé in person". Upon representations by supporters of the UPC, the Frenchman was arrested, but immediately released.

8. Commenting on these complaints, the Administering Authority states that it is not acquainted with the intentions of Mr. Douala-Manga-Bell and even less with those of Mr. Gateau, who had been informed in January 1953 that he must leave the Territory or find regular employment. He was questioned by the police on 9 March at the request of the UPC. Mr. Gateau stated that he had wished to meet Mr. Um Nyobé to discuss certain points of view with him. As he had no means of subsistence, he was expelled from the Territory on 16 April 1953. He does not seem to have been in possession of a gun.

9. The petitioner goes on to give an account of an attack made on Mr. Um Nyobé and Mokou Montié and others on 25 March at Fouban. In an enclosure attached to the petition he describes how he, Théodore Matip, Sébastien Ndefo, Samuel Mokou, Dr. Timothée Maah and others were violently attacked and wounded by persons attending the meeting. Mr. Um Nyobé finally succeeded in hiding "in the ceiling" of the house of Jean Nkouandou. However, this brought the attackers to the house, and they broke down doors and windows and ransacked the house. The fight later continued on the public highway.

10. Mr. Um Nyobé cites two telegrams from Mr. Vessah Adamou, brother of Senator Arouna, addressed to Sultan Seidou and to Senator Arouna, describing the incident. Mr. Um Nyobé states that "it is interesting to note the people to whom the telegrams were addressed in order to establish the origin of the plot". He goes on to assert that on the night of 21-22 March Senator Arouna held a secret meeting at his home, which was attended by persons devoted to the Sultan and to the Senator. The *chef de région* is also said to have been present. The petitioner admits that the decisions taken at this meeting were secret, but he claims that "oaths were sworn during that night meeting", and refers to "a list of twelve persons, among them the General Secretary of the UPC, Dr. Maah Timothée, Samuel Mokou etc. who were to be killed during the meeting arranged for the report of the General Secretary of the UPC". Mr. Um Nyobé states that on 23 March Mr. Chouat Mahama, who took part in the night meeting, tried to dissuade Dr. Maah from attending the meeting of 25 March, saying that he was informing the doctor of the plot in gratitude for the care given him by Dr. Maah. He did not conceal the fact that he was sure to be killed if the organizers and other parties to the plot were to discover that he had acted in this way. Mr. Um Nyobé also finds it strange that on 25 March the *chef de région* was said to have gone to

see Governor-General Béchard at Douala, while reports said that "he had been seen in several places in the bush". Mr. Um Nyobé also notes the fact that Sultan Seidou and Senator Arouna were absent on the day of the incident.

11. In its observations on the events of 25 March the Administering Authority states that on 23 March Mr. Um Nyobé applied for authorization to hold a meeting at Fouban. On 25 March the *chef de région*, who had been informed that certain Bamilékés intended to come to Fouban to oppose Mr. Um Nyobé, and aware of the hostility of the Bamoun population to the UPC, informed Mr. Um Nyobé that the meeting could not be authorized because of the threat of disturbances. Mr. Um Nyobé then decided to hold a private meeting. Nevertheless he summoned the population by putting up notices in public places. Mr. Um Nyobé has been charged with this infringement and he was warned of the foreseeable reaction of the population. About 200 persons attended the meeting. As soon as Mr. Um Nyobé started to speak, he was interrupted. A fracas ensued with practically the whole of the audience fighting Mr. Um Nyobé's bodyguards. The *chef de subdivision*, who was warned immediately, arrived on the scene, accompanied by the police commissioner. On their arrival the demonstrators disappeared. The meeting room was full of broken furniture and Mr. Um Nyobé, who had hidden under a bed, emerged from there with his clothing torn off.

12. The Administering Authority points out that on 25 March the *chef de région* accompanied a parliamentary mission led by Mr. Béchard, a former minister, which was investigating progress under the development plan in the Mbam valley and that Sultan Seidou and Senator Arouna had been at Douala since 22 March to welcome General de Gaulle, who was visiting the Territory.

13. Mr. Um Nyobé referred to this incident during his hearing before the Fourth Committee of the General Assembly (A/C.4/261).

14. The petition was examined and discussed at the 119th and 142nd meetings of the Standing Committee (T/C.2/SR.119 and 142).

15. The special representative informed the Committee that the Administration had for reasons of public order prohibited public meetings called by Mr. Um Nyobé in only five places, while by his own statement he had been able to hold forty-four public meetings.

16. The special representative stated that the charges brought by the petitioner in connexion with the incidents at Songmbengué and Fouban were being investigated by the judicial authorities, but that the investigations were held up by the absence of the petitioner from the Territory.

17. At its 142nd meeting, the Committee adopted, by 4 votes to 1, with 1 abstention, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM THE SECRETARY-GENERAL OF THE UNION DES POPULATIONS DU CAMEROUN (T/PET.5/214 AND ADD.1 AND 2)

1. The petitioner, in a telegram dated 1 July 1953, protests against the arbitrary opposition of the French authorities "to the issue of a pamphlet printed in Paris



and containing reports and resolutions of a national Cameroonian movement concerning unification”.

2. In a second communication dated 2 August 1953, the petitioner describes this as a violation of the freedom of the Press and gives further information on the subject. He states that there are two pamphlets, one of which is entitled *Unification immédiate du Cameroun* and contains a discussion on the unification and independence of the Cameroons. The other, which is entitled *Complot colonialiste à Fouban, l'UPC accuse* concerns “the French Administration's carefully prepared attack of 25 March upon our Secretary-General and other militant members at a meeting held to receive a report on Um Nyobé's mission to the United Nations in December 1952”.

3. According to the petitioner the pamphlets have been held since 20 June 1953 by the customs authorities at Douala. The chief of the customs service informed the UPC that since their pamphlets “did not satisfy the requirements of the Act of 29 July 1881 concerning the Press and are subject to the prohibition therein provided for” he had been obliged to suspend the customs clearance of the pamphlets and to place the matter before the public prosecutor.

4. The petitioner is unable to understand what are the legal requirements of the above law which the pamphlets do not satisfy. He states that he has been informed “by word of mouth” that the name and address of the printer do not appear on the printed material. He cannot see, however, how failure to include the printer's address can be sufficient grounds for the seizure of the whole edition of the printed material. He feels that such omission cannot constitute an offence before the printed material is distributed, and adds that the UPC has a written authorization from the printer to affix his name and address to the pamphlets by means of a stamp which the UPC has had made.

5. The Administering Authority, in its observations (T/OBS.5/18, section 3), states that the petitioners have only to comply with the law of 29 July 1881, which prescribes that every publication shall mention the name and address of the printer, in order to have the pamphlets passed by the customs.

6. In a third communication, dated New York 7 December 1953, the petitioner transmits copies of the above pamphlets as well as of a third pamphlet entitled *Ce que veut le peuple Camerounais* and adds that the first two pamphlets were passed by the customs in November only after his departure for New York.

7. The petition was examined and discussed at the 119th and 142nd meetings of the Standing Committee (T/C.2/SR.119 and 142).

8. The special representative explained that the two pamphlets in question arrived in the Territory in packages incorrectly represented as containing copies of the Labour Code and the name of a non-existent printer appeared on both. One pamphlet had been released on 27 October and was at present in circulation. The circulation of the second pamphlet, *Complot colonialiste à Fouban, l'UPC accuse*, was temporarily prohibited by decision dated 12 September 1953 until the judicial investigation of charges arising out of the incident of Fouban was finally concluded, since the Administration believed that its circulation might prove prejudicial to the progress of the investigation.

9. At its 142nd meeting, the Committee adopted, by 5 votes to 1, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

### III. PETITIONS FROM THE UNION DES POPULATIONS DU CAMEROUN, MBALMAYO BRANCH (T/PET.5/R.5 AND T/PET.5/207)

1. The first of these petitions was written “for the UPC, Mbalmayo branch”, but was unsigned. The second petition verifies the authenticity of the first and gives further details.

2. The petitioners protest against the imprisonment of Mr. N'Koudou Abessolo, General Secretary of the Central Committee of the UPC at Mbalmayo on 25 September 1952. They contend that he was tried and convicted in the Mbalmayo court by the *chef de subdivision* in his capacity of *juge de paix à compétence ordinaire*, and sentenced to eight days' imprisonment and a fine of 1,400 francs for, it is claimed, having complained to the United Nations. They note that the *chef de subdivision* was also at the same time prosecutor, judge and clerk of the court.

3. In accordance with article 52 of the Order of 27 November 1947, which states that an appeal may be lodged against a judgment in a police court handed out by a *juge de paix à compétence ordinaire* if a sentence of imprisonment is involved or if the fine or damages exceed 50 francs in addition to costs, Mr. Abessolo, on 16 September 1952, lodged an appeal which he declares was in the proper form. While he was waiting for the decision of the higher court, armed policemen broke into his house at Yaoundé and arrested him. He was given no reason for the arrest but was later informed by the prison warder that the public prosecutor had rejected his appeal under article 6 of the Order of 27 November 1947, an article which, the petitioners claim, does not apply to sentences of imprisonment passed by a *juge de paix à compétence ordinaire*. Mr. Abessolo remained in prison for eight days.

4. In its observations on T/PET.5/R.5 (T/OBS.5/5, section 1) the Administering Authority asserts that the prison sentence pronounced on Mr. Abessolo was in no way a result of his complaints to the United Nations. He was sentenced, in September 1952, to four days' imprisonment for opposition to the Administering Authority and to four days' imprisonment for contempt of court.

5. The Administering Authority gives further details in its observations on T/PET.5/207 (T/OBS.5/12, section 9). Mr. Abessolo was sentenced on 15 September 1952 by the *juge de paix à compétence ordinaire* at Mbalmayo, in application of article 483 (8) of the Penal Code, to four days' imprisonment and a fine of 900 francs for resistance to legitimate authority, in that he had refused to answer an administrative summons. His attitude towards the judge in court was such that he also received a sentence of four days' imprisonment and a fine of 500 francs in application of the same article.

6. Mr. Abessolo moved that these two judgments should be annulled. This procedure, which corresponds to a motion to have the judgments set aside, was not admissible since the judgments in question were not final but were subject to appeal. The motions to annul the convictions were therefore declared out of order by the *Chambre d'annulation* (Annulment Chamber) of the Court of Appeal at Yaoundé on 4 May 1953.

7. In the meantime notice that these motions were inadmissible had been given by the public prosecutor at the court of Yaoundé to the *juge de paix* at Mbalmayo in a letter of 18 November 1952. This letter was not sufficiently explicit, however, and led the *juge de paix* to believe that he was authorized to put the two judgments into execution, whereas in fact they did not become



effective until the *Chambre d'annulation* had handed down its decision in May 1953.

8. Mr. Abessolo therefore served his prison sentence "in anticipation".

9. The Administering Authority adds that the *procureur général* has made certain observations to the public prosecutor at Yaoundé, and that the attention of the *juge de paix à compétence ordinaire* at Mbalmayo has been drawn to his mistake in order to guard against any repetition.

10. It is further the contention of the petitioners that the Administration is "continually committing monstrous crimes against the indigenous populations, pitilessly assassinating them, incessantly convicting them and sending them to the workshops of private firms, which are veritable concentration camps for forced labour".

11. The petitioners even claim that a Mr. Edmond Owono was "assassinated by a French official on the orders of the *chef de subdivision* at Mbalmayo". Further details of this incident are given in a letter<sup>15</sup> from Mr. Abessolo N'Koudou, by which he requested a hearing by the Fourth Committee of the General Assembly at its eighth regular session. Edmond Owono Zambo, former employee of the subdivision of Mbalmayo, is said to have been dismissed unjustly from his job because he asked for a raise in salary. In February 1953, Owono encountered Mr. Klein, chief of the subdivision, and his assistant, Mr. Jacques Debost, and asked for payment of his wages for September and October of 1952, which he believed the subdivision still owed him. An argument ensued and the two European officials are said to have attacked and beaten Mr. Owono, who, finding himself hard-pressed, defended himself with a knife, wounding one of his attackers. While the wounded man was taken to the dispensary, Mr. Debost and other European employees, all armed with rifles, went to Mr. Owono's hut and shot him to death. The writer asks that proceedings should be begun against Mr. Debost.

12. The petitioners finally request :

- (a) That the *chef de subdivision* should be repatriated ;
- (b) That judicial proceedings should be taken against the murderer of Mr. Edmond Owono, who is still at large ;
- (c) That the whole system of punitive justice in the Cameroons should be reformed and that there should be a real separation of executive and judicial powers.

13. The petitions were examined and discussed at the 119th and 142nd meetings of the Standing Committee (T/C.2/SR.119 and 142).

14. The special representative stated that the reference in the petition to work-shops of private firms to which convicted prisoners are sent was probably to the penal work-shop at the Edéa Dam project, where only prisoners who volunteered had been accepted.

15. With regard to the complaint of the petitioners concerning the death of Mr. Edmond Owono, the special representative explained that Mr. Owono, a former clerk in the subdivision office, showed signs of mental derangement and was therefore dismissed from his job. He was put under observation for a few days and was not found to be dangerous. Following his release, he left for Yaoundé. Returning to Mbalmayo on 3 February 1953, he confronted and reviled the *chef de subdivision*, who at the time was supervising the demarcation of an urban

lot, and then attacked him, inflicting various knife wounds. At that point Mr. Debost came to the aid of the official and struck the assailant with a stick on the back of the neck.

16. The fallen official was taken to the hospital and Mr. Debost went to arrest Mr. Owono, who in his highly excited condition was a public danger. He found him in a hut and asked him to come out, but he refused. Mr. Debost then broke the door down and Owono came charging at him with a knife. It was then that Mr. Debost fired and the victim fell backward hitting his head on a hard object. Owono died shortly thereafter, and an official autopsy showed that death resulted from a hard blow on the back of the neck.

17. An inquest was held by the examining magistrate, who submitted the findings to the *Chambre des mises en accusation*. The *Chambre* found that in both instances Mr. Debost had been justified in striking the victim ; in the first instance he had come to the aid of a person whose life was in danger and in the second he had been acting in self-defence. Therefore no charge was brought against Mr. Debost.

18. At its 142nd meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### IV. PETITION FROM THE BUREAU DE L'UNION DES POPULATIONS DU CAMEROUN (T/PET.5/210)

1. Following telegrams addressed to the Fourth Committee in support of the protests of the Territorial Assembly against the hearing of Mr. Ruben Um Nyobé, representative of the UPC, Chief Njimofira, a paramount chief in the Bamoun region, in his turn sent the Committee a cable on 12 November 1952, the text of which follows (A/C.4/218/Add.1, section VIII) :

"Traditional chiefs and notables Bamoun regions request you consider Um Nyobé spokesman people Cameroons. Stop. All messages to contrary drafted by Administering Authorities or corrupt persons in name of population Cameroons kept in ignorance. Stop.

Traditional Chief Njimofira."

2. This telegram was followed on 27 November by another (A/C.4/218/Add.1, section XII), stating that since the dispatch of the first cable the Administrator and Sultan Seidou of Bamoun had convened the Bamoun population and intimidated them into signing motions, prepared in advance, to the effect that the protests against Um Nyobé had been sent spontaneously by the Cameroonian people. Further, Njimofira stated that the Administrator of the Bamoun region had taken steps to depose him and to convict him for his support of Mr. Um Nyobé and that, moreover, the Administrator had forced the majority of the other chiefs to repudiate the telegram of 12 November.

3. A previous petition (T/PET.5/125) from the UPC, Regional Committee of Nkongsamba, contained *inter alia* a complaint that Chief Njimofira was being prosecuted for petitions sent to the United Nations to give a free expression of his views. In its resolution 784 (XII) on that petition, the Trusteeship Council noted that Chief Njimofira was being prosecuted as a result of a legal action brought against him by certain chiefs and notables of the Bamoun region, and that the matter was before the competent courts of the Territory.

4. In the present petition from the UPC at Douala, which includes a statement from Chief Njimofira himself,

<sup>15</sup> See A/C.4/243. The Fourth Committee granted the request for a hearing, but the petitioner did not appear before it and the letter was therefore not discussed.

the petitioners contend that Njimofira, paramount chief in the Bamoun region for thirty years, has been deposed ; among the reasons given by the Administration was his "incapacity" which it has thus taken the Administration thirty years to become aware of, and that precisely at the time that Njimofira demonstrated his sympathy for the representative of the UPC. The petitioners claim that the telegram sent by Njimofira supporting Ruben Um Nyobé is the real reason why he was deposed and why he is now being persecuted.

5. The UPC also criticizes the interdependence of the courts of justice and the Administration and the fact that the affairs of justice are entirely in the hands of the French officials. They give a description of the various courts in the Territory in support of their allegations. Further, they charge that forgeries were committed in the telegrams protesting against the hearing of Mr. Um Nyobé and that these forgeries have remained unpunished whereas his supporters are dragged before the magistrates.

6. In his statement, Chief Njimofira contends that the Administration has always opposed the UPC and he claims that it gave orders to part of the population to protest against the hearing of Mr. Um Nyobé. Moreover, he maintains that the motion of the Territorial Assembly protesting against the hearing was not within the competence of the Assembly.

7. Chief Njimofira further claims that Sultan Seidou summoned Njimofira's six village chiefs to the palace and asked them if there was any difference of opinion between them and their paramount chief (*s'ils avaient une toute affaire avec leur chef supérieur*). They denied this and were given letters of complaint, already prepared for their signature, which they were told to hand to the *chef de région*. They all signed without knowing the contents of the letters.

8. Chief Njimofira maintains that one of the chiefs, when informed of the text of the letter, repudiated it and, to avoid similar retractions, the *juge de paix* subsequently called the "protesters" before him one by one and instructed them as to what they were to say.

9. He goes on to state that on 22 November 1952 the *chef de région* convened the population of the region to intimidate them (police had arrived from Yaoundé for that purpose) into signing complaints, prepared in advance, against him. On the same day, he himself was subjected to a severe interrogation by the *chef de région*, who not only defended the "protesters" but also revealed his desire to have Njimofira convicted.

10. Also attached to the petition is a copy of a letter dated 28 November 1952, purporting to be from the *chef de région* to the *juge de paix à compétence étendue* at Foumban transmitting thirty-two formal complaints

against Njimofira and indicating his intention of suspending the chief.

11. Finally, Njimofira complains that he has been suspended from his functions without having been convicted, and refuses to appear before a court which he claims is not independent, the Administration being at the same time accuser and judge.

12. In its observations (T/OBS.5/17) the Administering Authority refers to its observations on T/PET.5/125 (T/OBS.5/7, section 8) regarding the same case. It adds that on 28 July 1953 Njimofira was sentenced for defamation to a fine of 50,000 francs and to 50,000 francs civil damages to be paid to Sultan Seidou and to 20,000 francs to be paid to five paramount chiefs.

13. The Administering Authority further states that he was suspended from duties as paramount chief of Kounga by decision of 12 December 1952 as from 28 November 1952, the date on which legal proceedings were brought against him. This step was taken in accordance with the regulations which stipulate that a person invested with public authority shall be suspended from his functions while legal proceedings are being brought against him.

14. Finally, it states that Njimofira was deposed as chief of the village of Bafolé by decision of the *chef de région* of 29 January 1953 because of his lack of authority and because of numerous complaints made against him by the heads of families of his village.

15. The petition was examined and discussed at the 120th and 142nd meetings of the Standing Committee (T/C.2/SR.120 and 142).

16. The special representative explained that Chief Njimofira had been suspended from his duties as paramount chief because the slanderous statements which he had made against Sultan Seidou and other chiefs had aroused violent opposition amongst the people and had created the possibility of disturbances. After his conviction, he had been deposed. The chief who had been chosen to replace him had received the support of the great majority of the people.

17. At its 142nd meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

#### ANNEX

##### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

For the texts of draft resolutions I, II and IV, adopted without change at the 420th meeting of the Trusteeship Council, and of draft resolution III as amended at the same meeting, see resolutions 977 (XIII), 980 (XIII), 976 (XIII) and 974 (XIII), respectively.

### DOCUMENT T/L.425

#### Sixty-fourth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]  
[12 March 1954]

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## INTRODUCTION

1. At its 101st, 102nd and 147th meetings, on 14, 15 January and 11 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, examined the seven petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents, all of which concern individual claims for pensions or compensation.

2. Mr. Guerino Roberti participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I, III, IV and VII.

### I. PETITION FROM MR. MOHAMED BARRE MOHAMUD (T/PET.11/375)

1. The petitioner seeks assistance in the recovery of his pension. He states that he joined the Italian army in 1935, was wounded in 1936 and was awarded a pension of 150 lire in 1939. In 1950 he applied to the Italian Trusteeship Administration for his rights, which, he says, were "accepted with the pay 64.50 with uniform".

2. In February 1951 the petitioner and a few others were in the cadet's office. He was in uniform, and a sergeant who was present accused him of failing to salute. The captain dismissed the affair as a triviality, but in March the petitioner was recalled, fined fifteen days' pay and imprisoned. Later, he was tried in a military court, given no opportunity to defend himself and sentenced to a year's imprisonment. He was released after six months but his pension was then disallowed and all his applications for its restoration have been refused.

3. In T/OBS.11/24, the Administering Authority makes certain observations which are applicable to this and the four petitions which follow. They are that the question of pensions for Somali military and civil personnel who served the pre-war Italian Administration is one within the competence of the Italian Treasury, which bears the cost. All former Somali soldiers have been paid arrears of salary up to the date of Italy's renunciation of sovereignty over Somaliland. All war cripples, disabled servicemen and veterans who are fit for sedentary work are employed by the Administration, at salaries proportioned to the work which they are doing, in the War Cripples, Disabled Servicemen and Veterans Company (the WCDSVC), which is a unit of the Territory's Security Corps. For those who are unfit even for employment in the WCDSVC, the Italian Treasury has arrangements of a permanent nature under consideration.

4. In addition to its general comments, the Administering Authority states (T/OBS.11/24, section I) that the petitioner was a member of the WCDSVC who was discharged from the Company in May 1951, having been found guilty by the Mogadiscio Military Court of disobedience and sentenced to imprisonment.

5. The petition was examined and discussed at the 101st and 147th meetings of the Standing Committee (T/C.2/SR.101 and 147).

6. In regard to the five petitions dealt with in this section and in sections II to V below, the representative

of the Administering Authority stated that the Trusteeship Administration had formed the War Cripples, Disabled Servicemen and Veterans Company, in which are enrolled those ex-soldiers who are fit for sedentary employment. It is for those who are not physically fit for employment in the WCDSVC that the Government of Italy has under consideration some other arrangements.

7. At its 147th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

### II. PETITION FROM FARAH HASSAN ODUU (T/PET.11/376)

1. The petitioner writes that he had served seventeen years with the Italian army and was pensioned following an injury incurred during the Ethiopian campaign. After the arrival of the Italian Trusteeship Administration, he states, he was given 332 somalos as back pay, but was not reinstated as a pensioner. Despite a statement by the Administrator of the Territory that he would receive his pension, he claims that the commanding officer stated he would not receive anything.

2. He states that he has a large family to keep, and that his old wound precludes him from working.

3. In addition to its general comments reproduced in section I above, the Administering Authority states (T/OBS.11/24, section 2) that the petitioner is one of those who are unfit for employment with the WCDSVC. He has been informed that his case is one which will fall under the arrangements which may be made by the Italian Treasury.

4. The petition was examined and discussed at the 101st and 147th meetings of the Standing Committee (T/C.2/SR.101 and 147).

5. At its 147th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

### III. PETITION FROM SCIARIF ADAN ABDI (T/PET.11/377)

1. The petitioner, an ex-serviceman in the Italian army, writes that during his military service in the Second World War he was injured in the left hand and as a result was pensioned in May 1950. In August 1950, he says, he was told by the military authorities to return to the service, with a pay of 110 somalos. The petitioner requested that he be paid 240 somalos, which, he says, is the pay appropriate to his rank of sergeant. Receiving no favourable answer to that request, he then asked to be returned to civilian status and be paid half the pay of a sergeant. The latter request was also denied, and the petitioner now asks for his rights.

2. In addition to its general comments reproduced in section I above, the Administering Authority states (T/OBS.11/24, section 3) that the petitioner used to be a member of the WCDSVC, but was discharged from the Company at his own request in November 1950.

3. The petition was examined and discussed at the 101st and 147th meetings of the Standing Committee (T/C.2/SR.101 and 147).

4. At its 147th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### IV. PETITION FROM MR. MOHAMED OSMAN AHMED (T/PET.11/378)

1. The petitioner, an ex-serviceman in the Italian army, states that he was pensioned in 1939 following an injury during the Ethiopian campaign. After the arrival of the Italian Trusteeship Administration in the Territory, his pension was reinstated at 75 somalos a month.

2. In 1951 he was ordered back into service despite his alleged feeble condition. The pension he was receiving was not sufficient to support his family, so he tried to get a better grade, but instead he was discharged and his pension was stopped.

3. In addition to its general comments reproduced in section I above, the Administering Authority states (T/OBS.11/24, section 4) that the petitioner used to be a member of the WCDSVC, but was discharged from the Company at his own request in 1951.

4. The petition was examined and discussed at the 101st and 147th meetings of the Standing Committee (T/C.2/SR.101 and 147).

5. At its 147th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

#### V. PETITION FROM MR. SIDO GIAMO MIRE (T/PET.11/381)

1. The petitioner, an ex-serviceman in the pre-war Italian army, requests assistance in rejoining his military unit with his previous rank of *Jubascio*. He states that he fought in the Italian army in various campaigns from 1924 onwards and was wounded in his right leg during the Afmadu battle in 1940-1941. His requests to the local authorities to this effect have been turned down although, he says, all his colleagues are back in military service. He is a poor man with four children to support.

2. In addition to its general comments reproduced in section I above, the Administering Authority states (T/OBS.11/25, section 2) that the petitioner is one of those who are unfit for employment with the WCDSVC. He has been informed that his case is one which will fall under the arrangements which may be made by the Italian Treasury.

3. The petition was examined and discussed at the 101st and 147th meetings of the Standing Committee (T/C.2/SR.101 and 147).

4. At its 147th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

#### VI. PETITION FROM MR. ALI OSMAN IUSUF (T/PET.11/379)

1. The petitioner, formerly a wireless operator under the British and the present Administration, states that while on leave in Mogadiscio he was taken ill and admitted to the hospital for treatment. The doctor, he says, refused to discharge him from the hospital after he had recovered from his illness and, instead, sent a report to his commanding officer in Galcaio stating that he was a tubercular case and recommending his discharge from the police force. In compliance with the doctor's recommendation, he was discharged from the service.

2. Failing to convince his commanding officer that he was free from tuberculosis, and thinking that the doctor

had a personal grudge against him, the petitioner had his chest x-rayed under the supervision of a private physician, who certified him to be free from any contagious disease. He petitioned higher officials of the Administration but received no satisfaction.

3. The Administering Authority confirms (T/OBS.11/24, section 5) the facts set forth above, and adds that after his discharge from the police force the petitioner was sent to the anti-tubercular dispensary for specific treatment. Then, following the submission of the present petition, in which the petitioner points out the discrepancy between the first and second diagnoses, the petitioner was subjected to a further thorough examination at Mogadiscio Central Hospital. This showed that he still suffers from a specific pulmonary infection which, although not serious and in the process of regression, precludes his retention in the police force for fear of a relapse and further aggravation of the infection. He was paid all that he was entitled to at the time of his discharge, and received in addition a special gratuity of 150 somalos to enable him to return to his village.

4. The petition was examined and discussed at the 102nd and 147th meetings of the Standing Committee (T/C.2/SR.102 and 147).

5. The representative of the Administering Authority stated that at present there was no provision for the payment of pensions to persons like the petitioner whose services had to be terminated on grounds of ill health. The usual practice was to compensate such personnel with one or two months' pay. A scheme was under consideration whereby pensions would be payable to militarized personnel discharged on health grounds. The petitioner would be one of those who would benefit under such a scheme, but it was not possible to say whether or not the scheme would provide that such pensions would be payable retroactively to the date of discharge.

6. Meanwhile, the representative undertook that the Administration would examine the possibility of giving the petitioner some light work. The representative also stated that the findings of the doctor who had first reported on the petitioner had been based upon the facts, and had not been reached as the result of personal animosity towards the petitioner.

7. At its 147th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

#### VII. PETITION FROM MR. ALAM OTHNOU MOHAMED ABIKER AND OTHERS (T/PET.11/363)

1. The petitioners, who describe themselves as "the people of Baidoa", charge that although the "Administration had agreed to compensate those of us who suffered financial losses and to treat our problem with consideration and justice, unfortunately none of this was ever done".

2. They complain further that the Administration took away their trading licences without compensation.

3. The Administering Authority recalls (T/OBS.11/20, section 5) that the action which it took on claims for damages arising out of the Baidoa incident has been stated to the Council on several occasions in the past, in connexion with the dozen or so petitions which the Council has received on the subject. In particular, the Administering Authority reminds the Council that, after having examined T/PET.11/247, T/PET.11/266, T/PET.11/

271 and T/PET.11/280 at the twelfth session, in the light of the observations of the Administering Authority, it decided (resolution 667 (XII)) that no recommendation by it was called for.

4. It may be of assistance to the Council if the Standing Committee recalls the following paragraph from its report, T/L.347, concerning the four petitions examined at the twelfth session:

"14. The special representative of the Administering Authority again recapitulated how some five or six hundred persons had fled as a result of the incident; and how, on his return to Baidoa, each had received *ex gratia* a sum of So.100, and the Administration had also paid for the repair of his hut or shop. In 1951, claims for further compensation had been received by the Administration which then allotted to the Resident a sum of So.60,000 in final and *ex gratia* settlement of all outstanding claims. All the claimants belonged to one political party, and the Resident decided to call on the party's leaders to form a commission to advise him on the distribution of the money. The commission received seventy claims, of which it rejected fifty-four; and the compensation of So.60,000 was divided among the sixteen applicants whose claims were accepted by the commission. Towards the end of 1951 some of the leaders of the party came forward and said that they disagreed with the findings of the commission; and, however much the Administration might regret that

the commission might have failed in one instance or another to do justice, it was scarcely the fault of the Administration."

5. The petition was examined and discussed at the 102nd and 147th meetings of the Standing Committee (T/C.2/SR.102 and 147).

6. As regards the complaint that the Administration took away the petitioners' trading licences, the representative of the Administering Authority stated that Mr. Alam Othnou Mohamed Abiker could not be traced; it has not been possible to establish that he had ever resided at Baidoa, much less that he had ever held a licence to trade there.

7. At its 147th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

## ANNEX

### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II, III, IV, V, VI and VII, adopted without change at the 521st meeting of the Trusteeship Council, see resolutions 890 (XIII), 891 (XIII), 892 (XIII), 893 (XIII), 896 (XIII), 894 (XIII) and 881 (XIII).*

## DOCUMENT T/L426

### Sixty-fifth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]  
[15 March 1954]

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#### INTRODUCTION

1. At its 100th, 101st, 122nd, 123rd, 147th and 148th meetings on 18 and 19 January, 5 and 8 February and 11 and 12 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the eight petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of

contents. The petitions are concerned with various political and economic matters.

Mr. Guerino Roberti participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I, II, IV-VIII.

#### I. PETITION FROM MR. HASSAN GAAL MOHAMED (T/PET.11/361)

1. The petitioner states that, together with five other Somalis, he was arrested on 14 January 1953 on suspicion of having perpetrated a burglary at the premises of the firm where he was employed. His companions were released a few days later, but he was detained until 16 March when the judge of the Benadir province found him not guilty.

2. The petitioner complains that, between 14 and 28 January, he spent "ill-fated days and suffered inhuman sufferings". Every night, at about midnight, he was led away, handcuffed, and was kicked and beaten with the object of drawing from him either an admission of his guilt or the names of the guilty parties. He was without food or water for seven days. Once, a lieutenant of the *carabinieri* came to the police station and, according to

the petitioner, said to him: "Unless you admit that you are the thief, or disclose who the thieves are, I will take you to the *tenanza* (of the *carabinieri*), where you will get another good dose of suffering". As one result of the rough treatment which he received, the petitioner states that his left hand was fractured.

3. The petitioner asks for "justice against those" who ill-treated him, and for compensation for the injury which he suffered.

4. In its observations, the Administering Authority states (T/OBS.11/22, section 1) that, following the conclusion of the inquiries in the case, all the arrested suspects except the petitioner were released. He was kept in Mogadiscio prison until acquitted for insufficient evidence by the Benadir province judge on 28 March 1953.

5. After his release the petitioner submitted to the Administrator a statement similar to his present petition. In view of the seriousness of his charges, the petitioner was submitted to a careful medical examination and his charges were carefully investigated. The medical examination failed to reveal any traces of bodily harm; in particular, no trace could be found of any previous fracture of his hand. At the same time, the investigation did show that, owing to lack of supervision by the non-commissioned officer on duty, the petitioner received insufficient rations on 14, 15 and 16 January. Disciplinary measures were taken against the persons responsible for such a serious offence.

6. The petition was examined and discussed at the 100th, 122nd and 147th meetings of the Standing Committee (T/C.2/SR.100, 122 and 147).

7. The representative of the Administering Authority stated that the petitioner had undergone medical examination twice: first at the Military Hospital at Mogadiscio at the end of January 1953, and secondly, just before the Administering Authority submitted its observations on the present petition, at the De Martino Hospital at Mogadiscio on 1 October 1953. Both examinations had yielded negative results. Had the petitioner's hand been fractured, as he had claimed, the examinations would have revealed traces of the fracture, but no such traces had been found.

8. The two prison officers responsible for withholding sufficient rations from the petitioner on three successive days in January 1953 were punished by being confined for eight and five days, respectively.

9. The representative stated also that, were the petitioner able to adduce conclusive proof that he had been subjected to physical violence while detained in custody, he could obtain redress in the courts.

10. At its 147th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MR. AHMED MOHAMUD ISMAIL HUSSEIN (T/PET.11/369)

1. The petitioner, writing on 18 June 1953, states that on 30 May 1951 he was taken by an Italian *carabiniere* into the central police station in Mogadiscio where a lieutenant ordered two *carabinieri* to beat him until he fell down. He claims that x-ray pictures showed three of his ribs to be broken, and that during the 42 days he spent in the hospital he received no treatment from the Italian doctors. Following his hospitalization, he was taken to prison and, on 28 July 1951, convicted in court

and sentenced to one year and two months' imprisonment with a fine of 300 somalos.

2. While serving his sentence, a prisoners' strike over allegedly bad food broke out on 23 November 1951. He says that he was accused of being responsible for the trouble and for bringing politics into the prison. He was again tried in court and, on 4 January 1952, sentenced to three years' imprisonment. He claims that he is innocent and appeals to the "United Nations International Court of Justice".

3. At the beginning of the petition is a reference to an earlier petition (T/PET.11/4) from the same petitioner — "which was claiming about my indemnity, I am herein claiming again... the above said indemnity". The claim was for a full month's wages, together with a further month's wages in lieu of notice, when the petitioner was dismissed from the Police Force. In its resolution 348 (IX) the Council decided that no action by it was called for on T/PET.11/4.

4. The Administering Authority states (T/OBS.11/20, section 9) that the petitioner was charged with making a false statement for the purpose of collecting arrears of salary to which he was not entitled. On 30 May 1951, being requested to call at the police station in connexion with this charge, he assaulted the police officer escorting him. In the ensuing tussle, the petitioner fell down the stairs and broke a rib. After his recovery in hospital he was tried and found guilty of defrauding the Administration and of the assault, and was sentenced to fourteen months' imprisonment.

5. The Administering Authority states that the petitioner was responsible for the hunger strike which broke out in the prison. His sentence of three years' imprisonment for this offence, however, was reduced on appeal to two years.

6. The petitioner was one of the numerous prisoners who, having served half of their sentences, received individual pardons on 30 May 1953.

7. The petition was examined and discussed at the 100th and 147th meetings of the Standing Committee (T/C.2/SR.100 and 147).

8. The representative of the Administering Authority stated that he was unaware of the reason for the hunger strike in the prison. The petitioner had been convicted as having been the ringleader of the strike, but no one else had been convicted for participating in it. The assumption was that the petitioner had started the strike in order to foment dissension.

9. Nor, said the representative, had the policeman been at fault when he and the petitioner had tumbled down the stairs. Had the policeman assaulted the petitioner, he would have been punished also. But it was the petitioner who had assaulted the policeman.

10. At its 147th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

## III. PETITION FROM SCEK ABDULLAHI AHMED ABDI AND OTHERS (T/PET.11/373 AND CORR.1)

1. The petitioners seek a pardon on behalf of four prisoners belonging to the Aulihan Tribe—Osman Mahmoud. These prisoners, who were sentenced by the British Administration to a heavy punishment, are serving sentences of eighteen years, but their fellow tribesmen have since paid blood-money.

2. The Administering Authority states (T/OBS.11/23) that the four prisoners in question are serving sentences of eighteen years for murder. They were convicted on 10 March 1950 by the courts of the British Administration. The present petitioners brought the prisoners' case to the attention of the Administration earlier in 1953, in connexion with the grant of pardon on the occasion of Italy's National Day. As, however, the prisoners had not undergone half of their sentences, it was decided that no more would then be done for them than remit two years of their sentences.

3. The Administering Authority adds that a further application for pardons may possibly be entertained when the prisoners have served a greater part of their sentences.

4. The petition was examined and discussed at the 100th, 122nd and 147th meetings of the Standing Committee (T/C.2/SR.100, 122 and 147).

5. The representative of the Administering Authority stated that the trial in the British courts had been conducted under Italian law.

6. At its 147th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### IV. PETITION FROM MR. MOHAMED GIAMA HASSAN (T/PET.11/380)

1. This petition is in two parts, both dated 15 October 1953. In the first part the petitioner, a Merehan tribesman, states that in 1951 he was robbed of 530 head of cattle by Awadle tribesmen near Gologudud and that, although the police were able to recover the cattle, the provincial commissioner of Belet Wen gave them to the Awadle tribe on the grounds that other Merehan tribesmen had stolen Awadle cattle.

2. The second part contains three complaints:

(a) Following the Chisimaio incident of August 1952, his two brothers who at the time were living at Ghelinsor were imprisoned because "they had laughed when they heard of the Chisimaio incidents".

(b) Three camels were stolen from him by order of the Resident of Dusa Mareb who, the petitioner charges, always steals livestock without reason.

(c) The Resident "took by force our well and gave it to persons of the progressive party", and the provincial commissioner of Galcaio supported the Resident's action.

3. The petitioner concludes by stating that Somalis in Dusa Mareb are ill-treated and that the Administering Authority arrests anyone speaking of human rights.

4. The Administering Authority explains (T/OBS.11/25, section 1) that in October 1949 Merehan tribesmen killed ten Awadle tribesmen. Blood-money then became due from the Merehan to the Awadle. Payment was not immediately effected, so in April 1950 (not 1951, as the petitioner states) Awadle tribesmen raided the Merehan and carried off 400 head of cattle. The cattle were recovered by the police who handed them over to the provincial commissioner of Belet Uen. The provincial commissioner then convened chiefs of both tribes, and agreement was reached that the 400 head of cattle in question should be relinquished by the Merehan to the Awadle in part payment of the blood-money. It is possible, says the Administering Authority, that among

the cattle were some belonging to the petitioner and his relatives: but no such claim was advanced either at the time, or during the course of the pacification *shir* held by the two tribes during July 1953 and attended by the petitioner.

5. As regards the complaints summarized in paragraph 2 above, the Administering Authority observes as follows:

(a) The petitioner and his brothers live in Dusa Mareb district, but periodically move to the Ghelinsor area in Galcaio district in search of pasture and water. They proved to be troublesome, so much so that the petitioner was sentenced by the regional judge of Mudugh to three months' imprisonment, and his two brothers were sentenced in November 1952 to nine months' imprisonment (conditionally suspended) for incitement to disobey the law and threatening a public officer.

(b) The *rer* Wagarda of the Merehan tribe entered with due form and ceremony into an engagement to pay blood-money to the Awadle tribe, but failed to fulfil it. In June 1953, therefore, the Resident of Dusa Mareb ordered the seizure of a number of camels belonging to the *rer* Wagarda—to be held against payment of the debt. The Wagarda duly discharged the debt to the Awadle, and the Resident returned the seized camels to their lawful owners. The petitioner, however, was not among them.

(c) Never have the petitioner and his brothers been hindered in any way in areas open for watering livestock.

6. The petition was examined and discussed at the 123rd and 147th meetings of the Standing Committee (T/C.2/SR.123 and 147).

7. As regards the complaints summarized in paragraph 3 above, the representative of the Administering Authority stated that they were extremely vague. If, as was alleged, the Administration was guilty of ill-treating the population of Dusa Mareb, and of arresting anyone who spoke of human rights, the Trusteeship Council would most certainly have heard of it long before this, and from a more authoritative source.

8. At its 147th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

#### V. PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF ODDUR (T/PET.11/364)

1. This petition is in two parts. The first, which was received by the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration on 21 March 1953, contains a series of general complaints against the Administration and the Resident of Oddur. In the second part, which is dated 6 April 1953, the petitioners recount that they had wished to make their complaints in person to a visiting representative on the Advisory Council, but that the police would not allow them to do so. They therefore presented their complaints in writing, and when the Resident came to hear of their action he ordered members of the Hisbia Dighil and Mirifle to attack the League's branch office—which they did "with daggers, spears, swords, arrows and rocks". The petitioners, however, did not retaliate.

2. In its observations on this part of the petition (T/OBS.11/20, section 6) the Administering Authority states that a large crowd, representing all shades of opinion, gathered to meet the visiting representative on



the Advisory Council. About half a dozen spoke to him, and the only complaint voiced was of insufficient security along the border. One of the speakers was the head of the local branch of the Somali Youth League, and he, as well as others, praised the local Administration. At the end of the meeting, a League member asked to be allowed to submit a petition, and this was received by the representative on the following day. The members of the Hisbia Dighil and Mirifle, said by the petitioners to have attacked the League's office with arms and missiles, are stated by the Administering Authority to have been Hisbia Dighil and Mirifle members marching peaceably in procession to celebrate the anniversary of their party's foundation. No incident occurred.

3. The first part of the petition is the petition, referred to above, which was presented to the representative on the Advisory Council. The general complaints set forth in it are as follows. The Resident openly attacks the League, and discriminates against its members in matters of employment. He has armed certain elements of the population. Many people are kept in prison for as much as a year before being brought to trial; prisoners are underfed and overworked, and even sick prisoners must work. There is nothing at Oddur but a one-room school and a slaughter house; the hospital is very small and should be enlarged. The town has an ambulance, but it is never used.

4. The Administering Authority denies (T/OBS.11/20, section 6) these general charges. The Resident does not attack the League or arm the population; he continually does his best to appease the various parties; in particular, he prevents Hisbia Dighil and Mirifle members from reacting with violence against frequent provocations by League members. A large number of the Residency staff are League members. The provisions of the law governing detention prior to trial are strictly observed. The distribution of food to prisoners is closely supervised; prisoners carry out normal cleaning work, and none has ever found reason to complain. Public works executed at Oddur during 1953 include: a meat market, repairs to all schoolrooms and reconstruction of the prison. Funds have been appropriated to enlarge the infirmary in 1954. The ambulance is used whenever in the opinion of the local doctor its use is necessary.

5. The petition was examined and discussed at the 101st and 148th meetings of the Standing Committee (T/C.2/SR.101 and 148).

6. The representative of the Administering Authority stated that this petition, as well as T/PET.11/358, which is the subject of the next succeeding section, had originated at a time when there was abnormal tension subsisting between political parties, and when relations between the Administration and the Somali Youth League had been strained. Neither petition reflected the present political situation.

7. At the invitation of the Chairman, Mr. Goro Deeb, a member of the Secretariat who had been one of the entourage of the representative on the Advisory Council during the visit to Oddur, replied to questions by members of the Committee. Mr. Deeb stated that the only police present on the occasion were the two or three *ilalos* attached to the visiting party. He had observed no sign of interference by the authorities, and no violence.

8. At its 148th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

#### VI. PETITION FROM THE HISBIA DIGHIL AND MIRIFLE, BRANCH OF ODDUR (T/PET.11/358)

1. The petitioners, writing on 17 March 1953, charge that the "small minority of twenty (League) members" in Oddur spreads dissension, stops the people from using the schools and hospitals and puts obstacles in the way of those who would co-operate with the Italian Administration. More specifically, the petitioners charge these League members with being in communication with marauding elements on the Ethiopian side of the border, and with supplying them with ammunition.

2. The Administering Authority does not comment specifically on this petition, but in T/OBS.11/20, section 2, it invites reference to the observations which it has submitted on T/PET.11/364 (see section V above). In the course of those observations, reference was made to the Resident's endeavours to keep the peace between the various parties.

3. The petition was examined and discussed at the 101st and 148th meetings of the Standing Committee (T/C.2/SR.101 and 148).

4. The representative of the Administering Authority stated that this petition, as well as T/PET.11/364, which is the subject of the preceding section, had originated at a time when there was abnormal tension subsisting between political parties, and that it did not reflect the present political situation.

5. At its 148th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

#### VII. PETITION FROM BUR ACABA MERCHANTS (T/PET.11/368)

1. The petitioners, a group of merchants in Bur Acaba whose petition is dated 11 March 1953, seek equal rates for all market, hut and shop taxes, especially on cereals and butter. They state that in Coriole, Genale, Audegle and Afgoi, the tax is 0.20 somalos on a camel load, small or big, while in Bur Acaba the tax is 1.75 somalos on a quintal (100 kgs) of millet and 3 somalos on a tin of butter.

2. The Administering Authority observes (T/OBS.11/20/Add.1, section 2) that the system of taxation and trading licences is based on the principle of dividing public markets and shops into categories according to their importance, size and volume of business. The rate of taxation for most items on the markets is assigned a maximum and municipal administrations and services are authorized to levy taxes up to such maximum, taking into consideration local customs, requirements for public services and the wealth of the area. For example, millet and ghee (local butter) may be taxed on the various markets up to a maximum of 5 per cent *ad valorem* and three somalos for a four-gallon tin respectively.

3. Municipalities in the Upper Giuba including Bur Acaba apply the maxima because their markets are in the first category and both millet and butter are abundant in the region. In markets where such commodities are scarce, lower rates apply.

4. The petition was examined and discussed at the 101st and 147th meetings of the Standing Committee (T/C.2/SR.101 and 147).

5. At its 147th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.



VIII. PETITION FROM MR. ABDI ADEN ISMAHIL MOHAMED (T/PET.11/351)

1. The petitioner, who writes on 11 February 1953, used to run a soft-drink bar in Mogadiscio, where cards were played ("local card games—not games of chance"). About May 1950, the police withdrew his licence and the Resident fined him 100 somalos "without any justifiable reason". Before he could regain his licence, he was made to repair the premises. He did so, at a cost of 1,500 somalos, to the satisfaction of the municipal medical officer. He then went to renew his licence, but was treated as if his application were for a fresh licence and was subjected to the police investigation usual in such cases. He claims that his "criminal record was perfectly clean", but even so the municipality refused him a licence.

2. He has petitioned various officers for redress, but with no result. Recently, he applied for a licence to run a shooting gallery ("using compressed air guns"), but his application was refused.

3. He was in business in Mogadiscio without a break from 1932 to 1950, and ascribes the treatment meted out to him to the fact that he is a member of the Somali Youth League.

4. The Administering Authority observes (T/OBS.11/21, section 1) that the reason why the petitioner's licence was revoked and why he was fined was that the police discovered that gambling was going on on his premises. In February 1951 permission was granted to the petitioner to resume his business, after he had repaired his premises,

but he did not take the necessary steps to have the licence issued for 1951.

5. The petitioner's application for the licence to operate a shooting gallery was, like all such applications, refused for reasons of public safety. He was, however, advised that the Municipality was still prepared to renew the licence for a bar which he had requested in 1951; and, under a licence issued in July 1953, he is at present operating a *macaia* (native restaurant) in which non-gambling card games may be played.

6. The petition was examined and discussed at the 101st and 147th meetings of the Standing Committee (T/C.2/SR.101 and 147).

7. The representative of the Administering Authority stated that there was no question of the petitioner having been discriminated against by reason of his political party affiliation.

8. At its 147th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II, III, IV, V, VI, VII and VIII, adopted without change at the 521st meeting of the Trusteeship Council, see resolutions 879 (XIII), 885 (XIII), 888 (XIII), 895 (XIII), 882 (XIII), 876 (XIII), 884 (XIII) and 874 (XIII), respectively.*

DOCUMENT T/L.427

Sixty-sixth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]  
[15 March 1954]

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INTRODUCTION

1. At its 102nd, 122nd, 123rd, 124th and 148th meetings, on 15 January, 5, 8 and 9 February and 12 March 1954, the Standing Committee on Petitions, composed of the

representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the ten petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents. All the petitions have emanated from the Bardera district, and contain expressions of dissatisfaction with the administration in that district and, in one or two cases, in the Lugh Ferrandi district.

2. Mr. Guerino Roberti participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-VII inclusive.

I. PETITION FROM MESSRS. SCIDE MOHAMED DORE, DAHIR SCIACUL AND ABDULLAHI HASSAN (T/PET.11/356)

1. The petition—a cable dated 17 March 1953—is to the effect that the situation around Bardera is such that, if inter-tribal fighting takes place, the petitioners will hold the Resident responsible for it, for he rejected an

offer of the chiefs and notables to calm the people and bring peace among them. The petitioners charge that the Resident stirs up the tribes.

2. The Administering Authority states (T/OBS.11/20, section 1) that the petition relates to an incident which took place in March 1953, when five camels belonging to Mahallim Wen tribesmen were stolen by a small band of Merehan tribesmen. A Mahallim Wen tribesman also died from wounds inflicted on him by the raiders. Shortly afterwards, Merehan chiefs called on the Resident of Bardera and asked him to say nothing about the occurrence. He refused, rebuked them and asked them to co-operate in tracing the culprits. This was not to the chiefs' liking, for they belonged to the same *rer* as the culprits. They therefore promoted the present petition.

3. Through the efforts of the Residents of Bardera and Lugh, the stolen camels were returned to the Mahallim Wen, but at the time when the observations were prepared, the actual thieves had not been found.

4. The petition was examined and discussed at the 102nd and 148th meetings of the Standing Committee (T/C.2/SR.102 and 148).

5. The representative of the Administering Authority stated that inter-tribal incidents of this kind were due to the nomadic way of life followed by two-thirds of the Territory's population. The Administration was making efforts to induce the nomads to adopt a settled existence, and chief among its efforts was its programme of well-sinking.

6. At its 148th meeting, the Committee adopted, by 2 votes to none, with 4 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MESSRS. BARLE KER, OSMAN HIRE AND OTHERS (T/PET.11/362)

1. The petitioners appear to blame the Resident and an interpreter for "great trouble about Aulihan". They allege that on 4 April 1953 two men were killed and ten were wounded somewhere west of the Giuba River. Their petition is dated three days later.

2. The Administering Authority observes (T/OBS.11/22, section 2) that the petition is an inaccurate account of an incident that occurred in April 1953, when a group of Aulihan came to grips with a group of Leisan and drove them out of the right bank of the Giuba River, claiming that the land belonged exclusively to them. During the fight two men were killed. Prompt police intervention resulted in the arrest of one of the murderers.

3. Through the efforts of the Resident, the evicted Leisan were returned to their land after an agreement for compensation for damages had been reached. This solution was accepted by most of the Aulihan people and their chiefs, but failed to please the petitioners, who then turned round and accused the Resident of Bardera and his interpreter of being responsible for the fight.

4. The petition was examined and discussed at the 122nd and 148th meetings of the Standing Committee (T/C.2/SR.122 and 148).

5. The representative of the Administering Authority stated that two of the three culprits involved in the killings were still at large. He had no information as to the result of the trial of the third. The affair was an inter-tribal incident due to the nomadic way of life followed by two-thirds of the Territory's population. The

Administration was making efforts to induce the nomads to adopt a settled existence, and chief among its efforts was its programme of well-sinking.

6. At its 148th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

## III. PETITION FROM CAPO SOFFE ABDULLE ADEN UARSAMA AND OTHERS (T/PET.11/371)

1. In a brief cable from Bardera dated 12 July 1953, the petitioners state that all Merehan middlemen are in prison because of the Administration's refusal to allow them to sell livestock "without *Harifo* of Aulihan race". They further state that the Residency disallowed them entry into Bardera because of their refusal "to do *Harifo*"<sup>16</sup>.

2. The Administering Authority states (T/OBS.11/20, section 11) that the operations of livestock middlemen in the Bardera market are governed by traditional local customs. The forty-five middlemen at present operating in Bardera are divided into four groups: two groups represent people living on the left bank of the Giuba River, a third is composed of seven Aulihan and five Merehan people, and the fourth is composed of Aulihan, Merehan and Shekal people. Each group is daily represented in the Bardera market by two persons—making a total of eight middlemen—to serve cattle owners without discrimination as to race or tribe.

3. The Merehan tribe, however, endeavoured repeatedly to change this arrangement and to secure monopoly over the sale of livestock belonging to Merehan tribesmen. An application to that effect was submitted to the Commissioner of the Upper Giuba, who submitted the matter to the Municipal Council for consideration after he had personally examined the situation. The Council expressed its opinion in favour of maintaining the existing practice.

4. On 9 July 1953, two Merehan middlemen, both of them signatories to the present petition, attempted to auction exclusively all animals belonging to Merehan people, although it was not their turn to operate. Their attempt was rejected by the market clerk, and the petitioners proceeded to create a disturbance. Prompt intervention of the police prevented serious public disorders. The two petitioners offered resistance to the police and were taken to the local police station and detained for eighteen hours.

5. The petition was examined and discussed at the 122nd and 148th meetings of the Standing Committee (T/C.2/SR.122 and 148).

6. The Committee noted, from the statement of the Administering Authority, that the traditional local custom governing the operations of livestock middlemen in the Bardera market had received the sanction of the Bardera Municipal Council. The question was asked, therefore, whether the Merehan people—the tribe to which the petitioners belonged—were represented in the Municipal Council. The representative of the Administering Authority replied that they were not so represented and for the reason that the Merehan people were not natives of the Bardera district. Nevertheless, it was by an old established custom that Merehan people sold livestock in the Bardera market, and therefore they were represented on the panel of middlemen.

<sup>16</sup> For a description by the Administering Authority of this system of land tenure, see T/964, p. 2 and 3.

7. The representative added that in March 1953 appointments to all municipal councils would be by election on the basis of universal suffrage.

8. At its 148th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### IV. PETITION FROM SCEK ABDUL REZAH SCEK ABDIO AND OTHERS (T/PET.11/360)

1. The petitioners, who comprise chiefs and elders of the Aulihan, Merehan and Hersey tribes in the Bardera district, set forth a series of general complaints in letters dated 5 and 11 March 1953.

2. They describe the municipal and Residency councils as "farces", and their members as appointees of the Resident. They say, too, that the representative on the Territorial Council is appointed by the Resident and not elected by the people. There is considerable dissension among the people; they are forced to identify their tribes, and "those who refuse and show a degree of independence are discriminated against. The Somali Youth League is discriminated against."

3. The petitioners complain that there are not enough medicines at the hospital, and that the doctor takes insufficient interest in the health of the people.

4. The petitioners charge that "education here is in name only", and object to the use of Italian instead of Arabic in the schools. They say that the monthly salaries paid to the three teachers are: the Italian—1,200 somalos, plus a house with water and servants; the Arab—200 somalos; and the Somali—55 somalos.

5. The Administering Authority states (T/OBS.11/20, section 4) that the membership of the Bardera Municipal Council was designated by the Bardera Residency Council as provided for by law. Three members of it belong to the local branch of the Somali Youth League. The Council is convened whenever it is necessary to hear its opinion. Municipal councils will be elected by direct suffrage in 1954. The Residency Council is composed of tribal chiefs, notables, Holymen and representatives of political parties—all being persons of authority. Bardera councillors on the Territorial Council for 1953 were chosen by the Baidoa Regional Assembly from the names of six representatives submitted to it by the Bardera district representing elements of all political factions. The selection of the six candidates was made by secret ballot.

6. Nobody has ever been asked to state his party affiliation, and during the recent census operations people were free either to state or withhold their tribal origins.

7. The local dispensary is being supplied, like all others, every three months with everything required. Even during the rainy seasons the supply of medicines is not discontinued. The physician in charge is professionally competent and is always ready to answer the call of the sick.

8. As regards the salaries of teachers, and the other educational matters raised by the petitioners, the Administering Authority makes the following observations. The Italian teacher, who was recruited from Italy and holds a diploma, receives a monthly salary of 963.25 somalos, out of which he pays his house rent and servants' wages. The Arab teacher, locally engaged and "merely enabled", receives 271.70 somalos. The Somali teacher, when a student teacher, received 59.90 somalos, but has recently become enabled and his salary has been increased to

271.70 somalos. Teaching efficiency in the schools is frequently checked by Administration inspectors. The Bardera schools were recently inspected also by a UNESCO expert, who expressed his satisfaction at the results so far achieved. Arabic is taught by the Arab teacher and the school programme is prepared by the Directorate of the Elementary Schools in Mogadiscio.

9. One of the signatories to this petition signs as "President, Somali Youth League, Bardera". The Administering Authority states that he is nothing of the sort, and annexes a statement by the Secretary of the Bardera branch of the Somali Youth League to the effect that no communication which does not bear his signature is to be regarded as expressing the ideas of the Bardera branch of the League.

10. The petition was examined and discussed at the 122nd and 148th meetings of the Standing Committee (T/C.2/SR.122 and 148).

11. The representative of the Administering Authority emphasized that the disparity in pay between locally recruited teachers and teachers recruited from overseas was due to the facts that the latter had obtained higher qualifications and that an added inducement was necessary to attract them overseas. Every effort was being made to train teachers locally, but the training was lengthy, and many persons preferred to enter professions for which the training period was shorter.

12. At its 148th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

#### V. PETITIONS FROM CHIEF HUSSEN MOHAMUD DINI, FROM HAJI ABDULLAHI HUSSEN AND OTHERS AND FROM CHIEF DAHIR SCIAFUL (T/PET.11/366 AND Add.1, T/PET.11/367, T/PET.11/L.5)

1. These three petitions, all bearing dates in April 1953, contain general complaints against the Administration in Bardera and Lugh Ferrandi districts. The Standing Committee, at its 97th meeting, decided to apply the established procedure to T/PET.11/L.5 because, although couched in general terms, the petition partly deals with the subject matter of T/PET.11/366 and 11/367.

2. In T/PET.11/366 the petitioner (who signs as "Chief of Ghedo, including the population") states that "our territory" has been ruined by the two Residents. There is no freedom. Many Somalis have been placed in prison, without sentence, up to one year. Conditions now are like those of 1931, and even worse for labourers. People who communicate with the Advisory Council for Somaliland are put into prison, if the Resident comes to hear it. In the addendum, he states that those who live in the bush have no roads, no schools and no cities. Those who live in the cities are taxed; even a poor woman who goes into the bush to collect firewood to sell for one somalo has to pay fifty cents of it as tax.

3. In T/PET.11/367 the petitioners (who claim to write on behalf of all the people of Bardera and Lugh Ferrandi) express general dissatisfaction with the Administration and say that they are put in prison for sending letters or telegrams. In T/PET.11/L.5 the petitioner expresses general dissatisfaction with the two Residents, says that "it is like being back in fascist time in 1931; in fact it is even worse", and that there is no freedom.

4. Commenting on T/PET.11/366 and 367, the Administering Authority observes (T/OBS.11/20, sections 7 and 8)

that the charges are vague, and that their levy may be judged from its observations on T/PET.11/360 (see section IV above). It points out that the petitioners could sign these and other petitions without incurring any penalty. Commenting on T/PET.11/L.5, the Administering Authority draws attention (T/OBS.11/21, section 2) to its observations on T/PET.11/356 (see section I above) as well as to its observations on T/PET.11/360.

5. Haji Abdullahi Hussen, the co-signatory of T/PET. 11/367, is the author of the petitions summarized in the two succeeding sections—T/PET.11/372 and T/PET.11/374.

6. These petitions were examined and discussed at the 123rd and 148th meetings of the Standing Committee (T/C.2/SR.123 and 148).

7. The representative of the Administering Authority stated that the three petitions had been submitted shortly after the visit of the representative of the Philippines on the Advisory Council to the Upper Giuba Province, including Bardera and Lugh Ferrandi. Had the vague and general charges contained in the petitions been true, that representative would surely have said something about them during the twelfth session of the Trusteeship Council.

8. At its 148th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

#### VI. PETITION FROM HAJI ABDULLAHI HUSSEN (T/PET.11/372 and Add.1)

1. The petitioner, writing from Bardera on 21 July 1953, states generally that he has not observed any improvement in conditions but, instead, things are gradually becoming worse. This is especially true in the fields of education, economics, social conditions and the care for animals. Specifically, he complains that many lions in the bush have killed a large number of livestock, that some kind of a disease has spread among the people and the animals and that no one is there to cure it. In an annex to the petition, dated 19 July 1953 and not readily capable of literal translation, the petitioner complains specifically of the lack of towns and villages, and of the illiteracy of the people, in the area between Bardera and Lugh Ferrandi. He complains also that the judges in both places apply Italian law instead of Koranic law.

2. In the addendum, which is dated 13 September 1953, the petitioner claims to represent ten tribes numbering more than 156,000 people, who, he says, are not cared for by the Administration; he adds that if things continue as they are until the end of the year, "all Bardera people will be dead, either of starvation or of grief on account of ill-treatment by the Administration".

3. He again complains of wild beasts eating his people's livestock and claims that it is not possible to kill these beasts because "he who kills a wild beast is imprisoned for two years". He concludes by requesting that future communications with him be in Arabic since it is difficult for him to find someone who understands English because "if we want to see someone who knows English, the local District Commissioner sends him away on duty".

4. The Administering Authority observes (T/OBS.11/20/Add.1, section 3) that in the tall grass areas along the Giuba River livestock is occasionally attacked by lions, causing the loss of a few head of cattle. The sole defence against such attacks, since the use of poison is

too difficult to control, is fire-arms and for that reason patrols of Residency *ilalos* are often sent to beat up game in areas where livestock gather in great numbers.

5. As regards the other matters raised by the petitioner, the Administering Authority invites reference to its observations on T/PET.11/360 (see section IV above).

6. The petition was examined and discussed at the 123rd, 124th and 148th meetings of the Standing Committee (T/C.2/SR.123, 124 and 148).

7. The representative of the Administering Authority informed the Committee that the Administering Authority was trying to induce the shifting nomadic peoples to settle down into at least a semi-nomadic state. To this end, he said, the Administration had embarked on an extensive well-drilling project; 150 wells have so far been drilled and plans call for one hundred more each year throughout the Territory. Schools and dispensaries are also planned around the wells in order further to encourage nomads to settle.

8. The representative stated that three sets of laws were at present applied in the Territory. Islamic law was applied in personal matters such as marriage, divorce, inheritance, etc. Italian law was applied in criminal and civil cases, and customary law was applied in tribal matters. The Administration hoped that by 1960 the Territory would have its own complete code of laws.

9. At its 148th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

#### VII. PETITION FROM HAJI ABDULLAHI HUSSEN (T/PET.11/374)

1. The petitioner charges that the local authority at Bardera is oppressive and that the people cannot dispose of their livestock or goods. He claims that by order of the Resident of Bardera people may be ferried across the river only twice a day. He also states that the Resident "ordered us to pay ten per cent", half of which goes to the Administration and half to the "broker". Somalis are poor, he says, and are becoming poorer because wild animals in the bush are destroying their livestock.

2. The Administering Authority states (T/OBS.11/20/Add.1, section 4) that the petitioner had tried unsuccessfully to evade payment of purchase and sale tax on a bull, and that this is the reason for his petition.

3. The Bardera ferry makes no less than five round trips a day, providing sufficient transportation across the Giuba River.

4. A 5 per cent municipal tax is levied from the purchasers on the purchase and sale of livestock. Local custom provides also that the seller pay a commission of 4 per cent to the middleman. In view of the importance of livestock to the people, the charge is moderate and equitably divided between the contracting parties.

5. The petition was examined and discussed at the 124th and 148th meetings of the Standing Committee (T/C.2/SR.124 and 148).

6. At its 148th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VIII. PETITION FROM MR. MOHI EDDEN ABO BAKRE  
OTHMAN HERSET (T/PET.11/359)

1. The petitioner has unsuccessfully sought employment in government service. The Resident of Bardera declined to give him employment, on the grounds that he was not born in that district. The petitioner, however, believes that the real reason for not employing him is that he is a member of the Somali Youth League, and does not belong to a "pro-Italian party".

2. The Administering Authority states (T/OBS.11/20, section 3) that the petitioner was refused employment not because he was not born in Bardera, but because there was no vacancy in the authorized strength. The petitioner's party affiliation has nothing to do with the matter: several members of the Somali Youth League are regularly employed at the Bardera Residency.

3. The petition was examined and discussed at the

124th and 148th meetings of the Standing Committee (T/C.2/SR.124 and 148).

4. The representative of the Administering Authority stated that the petitioner had wished to obtain a post as a clerk in the municipal office.

5. At its 148th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

# ANNEX

## DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II, III, IV, V, VI, VII and VIII, adopted without change at the 521st meeting of the Trusteeship Council, see resolutions 875 (XIII), 880 (XIII), 886 (XIII), 878 (XIII), 883 (XIII), 887 (XIII), 889 (XIII) and 877 (XIII), respectively.*

## DOCUMENT T/L.432

### Sixty-seventh report of the Standing Committee on Petitions

[Original text: English]  
[15 March 1954]

1. The Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, reports that by 19 March 1954 it will have submitted reports on all the petitions listed in part A of the annex to the agenda for the thirteenth session<sup>17</sup>, with the exception of those petitions which are listed in annexes I and II of the present report.

2. The petitions listed in annex I are, for the most part, petitions that were received by the Administering Authority concerned less than two months prior to the opening of the thirteenth session, and on which no observations were available. In a few instances, however, examination of petitions was not undertaken for other reasons, as indicated in the footnotes to annex I. With two exceptions, the Committee recommends that examination of the petitions listed in annex I be postponed until the fourteenth session of the Council.

3. The two exceptions are:

(a) Petition from Representatives of the 'Ngoa' Ekélé Community (T/PET.5/197 and Add.1)—This petition, concerning the Cameroons under French administration, appears as a separate item on the agenda of the thirteenth session (item 16), and has not been referred to the Committee for examination.

(b) Petition from Chief Farah Nur Abdulla (T/PET.11/370)—This petition appeared originally to concern the Trust Territory of Somaliland under Italian administration, but the Administering Authority reported subsequently (T/OBS.11/20, section 10) that the occurrences of which the petitioner complained had taken place outside the Trust Territory. The Committee accordingly recommends that the petition be removed from the agenda.

4. The Committee recommends that the petition from inhabitants of the Leper Settlement at Ho (T/PET.6/328) be added to the agenda. This petition, which concerns Togoland under British administration, was not included

in the agenda since it had been received by the Administering Authority less than two months prior to the opening of the thirteenth session. Observations were received on the petition in time for the Committee to examine it, however, and the Committee has reported on it (T/L.415, Section IV).

5. The petitions listed in annex II to the present report are petitions on which the Committee will be unable to submit reports by 19 March 1954, despite the fact that, with two or three exceptions, it has met daily—often twice daily—since 13 January 1954. In any event, the five petitions in annex II which are marked with an asterisk were received by the Administering Authority less than two months before the opening of the thirteenth session, and its representative has stated that the Administering Authority is not prepared to have them examined by the Trusteeship Council during its current session. Examination of these petitions must therefore be postponed until the fourteenth session. The Committee recommends that examination of the remaining ten petitions in annex II be postponed also to the fourteenth session. The Committee recommends nevertheless that its successor should be invited by the Council to proceed almost immediately upon its appointment to examine them, so as to take advantage of the presence at Headquarters of the special representative from Togoland under French administration.

6. By its resolution 467 (XI) of 22 July 1952 on the general procedure of the Trusteeship Council, the Council provisionally adopted amendments to certain rules of procedure relating to petitions, and invited the Standing Committee on Petitions to report to it at its twelfth session on the effectiveness of the new rules. At its 482nd meeting, on 20 July 1953, the Council decided that the time-limit for the submission of the report should be extended to the thirteenth session in order that greater experience of the operation of the rules might be obtained. Throughout the whole of its present series of meetings, however, the Committee has been engaged solely in the examination of petitions and will be unable to report on procedural matters by 19 March 1954. The Committee proposes that the Council postpone consideration of this item until the fourteenth session.

<sup>17</sup> See *Official Records of the Trusteeship Council, Thirteenth Session*, Prefatory Fascicule.

## ANNEX I

<i>Petitioners</i>	<i>Symbol of document</i>	<i>Petitioners</i>	<i>Symbol of document</i>
<i>Tanganyika</i>		<i>Somaliland under Italian administration</i>	
Mr. A. J. Siggins	T/PET.2/163 and Add.1 and 2 <sup>18</sup>	Chief Farah Nur Abdulla	T/PET.11/370 <sup>19</sup>
<i>Cameroons under French administration</i>		Messrs. Tahir Sciakur Hussien and Herzi Guled Farah	T/PET.11/382 and Add.1 <sup>21</sup>
Representatives of the Ngoa'Ekelé Community	T/PET.5/197 and Add.1 <sup>19</sup>	Unione Giovani Benadir	T/PET.11/L.8*
Syndicat des Employés Exploitants Forestiers of Messondo	T/PET.5/219 <sup>20</sup>	Somali Youth League	T/COM.11/L.85*
Mr. Batind Makon Paulin	T/PET.5/222*		
Mr. Antoine Edmond Lictarde	T/PET.5/223*		
Mr. Emmanuel Bayiha and others	T/PET.5/224*		
Assemblée Générale des Chômeurs du Cameroun	T/PET.5/225*		
Mr. J. Emile Kohn	T/PET.5/226*		
Group of Assistant Teachers	T/PET.5/227*		
Mr. Joël Kouang	T/PET.5/228*		
Association des Chômeurs de la Région Sanaga-Maritime	T/PET.5/229*		
Syndicats de Petits Planteurs de Ndongeng, Komo, Mvoua, Ngoya et Nkol-Kougda	T/PET.5/230*		
Union des Populations du Cameroun, Yaoundé Section	T/PET.5/231*		
Union des Populations du Cameroun, Central Committee of Bafang	T/PET.5/L.13*		
President of the Association des Anciens Combattants of the Bamiléké Region	T/COM.5/L.26/Add.1*		
<i>Togoland under French administration</i>			
Chairman of the Women's Division of the Comité de l'Unité Togolaise	T/PET.7/L.6*		
Mr. A. Isidore Sedo	T/PET.7/L.7*		

## ANNEX II

<i>Petitioners</i>	<i>Symbol of document</i>
<i>Togoland under British administration and Togoland under French administration</i>	
Chief Alphonse Avogbedo Gbédé and Inhabitants of Gapé-Atsavé	T/PET.6 and 7/L.12
<i>Togoland under French administration</i>	
Mr. Augustino de Souza, General Chairman of the Unité Togolaise	T/PET.7/350 and Add.1 to 5
The Secretary-General of the Togoland Congress	T/PET.7/351 and Add.1 and 2
The President of Juvento	T/PET.7/352
Mr. J. K. A. Quashie	T/PET.7/353
The President of Juvento	T/PET.7/354 and Add.1 to 4
Mr. Christian A. Kuwame	T/PET.7/357
Mr. Paul Y. Agbetété	T/PET.7/359
Mr. Joseph Firmin Abalo	T/PET.7/360
Mr. Georges Kitty Koudayor	T/PET.7/361*
Messrs. Alfa Yaga and El Hadj Issa	T/PET.7/362*
Mr. Justin Doe Bruce	T/PET.7/363*
Mr. André Tougnon	T/PET.7/364*
Executive Committee of the Association of Togolese Students in France	T/PET.7/365*
Members of Juvento attending a private meeting	T/COM.7/L.13

## DOCUMENT T/L.434

## Sixty-eighth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

[Original text: English]  
[17 March 1954]

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## INTRODUCTION

1. At its 142nd, 143rd and 150th meetings, on 5, 8 and 16 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the two petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. Mr. R. Doise participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in

<sup>18</sup> The petitioner raises complex issues which, it was considered, the Council would have insufficient time to examine at its thirteenth session.

<sup>19</sup> See explanation in report, paragraph 3.

<sup>20</sup> The Administering Authority observed that the subject matter of this petition was under investigation.

\* Petitions received by the Administering Authority concerned less than two months prior to the opening of the thirteenth session, and on which no observations were available.

<sup>21</sup> The addendum, which raises issues more complex than those raised in T/PET.11/382, was received by the Administering Authority less than two months prior to the opening of the thirteenth session, and no observations on it were available.

accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution II.

#### I. PETITION FROM CHIEF DJOMATCHOUA FOMOKOUM (T/PET.5/220)

1. This petition from a chief at Bakoum, in the Bafang subdivision of the Bamiléké region, contains a complaint on behalf of the population of that area that "their country has been laid waste by the officer in charge of Bafang subdivision and handed over to the authority of the four chiefs named below without any offence being imputed to us". He proceeds to give the names of these chiefs and also lists three other chiefs who, he claims, are connected with certain aspects of this "prolonged affair".

2. The petitioner states that he complained in August 1953 and again in September to the administrators, but so far he has heard nothing from them.

3. The Administering Authority states (T/OBS.5/24) that the object of the petition from the petitioner seems to be that the Bakoum sub-chiefdom should be regrouped as part of the Bafang chieftdom only.

4. It is true that formerly the Bakoum community customarily formed part of the Bafang chieftdom, but in 1920, following the reorganization of the chieftdoms in that region and for purposes of ethnical regrouping, the Bakoum lands were redistributed among the neighbouring Baboné, Bankondji and Fombélé chieftdoms.

5. A commission appointed by Regional Decision No. 154/RBK of 3 December 1953 has already investigated the possibility of regrouping this community, subject to the approval of the chieftdoms concerned.

6. The petition was examined and discussed at the 142nd and 150th meetings of the Standing Committee (T/C.2/SR.142 and 150).

7. The representative of the Administering Authority emphasized that the question was merely one of regrouping certain chieftdoms. No land had been laid waste, as the petitioner had stated, and no one's property had been destroyed. The commission was touring the area to find out what were the wishes of the several chieftdoms concerned regarding the possible regrouping.

8. At its 150th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

#### II. PETITION FROM THE FEDERATION D'AGRICULTURE ET FORÊTS DE L'UNION DES SYNDICATS CONFÉDÉRÉS DU CAMEROUN (T/PET.5/L.8 and Add.1)

1. The petitioners, in motions and resolutions adopted by agricultural and forestry workers of the Cameroons under French administration, bring forward the claims of agricultural and forestry workers and raise other questions concerning land utilization in the Territory. The petition and its addendum are divisible into three parts: (a) motions adopted by the Syndicat de Petits Planteurs d'Eséka on 1 February 1953, and by the Syndicats Agricoles de la Subdivision d'Eséka on 1 March 1953, both of which cover very similar ground; (b) three resolutions adopted by the Constituent Congress of the Fédération des Travailleurs Agricoles et Forestiers during

February 1953; and (c) one resolution adopted by the latter body at its sixth congress held in 1953.

2. The Administering Authority, in its observations on this petition (T/OBS.5/21), notes that it has repeatedly expressed its views on a number of general questions raised in the petition, such as land tenure, taxation, agricultural loans, the possession of arms and the development and activity of provident societies, and these questions would therefore seem to call for no further discussion.

3. The petitioners protest against the unjustifiable fixing of the working week in the Labour Code at 48 hours for agricultural and forestry workers, whereas the working week is 40 hours in other occupations. Also they protest against the abnormally low salaries prevailing in agricultural and forestry companies, and demand a minimum of 125 francs per day. They request that workers injured in accidents should enjoy the same guarantees and rights as those provided for by French law.

4. As regards the complaints concerning the working hours fixed for agricultural and forest workers, the Administering Authority observes that article 112 of the Labour Code (Act of 15 December 1952) extended to Overseas Territories and Trust Territories the system governing the working hours of workers in agricultural undertakings in metropolitan France. It provides that the working hours shall be based on 2,400 hours per annum, an average of about 46 hours weekly. This system takes into account the special conditions of agricultural work geared to a seasonal cycle, otherwise the provisions concerning work conditions are the same for all categories of workers. A guaranteed minimum wage for all occupations is fixed by the Governor after consultation with the advisory labour board (article 95), which consists of an equal number of employers and workers. Pending the passage of an act in the French Parliament, compensation for accidental injury at work and occupational diseases is governed by the Decree of 7 January 1944.

5. The petitioners also demand the free exercise of trade union rights and call for more frequent visits of the labour inspectors to the agricultural and lumber companies, requesting also that on such visits the inspectors consult the trade union representatives of the enterprises. They protest against the recruitment of children under fifteen years of age for work in plantations and forestry companies, and against all measures of racial discrimination with regard both to wages and to working conditions.

6. The Administering Authority states that the Labour Code expressly recognizes the freedom to constitute a trade union (article 4). No complaint alleging violation of the freedom of association has been referred to the Labour Inspectorate. There is a Water and Forest Service sub-inspector at Eséka who regularly inspects lumber operations in that region. An inspector who resides at Douala also visits the Eséka region approximately once every two months. Likewise, the region is visited four or five times yearly by the head of the Water and Forest Service. In the event of a dispute between lumber operators and the indigenous inhabitants, the sub-inspector visits the spot as soon as he is notified by either party. Employment of children under fourteen is prohibited by article 118 of the Labour Code. Racial discrimination is prohibited by articles 1 and 91.

7. Further, the petitioners demand a free exchange of agricultural products between the various regions, including the Cameroons under British administration, that the establishment of teams to combat plant disease



be speeded up, that modern housing, adequate schools and dispensaries be provided, that roads be built and means of transport be provided for the workers.

8. Replying to these complaints, the Administering Authority points out that a number of very liberal measures have been taken with regard to the exchange of agricultural products with the Cameroons under British administration. A programme to combat plant diseases is being conducted by the Agricultural Service and it is estimated that this work resulted in a saving of 2,500 tons of cocoa in 1952. The employer is required to provide accommodation for any worker who is not a permanent resident of the area and who is unable to find adequate housing himself. The establishment of schools is dependent on the financial resources and staff available. Every effort is being made by the Administration to open schools wherever the need is particularly felt. Articles 138 to 144 of the Labour Code specify the medical services which employers are required to provide for workers. The principle is that every undertaking must provide a medical or health service for its workers. As regards the building of roads, the Société des Bois du Cameroun has played a considerable part, in co-operation with the Administration, in the construction of roads in the subdivision of Eséka. In the laying out of the road both the requirements of the lumber operations and the general interests of the region are taken into account.

9. The petitioners demand that land seized from the customary owners should be restored to them and that a law be passed to safeguard the ownership of land by Africans, having due regard to individual and collective customary rights. They protest against the concession of millions of hectares of forests to colonial forestry companies and demand a review of the concessions granted.

10. The documents also contain protests against the infiltration of the Société des Bois du Cameroun into the lands and forests belonging to indigenous farmers of certain villages in the Sanaga-Maritime region, and against a Mr. Deparpe, "exploiter of forests at Eséka",

and demands are made for compensation for the damage already done to certain plantations, among them the plantation of Mr. Marcous M'Billa (the General Secretary of the Fédération d'Agriculture et Forêts) where fruit trees have been destroyed. The petitioners request that the Water and Forest Service of the Territory inspect the lots where the Société is carrying out its work, and demand its cessation.

11. Concerning the protest against the concession of land to colonial forestry companies, the Administering Authority states that the majority of the inhabitants of the region welcome the presence of the lumber companies, which bring about increased economic activity. As regards the Société des Bois du Cameroun, this company was granted a forestry exploitation licence by the Decree of 7 June 1948, which was issued on the recommendation of the Representative Assembly of the Cameroons. As regards the damage which allegedly has been done to the plantation of Mr. M'Billa by this company, the Administering Authority remarks that no duly formulated complaint appears to have been submitted concerning any depredations committed on the farm of Mr. M'Billa. Farmers who have suffered losses as a result of the work of the forestry companies are entitled to compensation. It is open to them to complain to the *chef de circonscription*, the Water and Forest Inspectorate or the courts.

12. The petition was examined and discussed at the 143rd and 150th meetings of the Standing Committee (T/C.2/SR.143 and 150).

13. At its 150th meeting, the Committee adopted, by 3 votes to 2, with 1 abstention, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

#### ANNEX

##### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I and II, adopted without change at the 520th meeting of the Trusteeship Council, see resolutions 985 (XIII) and 988 (XIII), respectively.*

#### DOCUMENT T/L.435

##### Sixty-ninth report of the Standing Committee on Petitions: petition concerning Nauru

[Original text : English]  
[17 March 1954]

#### INTRODUCTION

1. At its 143rd and 150th meetings on 8 and 16 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the following petition.

2. Mr. J. D. Petherbridge participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on this petition and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on the resolution.

#### PETITION FROM MR. APADINUWE (T/PET.9/11)

1. This petition, which is dated 11 March 1953, was received by the United Nations Visiting Mission to Trust Territories in the Pacific, 1953.

2. Mr. Apadinuwe, who has a wife and four children to care for, has been the victim of poliomyelitis. The Administration, through the Nauru Local Government Council, has given him an invalid chair, and "the Society" is taking care of the feeding of his children, but he complains that the high cost of goods makes it especially difficult for him and requests further assistance.

3. The petitioner states also that he has approached the appropriate authority on the question of some phosphate land owned by him on Ocean Island (one of the islands forming the Gilbert and Ellice Islands—a Non-



Self-Governing Territory administered by the United Kingdom), but that he has received no satisfactory answer.

4. In June 1953, the Administering Authority stated (T/OBS.9/1, Section 4) that the representations made by the petitioner had been noted and were being investigated.

5. The petition was examined and discussed at the 143rd and 150th meetings of the Standing Committee (T/C.2/SR.143 and 150).

6. As regards the petitioner's personal circumstances, the representative of the Administering Authority stated that, pending a decision regarding the introduction of additional social service benefits for Nauruans, the Administration had authorized an *ex gratia* payment of

up to £58 to the petitioner for a period up to 30 June 1954, in such instalments as the Administrator should decide.

7. As regards the petitioner's reference to phosphate land, the representative stated that the question was one of payment of purchase price and/or royalty on phosphate land owned by the petitioner on Ocean Island. The representative stated that the Administering Authority was continuing investigations on this matter.

8. At its 150th meeting, the Committee adopted, by 3 votes to none, with 2 abstentions, the following draft resolution, which it recommends that the Council adopt.

*For the text of the draft resolution, as adopted without change at the 521st meeting of the Trusteeship Council, see resolution 996 (XIII).*

## DOCUMENT T/L.436

### Seventieth report of the Standing Committee on Petitions: petitions concerning Tanganyika

[Original text: English]  
[17 March 1954]

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#### INTRODUCTION

1. At its 145th, 146th and 150th meetings, on 9, 10 and 16 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the three petitions concerning the Trust Territory of Tanganyika which are listed in the preceding table of contents.

2. Mr. A. J. Grattan-Bellew participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution III.

#### I. PETITION FROM MR. ANTON WEBER (T/PET.2/162 and Add.1 to 3)

1. The petitioner, a Swiss citizen, states that he is the father of a child borne by an African girl during his two-year stay in Iringa, and that he is anxious to marry the girl. His complaint is that, when he left the Territory for Switzerland, intending to take the girl with him, the authorities refused to issue a passport for her, and that later, when he wrote from Switzerland asking for a permit to re-enter the Territory, the authorities refused to give him one. Since then, however, the petitioner has

abandoned his intention of returning to the Territory, so that his plea now is that the girl be given a passport to enable her and the child to join him in Switzerland.

2. Towards the end of his petition the petitioner states: "As the girl is not attractive nor the woman I hoped to meet one day, I did not intend to leave with her for Europe at the beginning to get married. When the baby was born, I was not certain for some time whether it was mine ... wherefore at the beginning I informed His Excellency that the baby is not mine ...".

3. The story is complicated by the petitioner's assertion that there is an African with whom the girl formerly lived, who claims that she is his wife, and who has threatened to kill her child. In order therefore to safeguard the girl and her child, the petitioner consigned them to the care of the Catholic Mission at Dar es Salaam. He gave the girl 300 shillings and clothing to last for about three years. She has since written and told him that she has no clothes or money left, so that the petitioner accuses the Mission of having taken them away from her. It also appears that she has since left the Mission.

4. The petitioner ascribes the treatment meted out to him and the girl to the "colour bar"—an expression which appears frequently throughout the petition. He complains of the unhelpful attitude adopted towards him by several officials, and of the conduct of his British neighbour who, the petitioner charges, instigated his servant to rob the petitioner's house.

5. At the end of the second addendum, the petitioner adduces a subsidiary grievance. He was not allowed an entry permit (permit for permanent residence?) until he had first obtained some land. He was not allowed a lease of the land that he first chose, and was forced to choose a remote piece of land which later he had to abandon because of the lack of water. He charges that, in the matter of land leases, the Administration practises discrimination between nationals of different States.

6. The Administering Authority states (T/OBS.2/6) that the petitioner at first denied that he was the father of the child, and that he defended proceedings brought against him under the Affiliation Ordinance. He then induced the girl to withdraw the complaint and took her and the child off to Dar es Salaam. The African in the

case is the man to whom she was betrothed and who had begun to pay the bride price; he regarded her conduct as equivalent to adultery, sued her in the Native court, and refused to pay the rest of the bride price to her father. There is no evidence that this man ever ill-treated the girl. Moreover the girl was well cared for at the Catholic Mission; from such information as is available to the Administration, he left 150 shillings with her—not, as he states, 300 shillings—and she left the Mission with the sum intact.

7. The questions then arise either of permitting the petitioner to re-enter the Territory or of permitting the girl to leave the Territory for Switzerland. The Administering Authority states that Mr. Weber's record shows that he is unwilling or unable to apply himself to any activity likely to be of benefit to the Territory. He entered Tanganyika in August 1951, having come from Uganda, where his entry permit had been cancelled for failing to establish himself as a farmer. His entry permit for Tanganyika was granted for the purpose of manufacturing leather goods. He never engaged in that occupation, but purchased sixty acres of land for the purpose of carrying on mixed farming. No development, however, has taken place on the land beyond the erection of a small house and the laying of foundations for a larger building. In addition, Mr. Weber's attitude and conduct towards African women have been such as to arouse resentment in African men. His return to the Iringa district in particular would be prejudicial to good order and to the maintenance of amicable inter-racial relations. For these reasons the Administering Authority unreservedly supports the Governor's decision that Mr. Weber should not be permitted to re-enter the Territory.

8. As regards the proposal that the girl should join Mr. Weber in Switzerland, her parents hitherto have been unwilling to consent to this. They now see, however, that she is infatuated with the petitioner, and are prepared to agree to her going to Switzerland on certain conditions. They assume that it is the petitioner's intention to marry the girl and they expect the bride price to be paid in accordance with their tribal custom. The amount is normally a matter for agreement between the families concerned, and the parents ask for £150, which in their view represents the minimum sum they should receive, having regard to all the special circumstances of the case. This is much in excess of the bride price normally paid in the Hehe tribal area but the local view is that it is fully justified in this case. The parents further insist that the petitioner deposit a sum of £150 either with the Government of Tanganyika or the Swiss Government to cover the cost of repatriating her and her child should the petitioner abandon them at any time. The parents assume that the petitioner is prepared to pay the passage money for the girl and her child and to provide them with suitable clothes for the journey.

9. The Native Authority, while sharing the general view of its people that it would not be in the girl's best interests for her to join the petitioner in Switzerland, feels that the decision should be left to the parents.

10. The girl is only 19, unsophisticated and literate only in her local language. In view of these limitations it cannot be said that she is at all well equipped to adapt herself to life in Switzerland, but in the circumstances the Governor of Tanganyika is prepared to agree that she and her child should be permitted to go to that country on fulfilment of the conditions stipulated by the parents and provided that the Swiss authorities confirm that the petitioner is prepared to marry the girl, that he is in a position to support and care for her and her child, and that there will be no objection to their entering and taking up residence in Switzerland.

10. The Administering Authority is taking up these matters with the Swiss Government.

12. Subsequent to the submission of the Administering Authority's observations, the petitioner has submitted a third addendum to his petition. He reports that he has received notification from the Government of Tanganyika of its attitude and that of the girl's parents. He objects that £150 is too high a bride price, and claims that the girl's parents are now only asking for £20. Secondly, he wishes to be allowed to enter the Territory in order to collect the girl and her child.

13. The petition was examined and discussed at the 145th and 150th meetings of the Standing Committee (T/C.2/SR.145 and 150).

14. The special representative stated that, while the Administration would do nothing to obstruct the marriage, it would do nothing to encourage it. It was true that the girl's parents had reduced their demand for the bride price to £20. Provided, therefore, that the petitioner would comply with the parents' stipulations, he would be free to marry the girl. Furthermore, he would be permitted to enter the Territory for the purpose of taking her and the child away, provided that he could show that he had made suitable arrangements for the girl's journey and could produce a ticket for his return journey, since the Administration would not permit him to live in the Territory again.

15. At its 150th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM THE MERU CITIZENS UNION (T/PET.2/164)

1. Part of this petition is, in effect, a plea that the whole of the Wa-Meru land case be reopened. The case was the subject of T/PET.2/99 and Add. 1 to 7 and T/PET.2/143 on which the Council at its eleventh session, after hearing an oral presentation in support of the petitioners, adopted its resolution 468 (XI). Subsequently, it will be recalled, a representative of the petitioners appeared before the Fourth Committee during the seventh regular session of the General Assembly, and a draft resolution on the subject of the petitioners' case, which was adopted by the Fourth Committee (A/2342, draft resolution A), failed to be adopted by the General Assembly (410th plenary meeting).

2. The specific incident narrated in the present petition is described by the petitioners as follows. On 16 September 1953 the District Commissioner of Arusha sent one of his district officers, a surveyor and four other officers to Singisi-Poli village to fix a new boundary between Mr. Focsaner, a European settler, and the Wa-Meru. According to the petitioners, the party began in a most ruthless and inconsiderate manner to cut down trees, coffee trees, banana plants, corn and beans. By fixing this new boundary, the party thus transferred by force to the settler a large area of Wa-Meru land—"without the consultation, consent or consideration of the Administering Authority".

3. The petitioners recall that the question of the land at Singisi-Poli was raised by their representative in his statement before the Council at its eleventh session (452nd meeting). Their representative stated on that occasion that Wa-Meru tribesmen occupying land in the Singisi area had been ordered to leave it in favour of Mr. Focsaner, and that police had destroyed their houses and banana trees.

4. The petitioners state that the Singisi-Poli case has cost them over £2,500 in legal fees and other expenses. The case, they say, has been heard in the magistrate's court and in the High Court, and that in both courts judgments have been pronounced in favour of the petitioners.

5. The observations of the Administering Authority are contained in T/OBS.2/7, and are to the following effect.

6. As regards the Wa-Meru land case in general, the Administering Authority took careful note of the conclusions and recommendations set forth in the Council's resolution 468 (XI) and, as stated in the annual report for 1952<sup>22</sup> (para. 413), a course of action has been followed closely in line with the Council's recommendations. More recently a revised development scheme for the Meru area has been approved by the Administration and endorsed by the Meru Council, laying particular stress on educational advancement.

7. As regards the Singisi-Poli area, to which Mr. Japhet referred at the 452nd meeting of the Trusteeship Council, on 22 July 1952, it is to be regretted that the present petition misrepresents the facts. The actual position is as follows.

8. The land in question is the freehold property of Mr. Focsaner. When the land was first alienated by the former German Administration, several Meru families were living on it. They were not required to move and they and their descendants have continued to live there as squatters, most of them during recent years having paid a "peppercorn" rent to Mr. Focsaner. The latter, wishing to dispose of some of his property and because the squatters were unwilling to move therefrom, instituted judicial proceedings, and judgment in a number of cases was given in his favour. In this connexion the present petitioners are guilty of what they must know to be an untruth in stating that the "ruling" of the courts was in their favour.

9. Although the Administering Authority had no doubt that the legal position of Mr. Focsaner was unassailable, directions were given that every effort should be made to reach a mutually satisfactory agreement, with the primary object of protecting the squatter families from disturbance. To this end the Administration decided to enter into negotiations with Mr. Focsaner for the purchase of that part of his land on which the squatters were settled.

10. In the meantime the position had become complicated by a problem arising on the north-eastern boundary of the property, where Mr. Focsaner accused certain Meru cultivators of encroachment on his land. It was agreed that negotiations with Mr. Focsaner should be opened by reference to this secondary problem. The services of a surveyor were made available and the Meru Council was asked to send observers during a re-survey of the farm boundary. Following a very frank and friendly meeting between the District Commissioner and the Council, it was fully expected that this invitation would be accepted, but some days later—and there can be little doubt that this was the result of pressure by political agitators—the Council signified its unwillingness to participate in the survey, on the grounds (a) that to do so would prejudice their position in the judicial proceedings relating to the major squatter problem and (b)

that they recognized no boundary between alienated and tribal lands. The adoption of such an attitude by the Council was as unfortunate as it was unexpected but it remained adamant in its decision. The Council was given a month to think the matter over—in the hope that reason would prevail and that the survey could be undertaken in an atmosphere of goodwill—but to no avail; and, on 14 to 16 September 1953, the survey was carried out in the presence of the District Commissioner.

11. It was established that Meru cultivation during the past three years had encroached across the farm boundary but that no houses or other buildings were involved. On 23 September 1953 the District Commissioner appealed to the Meru Council for their collaboration in rectifying the position. He reported that the discussion was amicable to an extent which would not have been possible a few months ago but that the Council persisted in its intransigent attitude.

12. In the circumstances the matter was allowed to rest there pending further progress in the negotiations with Mr. Focsaner, and the statements and allegations made in the 5th, 6th and 7th paragraphs of the present petition give a gross distortion of the facts.

13. The present position is that, although final details of the transaction have not yet been completed, Mr. Focsaner has agreed to sell that part of his land occupied by long-established squatters and the necessary funds have been voted by the territorial legislature. It is proposed that when acquisition of the land by the Administration has been effected, it should be handed over to the Native Authority on appropriate conditions for occupation by the present occupiers on a tribal tenure basis. In the meantime the squatters remain undisturbed and there has been no removal or destruction of crops.

14. In conclusion, the Administering Authority states, it will continue to keep the Trusteeship Council informed of the progress made in the solution of land problems and in the resettlement and development plans in the Meru district, as requested by the Council in its resolution 468 (X).

15. The petition was examined and discussed at the 145th, 146th and 150th meetings of the Standing Committee (T/C.2/SR.145, 146 and 150).

16. With reference to the observations reproduced in paragraph 14 above, the special representative gave the Committee the following information concerning the progress made in resettlement and development plans in the Meru district. The number of families that had settled in the new areas made available was 413 to date. The land had been cleared of bush and was practically free from tsetse fly. Agricultural and veterinary assistants had been posted to the area, and a small dispensary had been built. A piped water supply had been laid on for the needs of the people and their cattle. Each family had ample land. Loans were available to the people from an agricultural loan fund.

17. A sum of £14,000 had been set aside to compensate the families moved from their former homes. Of this sum, only £310 had so far been claimed. Some of those eligible for compensation had said that they would like to claim it, but that certain influences in the tribe had told them not to do so; it had been misrepresented that the Trusteeship Council had decided the Wa-Meru land case in favour of the tribesmen, and that the Administering Authority had refused to abide by the Council's decision.

18. As regards the observation of the Administering Authority that the land to be bought from Mr. Focsaner

<sup>22</sup> See Report by Her Majesty's Government in the United Kingdom of Great-Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika under United Kingdom Trusteeship for the year 1952. London: Her Majesty's Stationery Office, 1953, Colonial No. 293.

would be handed over for occupation by the present occupiers on a tribal tenure basis (recorded in paragraph 13 above), the special representative said it was possible that, in the event, the occupiers would be given certificates of occupancy under the Land Ordinance.

19. In reply to a question, the special representative stated that that part of the land to be purchased from Mr. Focsaner which was occupied by Africans would not be regarded by the Administering Authority as available for re-alienation, although that part of it which was not occupied by Africans might conceivably be put to some public purpose in the future. The essential purpose of the proposed transaction was that the present African occupiers should not be disturbed and the Administering Authority would ensure that they should have security of tenure.

20. He explained that the action of the survey party referred to in paragraph 2 above was not to fix a new boundary but to determine the existing boundary of Mr. Focsaner's land.

21. In connexion with the reference in the petition to the other case of land at Ngare-Nanyuki, note was taken of the information contained in paragraphs 16 and 17 above given by the special representative in response to paragraph 9 of the Council's resolution 468 (XI).

22. At its 150th meeting, the Committee adopted unanimously draft resolution II, annexed to the present report, which it recommends that the Council adopt.

### III. PETITION FROM MR. EDWARD LEVY (T/PET.2/165)

1. The petitioner, born in Luxembourg, and by naturalization a German, emigrated in 1929 to Tanganyika where he acquired and developed a 420-acre farm. In 1939 the Government interned him and his family and vested his farm and his house in the Custodian of Enemy Property. This was done despite the fact that in 1933 he had lost his German citizenship by virtue of his being a Jew.

2. In 1939, he says, he had a well furnished house, a library, machinery, stables full of cattle, 60,000 coffee trees etc., all of which he had built up out of ten years' hard work. In 1949, the Government returned to him the land and the bare walls of the house. Despite his seventy-two years and failing health, he is working sixteen hours a day and still unable to do more than scratch a bare living. He charges the Custodian of Enemy Property with negligent safeguarding and maintenance of his property, lack of supervision and failure to keep proper records of accounts pertaining to the management of his farm. He values his loss at £25,000.

3. His various appeals and petitions to the authorities in Tanganyika, and to the Secretary of State for the Colonies, have failed to satisfy his claim.

4. The observations of the Administering Authority (T/OBS.2/9) are to the following effect. In the first place, it has never regarded the process of *Ausbürgerung* that began in Germany in 1933 as conferring the status of a stateless person. The petitioner was therefore regarded an enemy alien and interned in September 1939. He was nevertheless regarded as harmless and on his release in November 1939, he was allowed to return to his farm. By August 1940, however, an important

military line of communication had been established, and the petitioner, together with all other enemy aliens living near it, had to be transferred to a concentration area at Oldeani. Secondly, the main factor responsible for the depreciation of the petitioner's farm was his own lack of funds to maintain it. Thirdly, the petitioner is in error in thinking that the Custodian of Enemy Property held the farm in trust for him: enemy property is confiscated at the beginning of a war with a view to reparations at the end of the war; the former owner has no interest in it thereafter, and can look only to his own State for compensation.

5. There were two periods, therefore, during which the management of the farm was vested in the Custodian: September to November 1939; and November 1939 to 1949 (when the farm was re-vested in the petitioner). The petitioner, the Administering Authority states, wrote to the Custodian and stated that he was satisfied with the manner in which the farm had been run during the first period. He received some £163 as the credit balance in the accounts, and 117 bags of coffee available for sale and which were sold for some £292.

6. When the petitioner was interned for the second time, a request by him that he be allowed to run the farm with African supervision was at first granted, but, as the petitioner did not make arrangements for such supervision, the Custodian once again took over the property. A bank then came forward with a claim against the estate and, in order to meet it, all the cattle and some other assets had to be sold to meet it. The Custodian was left, therefore, with no funds with which to maintain the farm, and the proceeds of the coffee produced under his management were used in liquidating a debit balance incurred as a result of his management.

7. In November 1940 an agricultural officer had reported that the coffee on the farm was not worth maintaining and advised uprooting it, and an order to uproot it was subsequently issued under the Plant Pest and Disease (Coffee) Regulations. Paw-paw trees growing on the farm had been interplanted with coffee, were overrun with couch grass and not maintained. Eventually the farm was leased to someone else at a rent of £22 10s. a year, until it was re-vested in the petitioner in 1949.

8. The Administering Authority concludes that, while the petitioner has undoubtedly been unfortunate, it seems probable that he would be in the same position as he is now even had he not been interned.

9. The petition was examined and discussed at the 145th and 150th meetings of the Standing Committee (T/C.2/SR.145 and 150).

10. At its 150th meeting, the Committee adopted, by 4 votes to none, with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

### ANNEX

#### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

For the texts of draft resolutions I and III, adopted without change at the 521st meeting of the Trusteeship Council, and of draft resolution II, as amended at the same meeting, see resolutions 868 (XIII), 870 (XIII) and 869 (XIII), respectively.

## DOCUMENT T/L.437

## Seventy-first report of the Standing Committee on Petitions: petitions concerning Ruanda-Urundi

[Original text: English]

[17 March 1954]

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## INTRODUCTION

1. At its 144th, 146th and 150th meetings, on 8, 10 and 16 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the three petitions concerning the Trust Territory of Ruanda-Urundi which are listed in the preceding table of contents.

2. Mr. Robert Scheyven participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-III inclusive.

## I. PETITION FROM MR. E. RABAUD (T/PET.3/61)

1. The petitioner, writing on 20 June 1952 on behalf of the Committee of the League for the Rights of Man and for the New Democracy of the Congo and Ruanda-Urundi, refers to proposals made by UNESCO for the organization of additional nine-month courses of study for the indigenous inhabitants of those territories. This Committee vigorously protests against the Belgian Government's decision to refuse to permit such courses and requests the Trusteeship Council to take the initiative, in conjunction with UNESCO, in organizing such courses in Ruanda-Urundi.

2. The petition was examined and discussed at the 144th and 150th meetings of the Standing Committee (T/C.2/SR.144 and 150).

3. The representative of Belgium informed the Committee that his Government had no knowledge of any proposals made by UNESCO as stated in the petition. The Committee also heard from the representative of UNESCO, who informed the Committee that UNESCO had never made an offer of this kind to the Belgian Government. The only offer UNESCO had made was to the Belgian National Commission for UNESCO for one fellowship in the field of education covering six months of study abroad. In a letter received early in March 1951, the Belgian Government had said that it was not in a position to accept this fellowship.

4. At its 150th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MR. JOSEPH HABYARIMANA GITERA (T/PET.3/69)

1. The petitioner, a brickmaker and tradesman from Save, writing on 25 May 1953, states that the Administering Authority, if judged by the words of its officials, has the best of intentions towards the Territory, but he expresses disillusionment over what the Administration is doing in Ruanda-Urundi and especially in Astrida. He charges that Belgians residing and working in Ruanda-Urundi receive favoured treatment from the Administration, especially in covering up their "evil deeds". Such treatment, he says, is not accorded to the indigenous inhabitants. He then proceeds to cite a number of cases which he considers to be examples of how the Administering Authority treats the indigenous inhabitants. Each of these is summarized below, together with the observations thereon of the Administering Authority.

*Kumwami versus Dubois*

2. The petitioner states that in April 1953 a Mr. Joseph Kumwami was shot at six times by some men named Dubois and was seriously wounded in his left shoulder. The Dubois then had their victim beaten with a miner's bar and released him only when they saw that he was dying. All this, he says, took place under the indifferent eyes of the European authorities of the district: i.e., the Chief Territorial Administrator of the territory of Nyanza, the area Chief of Police and a Dr. Bogaert. The doctor is reported to have replied to the victim's cries for assistance as follows: "One animal destroyed out of thousands is not noticed".

3. The Administering Authority states (T/OBS.3/6, section 1) that, after an accident which caused his car to land up in a deep ditch, Mr. Kumwami went for help to a garage kept by a man and his nephew, both named Dubois. The younger Mr. Dubois was preparing to haul the car out when Mr. Kumwami objected that the method being used would damage it. Mr. Dubois replied that he knew his own business best, and there ensued a further exchange of words leading to blows. Mr. Dubois finally had Mr. Kumwami pinned to the ground, when one of the latter's friends struck the former on the head and body. At this point Mr. Kumwami freed himself and made off, and Mr. Dubois took a revolver from his uncle's car, which had arrived, and fired five shots in Mr. Kumwami's direction, wounding him slightly with one. Mr. Dubois then followed Mr. Kumwami with a jack lever and struck him with it. By this time both parties were exhausted.

4. While the younger Mr. Dubois was striking Mr. Kumwami with the lever, Dr. Bogaert arrived from Astrida. The Chief of Police and the Administrator arrived a little later. The doctor witnessed the assault from a distance of 400 metres—too far away to do anything. The other officers never witnessed it. The only European

witness of the shooting was Mr. Dubois senior, who said that his nephew was in such a state that he was unable to restrain him. The doctor did not utter the words imputed to him by the petitioner; the Administering Authority states that the sentence was invented by Mr. Kumwami. The latter was treated for his shot wound but did not have to spend a single day in hospital.

5. At the time when the observations were submitted, the Kigali *parquet* was completing its hearings on the case.

*Alexakis versus Gasarabwe*

6. In April 1953, the petitioner states, a Greek named Alexakis, assisted by two other Greeks, savagely beat an indigenous employee on the pretext of a deficit in his accounts. The victim, as well as other indigenous persons who succeeded in rescuing him his attackers, are all in prison "and are being tortured in the old manner". In addition, the petitioner states, all the indigenous persons who were in the business quarter at the time were arrested and imprisoned without a preliminary hearing, while Alexakis and his assistants were left free.

7. The Administering Authority states (T/OBS.3/6, section 2) that, when Mr. Alexakis called upon Mr. Gasarabwe to explain a deficiency of 8,500 francs in the accounts, the latter replied rudely. Thereupon, Mr. Alexakis boxed his ears, and Mr. Gasarabwe drew a knife. The ensuing *mêlée* attracted a number of people who threw stones and tried to break into the shop. The case is now before the Kigali *parquet*, Gasarabwe being charged with breach of trust, and Alexakis with assault. The demonstrators who were guilty of violence were convicted by the court and given various sentences, the most severe of which was a month of penal servitude.

8. The petitioner goes on to say that land owned by indigenous persons is confiscated by Europeans in spite of its owners' protests and without any compensation. He also charges that homes of indigenous inhabitants are broken into and their belongings are removed by force, and that the secrecy of letters and other private personal papers is violated; that heavy prison sentences are imposed without trial on individuals or groups; and that wages due to workers are held back in part or totally for months and even for years. Under these headings the petitioner merely cites the names of parties without giving any details. The Administering Authority gives the following details relating to each cited (T/OBS.3/6, sections 3 to 11).

*Gassamunyiga versus Regideso*

9. The *Mission Hydrologique de la Regideso* leased from the plaintiff a plot measuring 46 by 34 metres. The Mission levelled the land, and built a gradient and low walls upon it, whereupon the plaintiff demanded 36,000 francs. On inquiry, it was found that the plaintiff's title of the land was dubious, so the dispute was referred to the territorial court of Astrida. The case had not been decided at the time when the observations were written.

*Kamanzi Leopold versus Houben*

10. This is the case which is the subject of T/COM.3/L.8. Mr. Kamanzi lays claim to some land which has been leased by the Administration to Mr. d'Adesky. Before the land was leased the usual search was made to determine whether or not there were any indigenous rights over it. The only right discovered was a right of way, which was paid for.

*Gahuranyi versus Houben, and Habyarimana versus Houben*

11. The Administering Authority has been unable to obtain precise information about Mr. Gahuranyi's complaint, and states that it may be related to Mr. Habyarimana's. The latter had run a brick works financed by Mr. Houben. His operations being inefficient, Mr. Houben took over the works, which were on Mr. Habyarimana's land. The *Procureur du Roi* dismissed the case in March 1953 and suggested that Mr. Habyarimana should take it to the civil court.

12. The next four cases mentioned by the petitioner are, according to him, examples of how the homes of indigenous inhabitants are broken into and their belongings are removed by force. The Administering Authority states that in the case of Chief Nyarwaya a charge of misappropriation of funds was brought, and that the Assistant Territorial Administrator was obliged to seize the chief's books and safes. Similar action was taken in the case of Assistant Chief Gahene, also charged, *inter alia*, with misappropriation of funds. The third case concerns Mr. Gassamunyiga who, after coming to blows with his employer, Mr. Colot, was dismissed. Calling later for his property, he accused Mr. Colot of appropriating 45,000 francs belonging to him. The subsequent charge was dismissed by the *Procureur du Roi* for lack of evidence. The fourth case described by the petitioner is termed by him "The war-like occupation of Save Hill, Mpazimpaka Sub-Chiefdom". The Administering Authority states that there has been no movement of troops or armed men in the sub-chiefdom, but that there has been a reorganization of the chieftainships there on account of the incapability of the assistant chief.

13. The petitioner cites two cases of violation of the secrecy of letters. The Administering Authority states that Mr. Kumwami's notebook was taken by the Nyanza doctor who examined him, after the affray described in paragraphs 2-5 above, for the purpose of handing it to the Chief of Police as evidence of his identity. Personal papers belonging to Chief Nyarwaya were taken by the Assistant Territorial Administrator, during the affair described in paragraph 12 above, because they might have contained proof of the suspected misappropriation of funds.

14. Two of the cases of failure to pay wages cited by the petitioner, the Administering Authority states (T/OBS.3/6, sections 12-14), are pending in the courts. In the third case, although the employer has paid up, criminal proceedings have been taken against him.

15. The petitioner finally relates the one affair in which he personally was among those concerned. After a small meeting at Gikirambga, held, says the petitioner, with the charitable aim of helping Mr. Kumwami and his family (see paragraphs 2-5 above), the petitioner states that the Administration acted as if a large uprising was being planned, owing to false reports made by the Administrators at Astrida and Nyanza. The leading authorities of Ruanda-Urundi were rushed to Astrida and a number of persons accused of participating in the meeting (one of whom was the petitioner) were summoned and interrogated. He states that the accused were severely reprimanded and formally instructed not to hold any further meetings for any purpose whatsoever unless a European official of the Administration was present. Threats of severe penalties were also made.

16. The Administering Authority states (T/OBS.3/6, section 15) that the Kumwami-Dubois incident had given rise to a certain unrest among the indigenous population. Open-air meetings were held and false reports and mis-



interpretations of the incidents were circulating. Some absolutely imaginary accounts of the incidents were given, for the eye-witnesses of them had been very few. It was being said that the Administration had withdrawn its protection from the indigenous inhabitants. Whatever was the purpose of the Gikiramba meeting, its main result was to work the people up. Therefore, the organizers were rounded up and told that, while some of them may have acted in good faith, the meetings had had the result of spreading false reports. That could lead to a state of tension liable to disturb the peace. Accordingly, the organizers were ordered to stop holding the meetings. No punishments were given nor was any judicial or police measure taken.

17. The petition was examined and discussed at the 144th, 145th and 150th meetings of the Standing Committee (T/C.2/SR.144, 145 and 150).

18. The representative of the Administering Authority gave the Committee further information concerning various of the cases cited by the petitioner.

19. *Kumwami versus Dubois*. Subsequently Mr. Dubois had been fined 250 francs for assault and battery (as all fines levied against Europeans are multiplied by 10, the fine amounted to 2,500 francs). The court had also awarded Mr. Kumwami 500 francs damages but the award was annulled on appeal. Mr. Dubois had been cleared by the court on the act of attempted murder, as a psychiatrist had testified that, by reason of the violent blow which he had received on the head, he had not been aware of his action when he had fired on Mr. Kumwami.

20. *Alexakis versus Gasarabwe*. The representative was not aware of the outcome of the suit for breach of trust. Mr. Alexakis, however, had been sentenced to a fine of 25 francs (250 francs) and to pay damages of 25 francs.

21. *Gassamunyiga versus Regideso*. Subsequently, the Native court of Astrida had found that Mr. Gassamunyiga was not the owner of the land. The owner was Mr. Kabeba who had given permission to the White Fathers to use part of it as an African cemetery. Two years ago use of the cemetery was given up and Mr. Gassamunyiga applied to the sub-chief for the land. The sub-chief was ignorant of the origin of the land and gave part of it to Mr. Gassamunyiga in good faith. There was a possibility of appeal to a higher court, but none had been lodged and it was probable that the time-limit for filing an appeal had already expired. The trees planted on the land by Mr. Gassamunyiga still belong to him. They are too young to be cut, but when they are big enough, Mr. Gassamunyiga could cut them and sell them.

22. *Kamanzi Leopold versus Houben*. Mr. Houben is a sub-lessee of Mr. d'Adesky. The amount of some 985 francs, which was paid as compensation for the community's right of pasture, was paid to the administrative treasury of the *chefferie*. Mr. Kamanzi as an individual had no individual claim to this compensation.

23. *Gahuranyi versus Houben and Habyarimana versus Houben*. The representative had no information as to whether Mr. Habyarimana had in fact taken his case to the civil court but the matter was already in the hands of lawyers.

24. The case against Chief Nyarwaya was not pursued since he subsequently refunded the deficit in his accounts. Assistant Chief Cahene was sentenced by the courts to imprisonment on charges of embezzlement, concealment and rebellion.

25. At its 150th meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

### III. PETITION FROM MR. E. RABAUD (T/PET.3/L.2)

1. This is a petition concerning general educational questions, public finance and the manner in which petitions are examined by the Trusteeship Council. At its 97th meeting, the Standing Committee decided that the established procedure should be applied to the annex to the petition. The petition is dated 26 August 1953, and the annex is dated 15 April 1953.

2. The annex, signed by twenty persons on behalf of the Association pour la Défense du Mulâtre (ASPROMU), is an urgent request to the "responsible authority" either that it admit mulatto children to the official school at Goma, or that it establish a special class or an undenominational mixed school at Kisenyi. In the body of the petition it is stated that for some time past ASPROMU has been endeavouring to obtain admission to State primary schools for mulatto children who are not recognized but are living in the European way with their fathers. As those endeavours have failed, ASPROMU addressed its petition to the authorities and requests that the petition be examined also by the Trusteeship Council.

3. The Administering Authority states (T/OBS.3/7) that the official school at Goma (Belgian Congo), like all the schools, admits all mulatto, Asian and indigenous children, provided they comply with certain conditions, as determined by school commissions set up for the purpose. The school commissions, which were instituted in 1948, consist of four officials, including a doctor, a magistrate, a representative of the missions and the director of the school. The criterion for the admission of children to schools is that of education; the school commissions collect the necessary information to enable them to determine whether that criterion has been fulfilled. The term "education" must be understood in its widest sense and includes such aspects as the language spoken and behaviour.

4. The ASPROMU petition bears twenty signatures, eight being those of the following residents of Ruanda-Urundi: Messrs. Van Saceghem, Rabaud, Minesi, Dadan, Miru, Starrovietsky, Lera and Piret. Four of these persons have made applications for admission to the school. Four mulatto children of Dr. Van Saceghem's have been admitted; a fifth child, aged 3, was not admitted. Mr. Piret's two children were considered to be too old. One of Mr. Rabaud's children, Stalino, was not admitted because at the age of nine he had never attended school. Two of Mr. Rabaud's other children, who live in completely indigenous surroundings, did not fulfil the criterion of education. The case of Mr. Minesi's children has not yet been decided.

5. The above facts lead to the conclusion that, in principle and in practice, mulatto children are admitted to official primary schools; they are also admitted to the private schools. The school commissions were not set up to prevent half-caste children from attending these schools, but on the contrary, have authorized the admission of many such children, while maintaining an adequate educational standard.

6. The establishment of a school at Kisenyi does not seem to be desirable in the present circumstances. The Goma school is only four kilometres away and the number

of children living at Kisenyi is small. The expenditure entailed by the establishment of a school at Kisenyi would not therefore be justified.

7. With regard to the establishment of a special class for half-caste children, it should be borne in mind that, long before the existence of official schools, the Government subsidized a school for half-caste children, with boarding facilities, at Save. The establishment of a special class for mulattoes, as requested in the ASPROMU petition, would constitute a duplication of the work done at Save. Moreover, such a measure would be an example of racial discrimination at a time when the Government's policy is, on the contrary, to admit mulatto children to official schools, as may be seen from the above information.

8. The petition was examined and discussed at the 144th and 150th meetings of the Standing Committee (T/C.2/SR.144 and 150).

9. The representative of Belgium informed the Committee that there was a school at Kisenyi, but that instruction was given there in the vernacular (*Kinyaruanda*).

10. The representative stated that there could be an appeal from the decision of the local school commission to the Provincial Education Committee.

11. At its 150th meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### ANNEX

##### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II and III, adopted without change at the 521st meeting of the Trusteeship Council, see resolutions 871 (XIII), 872 (XIII) and 873 (XIII), respectively.*

### DOCUMENT T/L.440

#### Seventy-second report of the Standing Committee on Petitions: petitions concerning Togoland under French administration

[Original text: English]  
[18 March 1954]

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##### INTRODUCTION

1. At its 149th and 151st meetings, on 13th and 17th March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, examined the three petitions concerning the Trust Territory of Togoland under French administration which are listed in the preceeding table of contents.

2. Mr. Georges Apedo Amah participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution II.

##### I. PETITION FROM MR. VINCENT VOVOR (T/PET.7/355)

1. The petitioner submits to the Trusteeship Council a copy of a petition which he addressed to the *Conseil du contentieux administratif* on 27 April 1953. At the time of writing—30 July 1953—he states that the *Conseil* had taken no action on his complaint, which is that he has been dismissed for insufficient cause from his former post of lance-corporal, second class, in the customs service.

2. The incident leading to the petitioner's dismissal occurred on 8 August 1952, when the suspicions of two customs officials were aroused in regard to a car in Lomé. On being challenged, the driver ran away. The car was thereupon taken to the customs office, and a little later a Mr. Galley appeared and opened the boot of it, from which were removed 73 pieces of cloth. Mr. Galley produced a customs receipt, issued on the preceding day at the customs post where the petitioner worked, for 50 pieces only. An inquiry was instituted at that post to discover the circumstances in which duty on the remaining 23 pieces had been evaded, but it produced no positive result. Nevertheless the petitioner was suspended from duty and later, on 31 January 1953, was dismissed. He says that an attempt was made to establish that he had had long personal relations with Mr. Galley, but that he had denied it and had explained the circumstances in which he had one day been led to hire a vehicle alleged to have belonged to Mr. Galley.

3. In his covering letter, the petitioner ascribes his misfortune to the fact that he belongs to one of the nationalist parties. He charges the Administration with wishing to remove all nationalists from responsible official positions, and that the incident of the 23 pieces of cloth was a "windfall" for the authorities. To support his contention, he states that officials who were members of the *Comité de l'Unité Togolaise* and *Juvento* had been struck off the promotion list, and that the post from which he was dismissed was given to one who was an ardent "progressive".

4. The Administering Authority confirms (T/OBS.7/11) the incidents summarized in paragraph 2 above. The subsequent inquiry and hearings established that:

(a) Although the customs officials had been warned by their chiefs about Mr. Paul Galley and had been urged to watch his movements very closely, the chief of the customs post, Mr. Vovor, had been entertaining Mr. Galley at his home for a long time after 12 o'clock on the day of the offence;

(b) When, on leaving Mr. Vovor's home at 2 o'clock, Mr. Galley presented himself for customs inspection,



Mabudu, a customs officer, instead of proceeding with the requisite inspection, simply asked the routine questions. He even refused, in spite of Mr. Galley's invitation, to inspect the boot of the vehicle, which contained the 23 pieces of material;

(c) Shortly before, Mr. Galley had lent his vehicle to Mr. Vovor for a week, which showed how close was the friendship between the chief of the customs post and the smuggler.

5. It was concluded that the inquiry had established if not the complicity of Mr. Vovor and Mr. Mabudu at least their culpable negligence. The petitioner's appeal to the *Conseil du contentieux administratif* was due to come before the Council at its next meeting.

6. The petition was examined and discussed at the 149th and 151st meetings of the Standing Committee (T/C.2/SR.149 and 151).

7. The special representative informed the Committee that the Disciplinary Council which examined the petitioner's case in the first instance was composed of members of the government service comprising some of his fellow officers. The petitioner was entitled, had he wished, to have been assisted by a lawyer during the examination of his case. The petitioner had appealed to the *Conseil du contentieux administratif* which would cause an inquiry to be made and would convene to consider the case after receiving a report on the results of that inquiry.

8. The special representative stated that the Administration was not concerned with the political affiliations of its employees and was quite unaware of the political affiliation of the person appointed to replace the petitioner.

9. At its 151st meeting, the Committee adopted, by 3 votes to 1, with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

## II. PETITION FROM MR. MATHIAS EKLU NATEY (T/PET.7/356)

1. The petitioner complains that he has been discharged from government employment as a journeyman turner merely for asking his superior at the Lomé central garage to pay him overtime to which he claims the regulations entitled him. The official notice of termination, he states, gave as the reason for his discharge "incorrect attitude in the shop and recurrent offences".

2. The petitioner charges that in Togoland under French administration any indigenous civil servant must belong to the Parti Togolais du Progrès in order to remain on good terms with his superiors. He, however, is not a member of that party; he is an advocate of the unification of the two Togolands and the brother of the first vice-president of Juvento.

3. The petitioner states that he was one of those who unsuccessfully tried to attend the rally organized by Juvento on 16 August 1953.<sup>23</sup> Endeavouring to enter the enclosure where the rally was being held, he states that he was brutally pushed and struck on the chest. On the morning of 17 August 1953 he reported at the Lomé central police station but was told to go home by the Commissioner.

4. In its observations (T/OBS.7/12, section 2), the Administering Authority states that Mr. Natey, who was engaged on 1 December 1951 as a day labourer in the central garage, was discharged on 22 May 1953 for reasons of budgetary economy. Unsatisfactory service on the part of the petitioner quite naturally marked him out as one of the victims of a general measure which also affected other workmen, some of them much more deserving than the petitioner.

5. The Administering Authority states that at the time of the petitioner's discharge the local administration was unaware of his political views and of his relationship with Mr. Eklú Natey, first vice-president of Juvento. This relationship would not, however, have affected his situation in any way. In fact, some close relatives of Mr. Eklú Natey work in the administrative services, and are never molested because of their political views.

6. The petition was examined and discussed at the 149th and 151st meetings of the Standing Committee (T/C.2/SR.149 and 151).

7. The special representative informed the Committee that there was no evidence that the petitioner had worked overtime, that it was quite incorrect that indigenous civil servants must belong to the Parti Togolais du Progrès in order to remain on good terms with their superiors and that he personally knew that the petitioner had two relatives employed in the administrative services.

8. At its 151st meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

## III. PETITION FROM MR. PAUL AGBETÉTÉ (T/PET.7/358)

1. The petitioner, writing from Togoland under British administration, claims that he had to leave Togoland under French administration in order to escape the arbitrary arrests which took place when the 1952 United Nations Visiting Mission was passing through the Territory, and was therefore obliged to resign from the Education Service.

2. He states that he is entitled to his salary for the months of August, September and October and to back pay for 1951-52. It is his assertion that he has given power of attorney to his direct superior, the director of the official school at Amlamé, that he has written to the special agent at Atakpamé and to the Director of the Treasury Department at Lomé, but all to no avail.

3. The Administering Authority, in its observations (T/OBS.7/12, section 3), states that the petitioner left the Territory of his own accord, as stated in its observations on T/PET.7/320. He voluntarily submitted a written resignation with effect as from 16 October 1952.

4. The Administering Authority explains that the reason the petitioner has not received his pay is that he did not go and ask for it at the pay office of the special agent of the *circonscription* where he was serving. He is free at any time to claim the money due to him, either in person or through an assignee furnished with a duly legalized power of attorney.

5. The petition was examined and discussed at the 149th and 151st meetings of the Standing Committee (T/C.2/SR.149 and 151).

6. The special representative informed the Committee that the petitioner had resigned from his position as a

<sup>23</sup> See T/PET.7/354/Add.3 and 4.

teacher trainer in the education service and, because of his absence from the Territory, his membership in the *conseil de circonscription* automatically lapsed. The back pay, representing salary increments awarded retroactively, and also his salary for the months of August to October 1952, await collection either by himself in person or by a representative duly endowed by him with the power of attorney.

7. The special representative stated that the petitioner was not charged with any offence and was free to return to the Territory without encountering any difficulty.

8. At its 151st meeting, the Committee adopted, by 2 votes to 1, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

#### ANNEX

##### DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

*For the texts of draft resolutions I, II and III, adopted without change at the 521st meeting of the Trusteeship Council, see resolutions 993 (XIII), 994 (XIII) and 995 (XIII), respectively.*

### DOCUMENT T/L444

#### Seventy-third report of the Standing Committee on Petitions

[Original text: English]  
[18 March 1954]

1. At its 151st meeting, on 17 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland, took note of the fact that the Government of France had furnished information that had been requested by the Trusteeship Council on four resolutions it had adopted at its twelfth session on petitions concerning the Cameroons under French administration, and Togoland under French administration.

2. Mr. R. Doise, the representative of France, was present.

3. The information furnished in response to the requests contained in the Council's resolutions 783 (XII), 785 (XII) and 786 (XII), adopted on petitions T/PET.5/124, T/PET.5/131 and Add.1 and T/PET.5/151 respectively, has been circulated in document T/OBS.5/22. The information furnished in response to the request contained in the Council's resolution 864 (XII), adopted on petition T/PET. GENERAL/21, has been circulated in document T/OBS. GENERAL/2 and Corr.1.

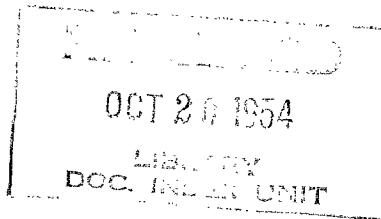
#### CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2342	Report of the Fourth Committee		Official Records of the General Assembly, Seventh Session, Annexes, agenda item 12
A/2424	Special report of the Trusteeship Council		Ibid., Eighth Session, Annexes, agenda item 31
A/2427	Report of the Trusteeship Council covering the period from 4 December 1952 to 21 July 1953		Ibid., Supplement No. 4
A/2605	Report of the Fourth Committee		Ibid., Annexes, agenda item 31
A/C.4/218/Add.1	Note by the Secretary-General transmitting communications from the Cameroons under French administration concerning the hearing granted to the Union des Populations du Cameroun		Mimeographed document only
A/C.4/243	Letter dated 10 October 1953 from Mr. Abessolo N'Koudou, Secretary-General of the Central Committee of the Union des Populations du Cameroun, M'Balmayo Branch		Ditto
A/C.4/261	Statement by Mr. Ruben Um Nyobé, representative of the Union des Populations du Cameroun, to the Fourth Committee at its 393rd meeting, on 5 December 1953		Ditto
T/964	Petitions concerning Somaliland under Italian administration: observations of the Administering Authority		Ditto
T/1061 and Add.1	Comments of the United Nations Educational, Scientific and Cultural Organization on the draft five-year plan for education in the Territory of Somaliland, 1953-1957		Official Records of the Trusteeship Council, Twelfth Session, Annexes, agenda item 4 (a)

<sup>24</sup> See also check list of documents for agenda item 3.

Document No.	Title	Page	Observations and references
T/1085	Provisional agenda of the thirteenth session		Mimeographed document only
T/C.2/....			Documents in this series are mimeographed only
T/L.337	Twenty-third report of the Standing Committee on Petitions: petitions circulated under rule 85, paragraph 2, and communications circulated under rule 24		<i>Official Records of the Trusteeship Council, Twelfth Session, Annexes, agenda item 5</i>
T/L.347	Thirty-second report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration		<i>Ibid.</i>
T/L.405	Fifty-fourth report of the Standing Committee on Petitions: petitions circulated under rule 85, paragraph 2, of the rules of procedure and communications circulated under rule 24	2	
T/L.410	Fifty-fifth report of the Standing Committee on Petitions: petitions concerning the Cameroons under British administration	3	
T/L.411	Fifty-sixth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration	6	
T/L.412	Fifty-seventh report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration	12	
T/L.413	Fifty-eight report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration	21	
T/L.414	Fifty-ninth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration	27	
T/L.415	Sixtieth report of the Standing Committee on Petitions: petitions concerning Togoland under British administration	34	
T/L.416	Sixty-first report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration	38	
T/L.417	Sixty-second report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration	42	
T/L.423	Sixty-third report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration	48	
T/L.425	Sixty-fourth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration	52	
T/L.426	Sixty-fifth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration	55	
T/L.427	Sixty-sixth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration	59	
T/L.432	Sixty-seventh report of the Standing Committee on Petitions	63	
T/L.434	Sixty-eighth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration	64	
T/L.435	Sixty-ninth report of the Standing Committee on Petitions: petition concerning Nauru	66	
T/L.436	Seventieth report of the Standing Committee on Petitions: petitions concerning Tanganyika	67	
T/L.437	Seventy-first report of the Standing Committee on Petitions: petitions concerning Ruanda-Urundi	71	
T/L.440	Seventy-second report of the Standing Committee on Petitions: petitions concerning Togoland under French administration	74	
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T/PET....			Unless otherwise indicated, documents in this series are mimeographed only
T/Pet.2/99 and Add.1 to 7	Petition from the representatives of the Wa-Meru tribe concerning Tanganyika		<i>Official Records of the Trusteeship Council, Eleventh Session, Annexes, agenda item 5</i>
T/Pet.2/143	Petition from Mr. Gamaliell Sablak concerning Tanganyika		<i>Ibid., Eleventh Session, Annexes, agenda item 5</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
T/Pet.4/61- T/Pet.5/66	Petition from the Cameroons Federal Union concerning the Cameroons under British and under French administration		<i>Ibid.</i> , <i>Sixth Session, Annex</i> , vol. II
T/Pet.5/38	Petition from the Union des Populations du Cameroun, Comité Central du Groupement de Bafou, concerning the Cameroons under French administration		<i>Ibid.</i>
T/Pet.5/49	Petition from Messrs. Frédéric Makanda and Gilbert Bilong concerning the Cameroons under French administration		<i>Ibid.</i>
T/Pet.5/61	Petition from the Association Amicale de la Sanaga-Maritime concerning the Cameroons under French administration		<i>Ibid.</i>
T/Pet.5/70	Petition from the Solidarité Babimbi concerning the Cameroons under French administration		<i>Ibid.</i>




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**Agenda item 5: Reports of the United Nations Visiting Mission to Trust Territories in West Africa, 1952**

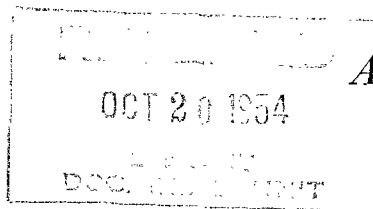

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**CHECK LIST OF DOCUMENTS<sup>1</sup>**

Document No.	Title	Observations and references
T/1034	Special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem	<i>Officials Records of the Trusteeship Council, Eleventh Session (second part), Supplement No. 2</i>
T/1039	Observations of the Administering Authority for Togoland under British administration on the special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem	<i>Ibid., Eleventh Session (second part), Supplement No. 2</i>
T/1040	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under British administration	<i>Ibid., Thirteenth Session, Supplement No. 2</i>
T/1041	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under French administration	<i>Ibid., Thirteenth Session, Supplement No. 3</i>
T/1042	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under British administration	<i>Ibid., Thirteenth Session Supplement No. 4</i>
T/1043	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under French administration	<i>Ibid., Thirteenth Session, Supplement No. 5</i>
T/1068	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under French administration	<i>Ibid., Thirteenth Session Supplement No. 3</i>
T/1069	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under French administration	<i>Ibid., Thirteenth Session, Supplement No. 5</i>
T/1070	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under British administration	<i>Ibid., Thirteenth Session Supplement No. 2</i>
T/1074	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under British administration	<i>Ibid., Thirteenth Session, Supplement No. 4</i>
T/L.422	New Zealand: draft resolution	Adopted as amended at 521st meeting. See Trusteeship Council resolution 867 (XIII) <sup>2</sup>

<sup>1</sup> See also check list of documents for agenda item 3.

<sup>2</sup> For resolutions, see *Official Records of the Trusteeship Council, Thirteenth Session, Supplement No. 1*.



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**Agenda item 6: Arrangements for a periodic visiting mission to Trust Territories in East Africa**

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**CHECK LIST OF DOCUMENTS**

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
T/1103	Note by the Secretary-General	Mimeographed document only
T/1104	Note by the Secretary-General	Ditto



## Agenda item 7: Administrative unions affecting Trust Territories: reports of the Standing Committee on Administrative Unions

### CONTENTS

Document No.	Title	Page
T/L.408	Interim report of the Standing Committee on Administrative Unions on the Cameroons under British administration .....	1
T/L.428	Interim report of the Standing Committee on Administrative Unions on Togoland under British administration .....	2
T/L.449	Report of the Standing Committee on Administrative Unions to the Trusteeship Council ..	3
T/L.460	Union of Soviet Socialist Republics: draft resolution concerning Tanganyika .....	3
T/L.461	Union of Soviet Socialist Republics: draft resolution concerning Ruanda-Urundi .....	3
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### DOCUMENT T/L.408

#### Interim report of the Standing Committee on Administrative Unions on the Cameroons under British administration

[Original text: English]  
[12 February 1954]

1. In the course of its 45th, 46th and 47th meetings, held on 2, 8 and 10 February 1954 respectively, the Standing Committee considered the various aspects of the administrative union affecting the Trust Territory of the Cameroons under British administration, and noted in particular that certain changes were contemplated in the Constitution of Nigeria which might affect the relationship between the Trust Territory and the Protectorate.

2. At its 45th meeting, the Standing Committee therefore decided, in conformity with its resolution adopted at its 2nd meeting on 23 August 1950 (T/C.1/1) to hear the representative of the Administering Authority at its subsequent meeting.

3. The Standing Committee did not, however, hear a representative of the Administering Authority. At its 46th meeting, the Standing Committee was informed that the representative would make a statement to the Trusteeship Council at its 491st meeting, on 8 February 1954, setting forth relevant information regarding the constitutional changes at present available. The Standing Committee was also informed that in view of that statement the presence of the representative of the Administering Authority before the Standing Committee would

thus not be necessary since he was unable to add any further information at that time.

4. The representative of the United Kingdom stated at the 491st meeting of the Council, that the Trust Territory of the Cameroons under British administration had been and continued to be administered as an integral part of the Protectorate of Nigeria in accordance with article 5 (a) of the Trusteeship Agreement. In doing so, the Administering Authority had dominant regard to the developing wishes of the inhabitants, who were finding increasing means to give these wishes free expression. The Administering Authority had recent proof of this in the decision in principle reached recently in West Africa to give separate status and self-governing institutions to the southern provinces of the Cameroons. It similarly respected the desire of the north to continue and develop its fruitful and satisfying association with the Northern Region of Nigeria. It had certainly no intention of allowing the trusteeship status of the Territory to impede unnecessarily the advance of the inhabitants to the full enjoyment of the objectives of the Trusteeship System, hand in hand with the peoples of Nigeria. He recognized the Administering Authority's responsibilities under the Charter and the Trusteeship Agreement; those responsibilities had been explicitly recognized and their

exercise effectively ensured in successive Nigerian Constitutions. He could not at that time even suggest the form which this recognition would take in the new instruments to be drawn up to implement the agreements of the Lagos Conference. He might well still be unable to do so at the next session of the Trusteeship Council. In those circumstances he would be unable to assist the Standing Committee with any precise information if it were to be charged with an investigation of this matter at the present time.

5. At the same meeting, the special representative of the Administering Authority stated that in broad outline the main decisions in principle which had been taken were now known, but he did not expect that the new constitutional instruments would be complete in draft before July 1954. He therefore expressed doubt whether the Standing Committee would be able to give its

attention to the new constitutional developments for some time to come.

6. The Standing Committee, in taking note of those statements, expresses the hope that the Administering Authority will find it possible to transmit to it not later than 15 May 1954, all available information regarding the new constitutional developments as they affect the Trust Territory.

7. The Standing Committee, mindful of Trusteeship Council resolution 645 (XII), and of its obligation to transmit a report on the administrative union affecting the Cameroons under British administration to the Council for inclusion in the report to the General Assembly, requests the Trusteeship Council to postpone consideration of this question until it has received a further report from the Standing Committee.

### DOCUMENT T/L.428

#### Interim report of the Standing Committee on Administrative Unions on Togoland under British administration

[Original text: English]  
[8 March 1954]

1. In the course of its 49th and 50th meetings, held on 2 and 8 March 1954 respectively, the Standing Committee considered the various aspects of the administrative union affecting the Trust Territory of Togoland under British administration, and noted in particular that certain changes were contemplated in the Constitution of the Gold Coast which might affect the relationship between the Territory and the Gold Coast.

2. At its 49th meeting, held on 2 March 1954, the Standing Committee heard the special representative of the Administering Authority, who furnished information at the invitation of the Committee.

3. In this connexion the Committee noted that the special representative stated in the Trusteeship Council at its 493rd meeting, on 10 February 1954, that the Trust Territory was, by virtue of its association with the Gold Coast, rapidly advancing toward self-government. Last June the Administration laid before the Legislative Assembly for its consideration a White Paper containing proposals for the next stage of the constitutional advance, which the Administration had formulated after seeking the views of the inhabitants of the Gold Coast and the Trust Territory. The proposals contained in the White Paper were adopted by the Assembly without a division and were then transmitted to the United Kingdom Government, which in October announced its approval in principle of the proposals taken as a whole. Since then exchanges to reach a settlement on certain points of detail had continued. The special representative stated that if a settlement were reached in the next month or so, the Gold Coast and the Trust Territory would obtain a new and more advanced constitution before the end of 1954.

4. The Committee also noted the statement by the United Kingdom representative, at the 505th meeting of the Trusteeship Council, that the United Kingdom Government was at present engaged in the final stages of negotiations with the Government of the Gold Coast on the revision of the existing Constitution. If those

negotiations reached a satisfactory conclusion, a new general election would have to be held throughout the Gold Coast and Trust Territory for the central Legislative Assembly. He stated that his Government intended to prepare a study on the problem of the future constitutional status of British Togoland in relation to the provisions of the Trusteeship Agreement and the Charter of the United Nations. In doing so, it would have special regard to the freely expressed wishes of the people, on which the Government would have further supplementary indications as a result of the outcome of the forthcoming general elections.

5. At the Standing Committee's 49th meeting the special representative stated that the text of the new Constitution would, he thought, be available by the end of May and the elections would probably take place in early June. The results of the elections would be known immediately afterwards.

6. The Standing Committee, in taking note of those statements, expresses the hope that the Administering Authority will find it possible to transmit to it, not later than 15 May 1954, all available information regarding the new constitutional developments as they affect the Trust Territory, and that it will transmit additional information as it becomes available.

7. The Standing Committee realizes that it must reserve its final opinion concerning the effect of the new constitutional arrangement on Togoland under British administration until the Trusteeship Council has considered the Togoland unification problem.

8. The Standing Committee, mindful of Trusteeship Council resolution 645 (XII), and of its obligation to transmit a report on the administrative union affecting Togoland under British administration to the Council for inclusion in the report to the General Assembly, requests the Trusteeship Council to postpone consideration of this question until it has received a further report from the Standing Committee.



**DOCUMENT T/L.449****Report of the Standing Committee on Administrative Unions to the Trusteeship Council**

[Original text : English]  
[19 March 1954]

1. In the course of its 484th meeting, held on 28 January 1954, the Trusteeship Council appointed China, Haiti, New Zealand and the United States of America to serve as members of the Standing Committee on Administrative Unions.

2. Since that date the Standing Committee has held nine meetings, in the course of which it studied the various aspects relating to administrative unions affecting the Trust Territories of the Cameroons under British administration, Ruanda-Urundi, Tanganyika and Togoland under British administration.

3. At its 45th meeting, held on 2 February 1954, the Standing Committee elected Mr. Vernon McKay (United States of America) as Chairman.

4. The Standing Committee submitted to the thirteenth session of the Trusteeship Council the following reports :

Interim report on the Trust Territory of the Cameroons under British administration (T/L.408) ;

Interim report on the Trust Territory of Togoland under British administration (T/L.428) ;

Report on the Trust Territory of Ruanda-Urundi (T/L.438 and Corr.1) ;

Report on the Trust Territory of Tanganyika (T/L.448).

5. The Standing Committee also studied the procedure to be followed in the study of administrative unions affecting the Trust Territories and decided to transmit to the fourteenth session of the Trusteeship Council its suggestions on this matter.

**DOCUMENT T/L.460****Union of Soviet Socialist Republics : draft resolution concerning Tanganyika**

[Original text : Russian]  
[24 March 1954]

*The Trusteeship Council,*

Considering that the question of administrative unions is of great significance for the progressive development of the Trust Territories towards self-government and independence,

1. *Recommends* the Administering Authority of the Trust Territory of Tanganyika to establish in that Territory legislative and administrative organs not subordinate to any organs established on the basis of a union of the Trust Territory with the colonies of Kenya and Uganda, and for that purpose to take legislative and other measures to ensure the participation of the indigenous population of Tanganyika in the legislative, executive and judicial organs of the Trust Territory.

**DOCUMENT T/L.461****Union of Soviet Socialist Republics : draft resolution concerning Ruanda-Urundi**

[Original text : Russian]  
[24 March 1954]

*The Trusteeship Council,*

Considering that the question of administrative unions is of great significance for the progressive development of the Trust Territories towards self-government and independence,

1. *Recommends* the Administering Authority of the Trust Territory of Ruanda-Urundi to establish in that Territory legislative and administrative organs not subordinate to any organs established on the basis of a union of the Trust Territory with the colony of the Belgian Congo, and for that purpose to take legislative and other measures to ensure the participation of the indigenous population of Ruanda-Urundi in the legislative, executive and judicial organs of the Trust Territory.

CHECK LIST OF DOCUMENTS <sup>1</sup>

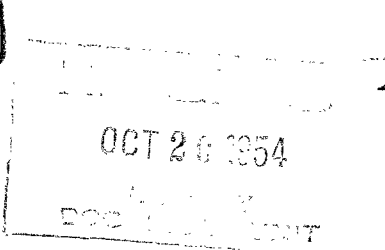
<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
T/C.1/1	Resolution adopted by the Standing Committee on Administrative Unions at its 2nd meeting, on 23 August 1950		Mimeographed document only
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T/L.428	Interim report of the Standing Committee on Administrative Unions on Togoland under British administration .....	2	
T/L.438 and Corr.1	Report of the Standing Committee on Administrative Unions on Ruanda-Urundi		Mimeographed document only. For the observations and conclusions contained therein, as adopted by the Trusteeship Council at its 525th meeting, see the chapter on Ruanda-Urundi in the Council's report to the General Assembly at its ninth session
T/L.448	Report of the Standing Committee on Administrative Unions on Tanganyika		Mimeographed document only. For the observations and conclusions contained therein, as adopted by the Trusteeship Council at its 524th meeting, see the chapter on Tanganyika in the Council's report to the General Assembly at its ninth session
T/L.449	Report of the Standing Committee on Administrative Unions to the Trusteeship Council .....	3	
T/L.453	Union of Soviet Socialist Republics: draft resolution		Deferred to fourteenth session
T/L.460	Union of Soviet Socialist Republics: draft resolution concerning Tanganyika .....	3	
T/L.461	Union of Soviet Socialist Republics: draft resolution concerning Ruanda-Urundi .....	4	

<sup>1</sup> See also check list of documents for agenda item 3.



**TRUSTEESHIP COUNCIL**

OFFICIAL RECORDS



*Agenda item 8*

**ANNEXES**

THIRTEENTH SESSION

NEW YORK, 1954

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**Agenda item 8: General procedure of the Trusteeship Council: report of the Standing Committee on Petitions**

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*No documents*



**Agenda item 9: Participation of the indigenous inhabitants of the Trust Territories in the government of those Territories and in the work of the Trusteeship Council: report of the Committee on Participation of the Indigenous Inhabitants of the Trust Territories in the Work of the Trusteeship Council**

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T/L.459	Haiti: amendments to the draft resolution submitted by Syria (T/L.458) .....	4
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**DOCUMENT T/L.447**

**Report of the Committee on Participation of the Indigenous Inhabitants of the Trust Territories in the Work of the Trusteeship Council**

[Original text: English]  
[19 March 1954]

1. At its twelfth session the Trusteeship Council, by its resolution 647 (XII), established a committee composed of El Salvador, Syria, the United Kingdom of Great Britain and Northern Ireland and the United States of America to examine the question of participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council in the light of General Assembly resolution 653 (VII) and to report thereon to the Council at its thirteenth session.

2. The Committee elected Dr. Rafael Eguizábal (El Salvador) as its chairman. It held six meetings—on 2, 12 and 26 February, 11, 15 and 17 March 1954 respectively—and adopted unanimously the present report.

3. The Committee notes that in its resolution 653 (VII) the General Assembly *inter alia* shared the hope expressed by Trusteeship Council resolution 466 (XI) that the Administering Authorities would find it appropriate to associate suitably qualified indigenous inhabitants of the Trust Territories as part of their delegations or in any other manner which they deemed desirable.

4. In this connexion, the Committee notes that since the adoption of its resolution 466 (XI), the Trusteeship Council has held its twelfth and thirteenth sessions, and that during both those sessions certain Administering Authorities included the representatives of indigenous inhabitants in their respective delegations.

5. At the Council's twelfth session the United States Government attached to its delegation Mrs. Dorothy Kabua, from the Trust Territory of the Pacific Islands.

Mrs. Kabua, who is one of the five women in the Marshallese Congress, addressed the Council at its 466th meeting, on 23 June 1953.

6. The French delegation included M. Georges Apedo Amah from Togoland under French administration as technical adviser to its delegation at the Council's twelfth session, and as special representative for Togoland under French administration at the thirteenth session.

7. Furthermore, the Committee notes that representatives of indigenous inhabitants were included in the French delegation to the Fourth Committee of the General Assembly at its seventh and eighth sessions: Mr. Douala-Manga-Bell from the Cameroons under French administration at the seventh session, Mr. Robert Ajavon from Togoland under French administration at the seventh and eighth sessions, and Mr. Jules Ninine from the Cameroons under French administration at the eighth session.

8. During the discussion of this question in the Committee's first meeting, the representative of the United Kingdom stated that it was the intention of his Government to include, in the future, indigenous inhabitants in its delegations to the Trusteeship Council as it might deem appropriate.

9. The Committee examined further the observations of representatives expressed on the problem during the sixth and seventh sessions of the General Assembly and the tenth, eleventh and twelfth sessions of the Trusteeship Council.

10. The Committee also requested the Legal Department of the Secretariat to ascertain whether any opinions had been expressed on the problem by international jurists, but was informed that no such opinions had been found.

11. In the exchange of opinions on the problem, members of the Committee generally maintained the position which their respective delegations had taken during previous discussions in the Trusteeship Council, the General Assembly and its Fourth Committee.

12. The representative of Syria submitted for the consideration of the Committee a draft resolution, to be recommended for the Council's adoption, in which he proposed that, (i) in order to develop further the participation of the indigenous inhabitants in the work of the Trusteeship Council through the medium of the visiting mission, the Council should instruct each visiting mission not only to consider such public opinions as might be spontaneously brought before it, but also to take the initiative in seeking out public opinion on all important problems and to undertake popular consultations in whatever form the visiting mission might deem appropriate, and to report fully on the development of the free expression of the wishes of the people and on the main trends of their opinions, and make recommendations concerning the further development of free public opinion; (ii) in order to develop further the participation of the indigenous inhabitants in the work of the Trusteeship Council through the medium of their right of petition, the Council should examine and take specific action, as part of its examination of conditions in each Trust Territory, upon all petitions which might reflect public opinion on questions of general concern to the development of the Territory; should request the Administering Authorities to make copies of their annual reports promptly available to all organs of public opinion existing in each Territory concerned, to encourage those organs to examine the reports, and to inform them that it fell within their right of petition to submit their own views to the United Nations and to have those views considered by the Trusteeship Council; should instruct each visiting

mission to encourage in the Trust Territories such public discussion and expression of views on the annual reports, and to report on the extent to which facilities have been made available to the population for the purpose; (iii) furthermore the Trusteeship Council should decide that, as a means of ensuring in cases of urgency that a given situation in a Trust Territory met with the freely expressed wishes of the people, it would be prepared to communicate with appropriate representatives of public opinion and ask them to submit their views on the problem in writing or by telegraph, or to invite such spokesmen to appear in person before it.

13. Subsequently the representative of Syria, taking into account some comments and suggestions of the other members of the Committee, amended the section of the operative part dealing with the development of participation through the medium of the right of petition (see para. 12 (ii) above). According to the revised text the Trusteeship Council would *inter alia* examine and take action, as part of its examination of conditions in each Trust Territory, upon petitions of general concern to the development of the Territory; would request the Administering Authorities to make copies of their annual reports freely available to the public in each Territory concerned, to encourage the examination of those reports, and to inform the indigenous inhabitants that it fell within their right of petition to submit their own views to the United Nations and to have those views considered by the Trusteeship Council; would instruct each visiting mission to seek in the Trust Territories public discussion and expression of views on the annual reports, and to report on the extent to which facilities had been made available to the population for the purpose.

14. The Committee was, however, unable to agree, and the representative of Syria reserved his delegation's right to introduce his original proposal in the Council.

15. The Committee was unable to agree on any recommendation on the problem of participation of the indigenous inhabitants in the work of the Trusteeship Council.

## DOCUMENT T/L.458

### Syria: draft resolution

[Original text: English]  
[22 March 1954]

#### *The Trusteeship Council,*

*Having considered* General Assembly resolution 554 (VI) and 653 (VII) in so far as they concern the participation of the indigenous inhabitants in the work of the Trusteeship Council,

*Recalling* its resolutions 466 (XI) and 647 (XII) on this question,

*Being concerned*, however, to ensure that the objective of promoting the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence shall be attained, in accordance with Article 76 b of the Charter, by means appropriate, *inter alia* to "the freely expressed wishes of the peoples concerned",

*Considering* that it is essential to develop to their fullest extent the means which already exist in the Charter to ensure that, as free public opinion evolves in each Trust Territory, it will be brought effectively to bear on the Council's examination of conditions in that Territory,

*Recalling* in this connexion rule 61 of the provisional rules of procedure adopted by the Preparatory Commission of the United Nations in 1945 as follows:

"The Council shall conduct, as one means of giving effect to Article 76 b of the Charter, periodic surveys of the development of the political institutions and capacity for self-government or independence of the inhabitants of each Trust Territory for which the Council is empowered to conduct such surveys by the terms of the Trusteeship Agreements. During such surveys the Council is empowered to use various methods to ensure the fullest possible expression of the wishes of the local population, such as the voice of the representative organs if they exist, the holding of public elections of spokesmen, consultation with the national organizations, popular referendum, direct contact by the special representatives of the Council with the people of the Territory, or other methods appropriate to the progressive state of political development of the people. The results of these surveys shall be submitted to the General Assembly or the Security Council, as the case may be."

1. *Decides*, in order to develop further the participation of the indigenous inhabitants in its work through the medium of the visiting missions, to instruct each visiting mission :

(a) Not only to consider such public opinions as may be spontaneously brought before it by all sections of the population, but also to take the initiative in seeking out public opinion on all important problems and to undertake popular consultations in whatever forms it may deem appropriate ;

(b) To report fully on the development of the free expression of the wishes of the people and on the main trends of their opinions and to make recommendations concerning the further development of free public opinion.

2. *Decides*, in order to develop further the participation of the indigenous inhabitants in its work through the medium of their right of petition :

(a) To examine and take specific action, as part of its examination of conditions in each Trust Territory, upon

all petitions which may reflect public opinion on questions of general concern to the development of the Territory ;

(b) To request the Administering Authorities to make copies of their annual reports promptly available to all organs of public opinion existing in each Territory concerned, to encourage these organs to examine the reports, and to inform them that it falls within their right of petition to submit their own views to the United Nations and to have these views considered by the Trusteeship Council ;

(c) To instruct each visiting mission to encourage in the Trust Territories such public discussion and expression of views on the annual reports, and to report on the extent to which facilities have been made available to the population for the purpose.

3. *Decides* that, as a means of ensuring in cases of urgency that a given situation in a Trust Territory meets with the freely expressed wishes of the people, it shall be prepared to communicate with appropriate representatives of public opinion and ask them to submit their views on the problem in writing or by telegraph, or to invite such spokesmen to appear in person before it.

#### DOCUMENT T/L459

#### Haiti: amendments to the draft resolution submitted by Syria (T/L458)

[Original text: French]

[24 March 1954]

1. In sub-paragraph (a) of operative paragraph 2, replace the words "take specific action" by the words "make recommendations".

2. In sub-paragraph (b) of operative paragraph 2, delete everything after the words "examine the reports" and add the word "and" between "concerned" and "to encourage".

3. At the end of sub-paragraph (c) of operative paragraph 2, add the following words: "and to inform the

inhabitants that it falls within their right of petition to submit their views to the United Nations and to have these views considered by the Trusteeship Council".

4. In operative paragraph 3, after the words "wishes of the people", delete the remainder of the sentence, and substitute the following: "it will immediately grant a hearing to all appropriate representatives of public opinion on their request or, if they are unable to travel, will examine any communications, letters or telegrams setting forth their views".

#### CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
T/1034	Special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem		<i>Officials Records of the Trusteeship Council, Eleventh Session (second part), Supplement No. 2</i>
T/L.317	Report of the Committee on Participation of the Indigenous Inhabitants of the Trust Territories in the Work of the Trusteeship Council		<i>Ibid., Eleventh Session, Annexes, agenda item 12</i>
T/L.447	Report of the Committee on Participation of the Indigenous Inhabitants of the Trust Territories in the Work of the Trusteeship Council .....	2	
T/L.449	Report of the Standing Committee on Administrative Unions to the Trusteeship Council		<i>Officials Records of the Trusteeship Council, Thirteenth Session, Annexes, agenda item 7</i>
T/L.458	Syria: draft resolution .....	3	
T/L.459	Haiti: amendments to the draft resolution submitted by Syria (T/L.458) .....	4	



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*Agenda item 10*

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THIRTEENTH SESSION

NEW YORK, 1954

OCT 29 1954

Agenda item 10: General Assembly resolutions 655 (VII) and 758 (VIII): Hearing of petitioners from the Trust Territory of the Cameroons under French administration

CHECK LIST OF DOCUMENTS<sup>1</sup>

Document No.	Title	Observations and references
T/L.430	Report of the Drafting Committee	See part I, chapter V, section 8, of the Trusteeship Council's report to the General Assembly at its ninth session

<sup>1</sup> See also check list of documents for agenda item 3.



## TRUSTEESHIP COUNCIL

## OFFICIAL RECORDS

## Agenda item 11

## ANNEXES

THIRTEENTH SESSION

NEW YORK, 1954

## Agenda item 11: General Assembly resolution 750 (VIII): The Togoland unification problem

## CHECK LIST OF DOCUMENTS

Document No.	Title	Observations and references
A/2151	Special report of the Trusteeship Council on administrative unions affecting Trust Territories and on the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union	<i>Officials Records of the General Assembly, Seventh Session, Supplement No. 12.</i>
A/2605	Report of the Fourth Committee	<i>Ibid., Eighth Session, Annexes, agenda item 31.</i>
T/1034	Special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem	<i>Official Records of the Trusteeship Council, Eleventh Session (second part), Supplement No. 2.</i>
T/1039	Observations of the Administering Authority for Togoland under British administration on the special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem	<i>Ibid., Eleventh Session (second part), Supplement No. 2.</i>
T/1040	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under British administration	<i>Ibid., Thirteenth Session Supplement No. 2.</i>
T/1096	Report by the Government of France	This document will be printed in the annexes to the Official Records of the fourteenth session of the Trusteeship Council.
T/1097 and Add.1	Statement by the representative of the Convention People's Party to the Trusteeship Council at its 505th meeting, on 1 March 1954	Mimeographed document only.
T/1098	Statement by the representative of the Dagomba District Council to the Trusteeship Council at its 505th meeting, on 1 March 1954	Ditto.
T/1099	Statement by the representative of the Buem-Krachi District Council to the Trusteeship Council at its 505th meeting, on 1 March 1954	Ditto.
T/PET....		Documents in this series mentioned under the present agenda item are mimeographed only.





**Agenda item 12: General Assembly resolution 752 (VIII): Attainment by the Trust Territories of the objective of self-government or independence**

**CONTENTS**

Document No.	Title	Page
T/L.441	Belgium: draft resolution .....	1
T/L.442	India: amendments to the draft resolution submitted by Belgium (T/L.441) .....	1
T/L.443	India: draft resolution .....	2
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**DOCUMENT T/L.441**

**Belgium: draft resolution**

[Original text: French]  
[17 March 1954]

*The Trusteeship Council,*

*Requests* the Secretary-General to prepare for the first meeting of the fourteenth session of the Council a draft report, in conformity with General Assembly resolution 752 (VIII), on the six Trust Territories which have been examined by the Council since the eighth session of the General Assembly.

**DOCUMENT T/L.442**

**India: amendments to the draft resolution submitted by Belgium (T/L.441)**

[Original text: English]  
[18 March 1954]

1. After the words "The Trusteeship Council" insert the following two paragraphs:

"*Having considered* resolution 752 (VIII) of the General Assembly (item 12),"

"*Decides* to place the further consideration of this resolution on the agenda of the fourteenth session of the Council."

2. Number the paragraph in the Belgian draft resolution as paragraph 2.

3. In paragraph 2 delete the word "a" before "draft report" and replace it by the words "an interim".

4. In paragraph 2, after the words "in conformity with" insert the words "paragraph 3 of".

5. Delete all the words following the words "Assembly resolution 752 (VIII)" in paragraph 2, and replace them by the words "on all the Trust Territories except Somaliland under Italian administration".

6. Add the following as paragraph 3 of the resolution:

"3. *Further requests* the Secretary-General, in the preparation of the aforesaid interim draft report and

with a view to rendering the report appropriate to the intent and purposes of General Assembly resolution 752 (VIII), to take into account and obtain where required and utilize as relevant and necessary:

"(a) All material relevant to the topics mentioned in the resolution, already submitted to the Trusteeship Council or part of its records,

"(b) Relevant information available to the Secretary-General from the official publications of the Administering Authorities, the specialized agencies of the United Nations or other appropriate United Nations sources,

"(c) Such relevant elucidation, clarification and additional information or material that may be received hereafter from the Administering Authorities or that it may be possible to obtain by making appropriate requests to the Administering Authorities in this regard,

"and to plan the said interim report in such a manner as permits the inclusion of further material at subsequent stages especially on the Trust Territories the reports of which are to be considered at the fourteenth session of the Trusteeship Council."

## DOCUMENT T/L.443

## India : draft resolution

[Original text : English]  
[18 March 1954]

*The Trusteeship Council,*

*Having considered* resolution 752 (VIII) of the General Assembly (item 12),

1. *Decides* to place the further consideration of this resolution on the agenda of the fourteenth session of the Council,

2. *Requests* the Secretary-General to prepare for the first meeting of the fourteenth session of the Council an interim draft report, in conformity with paragraph 3 of General Assembly resolution 752 (VIII), on all the Trust Territories except Somaliland under Italian administration.

3. *Further requests* the Secretary-General, in the preparation of the aforesaid interim draft report and with a view to rendering the report appropriate to the intent and purposes of General Assembly resolution

752 (VIII), to take into account and obtain where required and utilize as relevant and necessary :

(a) All material, relevant to the topics mentioned in the resolution, already submitted to the Trusteeship Council or part of its records ;

(b) Relevant information available to the Secretary-General from the official publications of the Administering Authorities, the Specialized Agencies of the United Nations or other appropriate United Nations sources ;

(c) Such relevant elucidation, clarification and additional information or material that may be received hereafter from the Administering Authorities or that may be possible to obtain by making appropriate requests to the Administering authorities in this regard, and to plan the said interim report in such a manner as permits the inclusion of further material at subsequent stages especially on the Trust Territories the reports of which are to be considered at the fourteenth session of the Trusteeship Council.

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<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
T/L.441	Belgium : draft resolution .....	1	
T/L.442	India : amendments to the draft resolution submitted by Belgium (T/L.441) .....	1	
T/L.443	India : draft resolution .....	2	
T/L.420	Conditions in the Trust Territory of Ruanda-Urundi: working paper prepared by the Secretariat		This document, which is mimeographed only, will form part of the chapter on Ruanda-Urundi in the Trusteeship Council's report to the General Assembly at its ninth session.



**Agenda item 13: General Assembly resolution 753 (VIII): Educational advancement in Trust Territories: offers by Member States of study and training facilities**

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T/1093	Note by the Secretary-General .....	1
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**DOCUMENT T/1093**

**Note by the Secretary-General**

[Original text: English]  
[2 February 1954]

1. General Assembly resolution 753 (VIII), concerning offers by Member States of study and training facilities for persons from the Trust Territories, *inter alia* requests the Trusteeship Council to undertake such amendment of its procedure for the administration of this programme as may be necessary to permit applications to be made through the Secretary-General as well as through the territorial authorities, it being understood that upon receipt of any such applications the Secretary-General will transmit them simultaneously to the Administering Authorities and the offering States concerned.

2. The existing procedure for the administration of the programme is set out in document T/974, a report submitted to the Trusteeship Council by the Secretary-General at its request and approved by it at its tenth session.

3. The Secretary-General accordingly submits for the consideration of the Council, in the annex to this note, a revised draft of the procedure incorporating (in paragraph 4) the method proposed by the General Assembly for the disposition of applications which may be made in the first instance to the Secretary-General.

4. Provision is also made (in paragraph 3) for the fulfilment by the Secretary-General of the request made of him in the same resolution to include in United Nations information material prepared for dissemination in the Trust Territories, details of all offers of study and training facilities and of the procedures to be followed in submitting applications.

**ANNEX**

**REVISED PROCEDURE FOR THE ADMINISTRATION OF THE UNITED NATIONS PROGRAMME OF STUDY AND TRAINING FACILITIES FOR STUDENTS FROM TRUST TERRITORIES UNDER GENERAL ASSEMBLY RESOLUTIONS 557 (VI) AND 753 (VIII)**

1. The Secretary-General shall propose to the Member States of the United Nations that in contemplating the offer of the facilities envisaged by General Assembly resolutions 557 (VI) and 753 (VIII) they give favourable consideration to the desirability of including in each offer provision for the travel and subsistence costs of the students or trainees selected and for their care during the period of study or training.<sup>1</sup>

<sup>1</sup> This provision is retained from the original procedure. General Assembly resolution 753 (VIII) itself contains other considerations (post-primary and technical training, language instruction) to which the attention of Member States is drawn.

2. A Member State offering facilities shall notify the Secretary-General of its offer, presenting full details, for transmission to the Administering Authorities for their consideration and action in the terms of General Assembly resolutions 557 (VI) and 753 (VIII).

3. The Secretary-General shall include, in information material prepared for dissemination in the Trust Territories, details of all offers received and of the procedures to be followed in submitting applications. He shall similarly notify the United Nations Educational, Scientific and Cultural Organization in order that these details may be included in the periodical issues of the handbook *Study Abroad*.

4. (a) Applications by students or trainees in the Trust Territories for the facilities offered may be made through the Administering Authority of the Territory concerned or through the Secretary-General.

(b) Each Administering Authority transmitting applications of candidates shall communicate to the Secretary-General all

necessary information concerning their qualifications and, where appropriate, the availability of supplementary financial assistance. The Secretary-General shall transmit the applications, with such information, to the Member State or States offering the facilities concerned.

(c) The Secretary-General, upon receipt of an application submitted directly to him by a candidate from a Trust Territory, shall transmit such application simultaneously to the Member State or States offering the facilities concerned and to the Administering Authority of the Territory concerned.

5. The Member State offering facilities may make its selection from among the candidatures submitted, shall complete the necessary arrangements with the Administering Authority concerned, and shall notify the Secretary-General accordingly.

6. The Secretary-General shall submit to the Trusteeship Council at least once each year a report containing all appropriate details of the progress of the programme, including the offers made by Member States, the applications submitted and the selection of candidates.

#### CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
T/974	Report of the Secretary-General		<i>Official Records of the Trusteeship Council, Tenth Session, Annexes, agenda item 15</i>
T/1093	Note by the Secretary-General .....	1	



**Agenda item 14: General Assembly resolution 754 (VIII) : Dissemination of information on the United Nations and on the International Trusteeship System in Trust Territories**

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**DOCUMENT T/1100**

**Report of the Secretary-General**

[Original text: English]  
[4 March 1954]

1. In pursuance of General Assembly resolution 754 (VIII), the Secretary-General requested the Administering Authorities to communicate to him their suggestions as to the manner in which this resolution might best be implemented.

2. The Secretary-General has received a number of replies to his inquiry which contained suggestions for the expansion of information facilities within the Trust Territories and lists of names of persons and organizations within the Territories to whom suitable material may be sent.

3. In order to work out practical arrangements for carrying out the policies laid down in General Assembly resolution 754 (VIII) and Trusteeship Council resolution 36 (III), the responsible services of the Secretariat had a number of consultations with special representatives who attended the thirteenth session of the Trusteeship

Council. It is hoped that through these consultations the existing arrangements as to the provision of information to Trust Territories will be expanded and that new avenues will be opened for the dissemination of United Nations information to the general public in the Trust Territories.

4. The Secretary-General intends to continue with these consultations during the fourteenth session of the Trusteeship Council when the special representatives from the Trust Territories in the Pacific are available. At that time the Secretary-General will be in a position to make a report for the consideration of the Trusteeship Council on the manner in which General Assembly resolution 754 (VIII) and Trusteeship Council resolution 36 (III) are being implemented with special reference to the dissemination of information to the general public in the Trust Territories.

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**Agenda item 15: General Assembly resolution 756 (VIII): report of the Trusteeship Council**

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*No documents*



**TRUSTEESHIP COUNCIL**

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*Agenda item 16*

**ANNEXES**

THIRTEENTH SESSION

NEW YORK, 1954

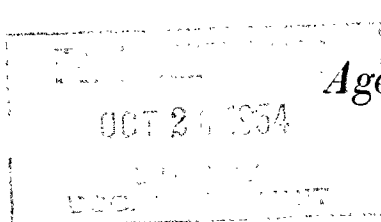
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**Agenda item 16: General Assembly resolution 757 (VIII): Petitions from the Ngoa-Ekélé Community, Cameroons under French administration, concerning adjustment of their land complaint**

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*No documents*



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Agenda item 17: General Assembly resolution 789 (VIII): Control and limitation of documentation

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*No documents*





## TRUSTEESHIP COUNCIL

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*Agenda item 18*

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**Agenda item 18: Economic and Social Council resolution 504F (XVI): political rights of women**

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## CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
T/1088	Note by the Secretary-General transmitting Economic and Social Council resolution 504F (XVI)	Mimeographed document only