

Cameroons under British administration, for inclusion in the Council's report to the General Assembly.

*It was so agreed.*

86. The PRESIDENT said that examination of the annual report on the administration of the Trust Territory of the Cameroons under British administration was completed, and that at its meeting the following day the Council would begin its examination of the annual report on the administration of the Cameroons under French administration. In accordance with rule 52 of the rules of procedure, he would ask the Vice-President of the Council to preside over the meetings devoted to the examination of the report.

The meeting rose at 6.10 p.m.

256th meeting

## FIFTY-FOURTH MEETING

*Held at the Palais des Nations, Geneva,  
on Tuesday, 14 March 1950, at 10.45 p.m.*

*President* : Mr. HENRÍQUEZ UREÑA  
(Dominican Republic) (Vice-President)

*Present* : The representatives of the following countries : Argentina, Australia, Belgium, China, Dominican Republic, France, Iraq, Philippines, United Kingdom, United States of America.

### 100. Examination of annual reports on the administration of Trust Territories (resumed from the 53rd meeting)

CAMEROONS UNDER FRENCH ADMINISTRATION, 1948  
(T/368, T/462 and T/L.56)

1. The PRESIDENT invited the Council to consider the annual report on the administration of the Trust Territory of the Cameroons under French administration (T/368).<sup>1</sup>

*At the invitation of the President, Mr. Watier, special representative of the Administering Authority for the Trust Territory of the Cameroons under French administration, took his place at the Council table.*

2. Mr. LAURENTIE (France) said there was no need to introduce Mr. Watier, whose courtesy and competence were well known to members of the Council. He merely desired to emphasize that a very large number of written questions had been put to Mr. Watier, who had given full and accurate answers, which were to be found in document T/L.56. That document contained a large amount of material which might give rise to discussion, but constituted an excellent basic source of information for the Council.

3. In examining the situation in the Cameroons, the Council would have to consider also the report (T/462)

of the Visiting Mission. He expressed to the Mission the French Government's gratitude for its extremely impartial and painstaking work. He stated that the Administration had greatly appreciated the work done on the spot in such a short time by the Mission and under such tiring conditions. The Mission had reached some conclusions of general interest, and in certain cases had been unable to reach any conclusion at all. In such cases it would be for the special representative or, if necessary, for the representative of the French Government himself to state what was the proper conclusion.

4. Mr. WATIER (special representative) stated that the Cameroons under French administration was no longer the remote and almost unknown territory it might have been to most members of the Council barely a year ago. The first annual report submitted, that for 1947, had been studied attentively by the Council, and that study had given rise to some searching questions and investigations. There was therefore no need to revert to fundamental concepts or geographical, historical or ethnographical data, nor to the administrative structure of the country, for the Council was now well informed on those matters. The report of the Visiting Mission had later added some items of first-hand experience to the information before the Council.

5. On the other hand, everyone knew with what care the Council was endeavouring to become acquainted with every aspect of life in the Territory.

6. For those reasons, the annual report for 1948 had been framed with the two-fold object of avoiding useless repetitions of matters already perfectly well known, and of giving the Council the fullest possible information. In drawing up the Provisional Questionnaire (T/44) the Council had apparently desired, not to subject the Administering Authorities to an examination in the form of a catechism with questions and answers, but rather to indicate the directions in which it desired information and the exact points, as few as possible, on which it wished to be enlightened. The Administering Authority had therefore thought it inadvisable to confine itself to the strict limits of the questionnaire, judging that the Council meant to assess its activities as a whole. For those various reasons the items of the questionnaire had been co-ordinated and dealt with in chapters which frequently went beyond the requirements of the questionnaire, thus permitting a more detached picture of the whole situation. A general concordance table on pages 147 and 148 of the report showed the reference numbers of the questionnaire with the pages of the 1947 and 1948 annual reports on which replies to them appeared.

7. He did not think any purpose would be served by dwelling on the general picture for 1948. The Council was already acquainted with the principal events of the year under review, which had been discussed by it during the examination of the previous report.

8. He recalled, however, that before 1948 the Cameroons' only contact with the Trusteeship Council had been the receipt of the Provisional Questionnaire.

<sup>1</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 1948.

All that it had been possible to accomplish in all fields had been done entirely on the initiative of the French Government and bore the stamp of its spontaneous policy, which was directed towards encouraging the development of the Territory on democratic lines and in accordance with the broad principles of freedom and non-discrimination embodied in the French Constitution.

9. In the political sphere, the organizational period had come to an end. The trial stage of the new institutions, during which the principal part in the administration of the country was handed over to Africans, was almost completed and they were working well.

10. In the economic sphere, the year had been marked by the devaluation of the franc in January 1948. However, the establishment of a compensation fund and the adjustment of the rate of exchange of the African franc had forestalled the repercussions which devaluation might have produced on the economy of the Cameroons. Production continued to develop rapidly, and the special trade of the Territory showed an appreciable increase in quantity and quality of both exports and imports over the previous few years. The flow of imports—the largest by far that the Territory had known up to now—bore witness to the vigorous impetus given to the economy by the first achievements under the ten-year plan. Construction of the Edéa dam, which was to play such an important part in the industrial equipment of the Territory, had been started. Finally, the customs union with French Equatorial Africa, the last link in the administrative union, had been dissolved and superseded by a convention.

11. On the social side the progress made in 1947 had continued. The social services were being equipped and improved. The establishment of the Food Hygiene Committee, the periodical surveys made by its journal *Hygiene et Alimentation*, and the work of the Social Welfare Committee were bringing the African population into ever closer contact with the health service and promoting its social education.

12. The Government was undertaking, over the whole of the Territory, the construction of new hospitals and schools, and the expansion of secondary education was in full swing.

13. The Visiting Mission which had arrived in the Territory in November 1949 had had occasion to check on the spot, and to bear witness in its report to the importance and scope of all that work and to the rapid changes taking place in the Cameroons. He took the opportunity of thanking the Chairman and members of the Visiting Mission, as well as the members of the Secretariat, for the objective and conscientious manner in which they had performed a mission which had at times been very arduous and for the goodwill they had shown. They had travelled throughout the length and breadth of the Territory, personally checked living conditions and development there and had interrogated all sections of the population. The local inhabitants had been very favourably impressed by

their impartial and courteous attitude, and that first direct contact between the Trusteeship Council and the Trust Territory of the Cameroons under French administration had produced excellent results.

14. The Administering Authority deeply appreciated the tribute paid to its achievements in the report of the Visiting Mission, the more so since the view had been expressed in the Council that the annual report submitted by the French Government had presented an inaccurate picture of the facts. The Visiting Mission had been able to confirm that the Administering Authority had presented an objective and balanced picture of its achievements and had displayed no reticence in its relations with the Trusteeship Council.

15. The Visiting Mission had of course been unable to go deeply into all the problems which had been brought to its notice and it had carefully avoided expressing any judgment on questions which it had not had time to study thoroughly. Its report was limited to a very objective presentation of the respective standpoints of the Administration and of certain petitioners. In that connexion he thought it advisable to stress the following points :

16. First, the views of the Administration, as set forth in the report, were derived from a series of documents handed to the Visiting Mission on its arrival in the Territory. Those were documents of a general nature constituting a statement of principle, and not replies to petitions still unknown to the Administration at the time when the documents had been prepared and handed over.

17. Secondly, neither the local Administration nor the French Government had considered it necessary to submit observations when the petitions handed to the Visiting Mission had been communicated to them. They had reserved the right to submit all relevant explanations during discussions of the various petitions in the Trusteeship Council.

18. The claims made in the petitions were of very uneven value, in keeping with the personal status of the petitioners. It was only after discussion in the Council that their weight and value could be rightly appreciated.

19. In conclusion, he hoped that the Council, having had its attention drawn to that aspect of the question, might form a valid opinion in matters on which the members of the Visiting Mission had been careful to reserve their judgment.

#### *Political advancement*

20. Opening discussion on the section of the report dealing with political advancement, the PRESIDENT requested members of the Council who so desired to submit their observations and put questions to the special representative.

21. Mr. GERIG (United States of America) recalled that the Visiting Mission had been privileged to attend the meetings of the Councils of Notables and had been much impressed by the manner in which the opinion

of those councils was sought by the district administrative officers (*chefs de région*). Although their functions were purely consultative, he did not doubt that they already played and would continue to play an important role in the life of the Trust Territory. He asked the special representative for fuller information as to the views of the Administering Authority on the way in which they could be fitted into the general governmental and administrative structure. Had they any influence on the discussions held in the central Representative Assembly?

22. Mr. WATIER (special representative) pointed out that the representative of the United States had himself had the opportunity of seeing some Councils of Notables at work and, hence, of noting the interest with which the representatives of the indigenous population studied the problems submitted to them.

23. It was true that, for the time being, the role of the Councils of Notables was still purely advisory and that even if they were eventually granted a deliberative role they would deal with only a few of the Territory's interests in view of the centralized system now obtaining in the Cameroons. Powers of decision and deliberation would continue to be entrusted to the Representative Assembly. On the other hand, in the purely local sphere, the Councils of Notables would be called upon, if not to control regional finance, at least to make proposals on such control, as was already the case. Certain items of revenue were now for the first time being allocated to the various regions, such as the income from certain forest taxes, which was returned to the regions in which the taxes had been collected. The Councils of Notables would be asked to decide how such credits should be utilized; that would give them the beginnings of a power of decision and, in particular, a political education likely progressively to increase the importance of their deliberations.

24. Furthermore, the Councils of Notables took an active part in the political life of the Territory as a whole through the control which they exercised over the candidates elected to the Representative Assembly by the various regions. The Council might, for example, regard the complaints submitted by the Chief of the Baturi, who had been dissatisfied with the activities of his representative, as a proof that the notables and influential persons in the country could check and control the activities of their representatives in the Representative Assembly. Thus the Councils of Notables would influence the political life of the country, but, generally speaking, their activity would be limited to purely local and immediate economic interests, and would not normally extend to the political field.

25. Mr. GERIG (United States of America) asked whether there was a Council of Notables in each of the fourteen regions of the Territory, and whether their views were formally presented to the Representative Assembly.

26. Mr. WATIER (special representative) stated that the answer to the first part of the question was in the affirmative. The Administering Authority even inten-

ded to set up Councils of Notables on the sub-division level, and had already carried out experiments in that direction in certain regions.

27. The suggestions made by the Councils of Notables were brought to the attention of the Representative Assembly indirectly, through their local representatives, who were necessarily members of the Council of Notables.

28. Furthermore, the *chef de région*, who acted as Chairman of the Council of Notables, submitted a draft budget for the whole region which was incorporated in the budget for the Territory as a whole, and which included any proposals made by the Council of Notables in a concrete practical form.

29. Mr. GERIG (United States of America) asked the special representative to describe what exactly was meant by the term "notable" and whether the members of the councils were selected on the sole responsibility of the *chefs de région*.

30. Mr. WATIER (special representative) referred the representative of the United States to the written reply to question 11 in document T/L.56. Each Council of Notables at present comprised ten members more than hitherto. In addition to the paramount chiefs and members of the courts who had hitherto been members *ex officio*, the Council of Notables at present comprised representatives of traditional associations, co-operatives and, in regions where the labour force was large enough to warrant it, employers and workers. Nominations were made by the bodies concerned to the *chef de région*, who made his choice and submitted the names he proposed to the Government for approval. Only chiefs were therefore nominated by the *chef de région*; but even there he could make no purely arbitrary selection, but had to take into account the different chiefs' influence and importance, etc.

31. Mr. GERIG (United States of America) said he had noted from the reply to question 11 that the Representative Assembly dealt with economic, social and educational questions, but had little scope in the political field. The distinction between political and non-political questions was often difficult to draw, but he wondered whether in the Administering Authority's opinion the Representative Assembly was developing on such lines as would enable it in due course to be entrusted with the consideration of wider questions in the political domain.

32. Mr. WATIER (special representative) agreed that the Representative Assembly of the Cameroons had not so far been concerned with what might be termed the political life of the Territory. That was perhaps due less to its character than to the matters with which it had so far dealt. Discussions had never been marked by political prejudice and bias, since the representatives of the various areas had not been elected on a political programme, but chiefly on account of their personal qualities, their influence in the country and the economic interests which it was their duty to defend. Hence the Representative Assembly in the Cameroons did not have the character of a political

assembly. Nevertheless, owing to the nature of its functions it frequently had occasion to examine questions from a political point of view. It was true that the Representative Assembly had no legislative power, but it possessed very wide powers with regard to the implementation of legal provisions. Since the law merely laid down general administrative principles, the right to make regulations for the implementation of those principles had a real political value. The Representative Assembly had very wide powers in that respect and had certainly the opportunity of engaging in political activities, which, he might add, it would do more and more, even though that was not always particularly desirable.

33. The Representative Assembly had hitherto dealt only with local interests, the rapid changes taking place in the Territory and its organization and economic development. He recalled the good sense displayed by the Assembly in approving the 1949/50 programme of the ten-year plan. It had rejected certain expenditure proposed by the Government and had increased other expenditure, thereby giving an excellent example of its efficiency in the economic field, in which it might be hoped that it would continue to display the same moderation and the same good sense.

34. Mr. GERIG (United States of America) said that the Visiting Mission had unfortunately been unable to attend a meeting of the Representative Assembly. He would therefore be grateful to hear from the special representative how it functioned, what was its procedure, and whether its deliberations were in any way similar to the debates held in parliamentary organs of the democratic type, using that term in the western sense. Was there any tendency among the members to form political parties or separate groups along party lines?

35. Mr. WATIER (special representative) replied that in a general way the Representative Assembly closely resembled a parliament; it drew up its own agenda, established its own rules of procedure, and elected from among its members its President, its officers and the six committees which did the preparatory work. A quorum of two-thirds of the members was necessary to enable the Assembly to examine the questions on which it was empowered to deliberate; an absolute majority of the members present was needed for the adoption of any decision. Detailed records of debates were prepared and regularly sent to the Trusteeship Council library, where they could be consulted.

36. The way in which members of the Assembly were elected had already been indicated; however, some of them—in particular, those who were representatives in metropolitan France—did belong to a political party. It was likely, when the next elections took place, that owing to the progress of political education in the Territory, the electoral campaign would be more closely concerned with party programmes and political theories.

37. Mr. CARPIO (Philippines) drew attention to the statement made in reply to written question 11 (T/L.56) to the effect that the notables were now designated

after consultation with the social groups concerned. That was certainly a sound development, but he wondered whether the councils should not be elected on the basis of the suffrage law which was already in force in the Trust Territory.

38. Mr. WATIER (special representative) said that what had hitherto chiefly prevented the conversion of the Councils of Notables into elective bodies was the difficulty of the universal introduction of a democratic system of election. That system had, however, been applied to set up the local Representative Assembly, and to select the Cameroons representatives to the French National Assembly; it could not yet be extended to assemblies of purely local importance. It had to be introduced gradually throughout all levels of the new organization.

39. Another point to be borne in mind was that the Councils of Notables served no political purpose. They defended the immediate interests of a region or even of a sub-division. That being so, they were not so much the expression of the will of the mass of the people as a whole, as that of groups of individuals who could best designate their representatives by direct selection, because they knew the persons concerned.

40. The Administering Authority therefore thought it preferable that the representatives serving on the Councils of Notables should be designated within each group concerned; however, election by universal suffrage remained the ultimate objective.

41. Mr. CARPIO (Philippines) referred to the answer given by the special representative to question 9 (T/L.56), wherein it was stated that article 4 of the Trusteeship Agreement provided that "... the authority responsible for administration shall administer the Territory in accordance with French legislation". That, presumably, was the justification for the fact that the Representative Assembly had no legislative functions. In framing its question his delegation had been inspired by the consideration that the Representative Assembly was the most suitable training-ground in legislation for the people of the Territory. What difficulties stood in the way of giving them such training by granting the Representative Assembly limited legislative powers?

42. Mr. LAURENTIE (France) thought that the question asked by the representative of the Philippines bore to some extent on the policy of the French Government.

43. He emphasized that under the terms of the Trusteeship Agreement French laws alone were in force in the Territory of the Cameroons under French administration; that meant that only French legislative principles would be applied in the Territory until the latter achieved self-government or independence. There could be no discussion on that point.

44. It remained to be seen under what conditions and to what extent it would be possible to grant a local assembly sufficient powers for it to become initiated into legislative duties. Such a situation seemed to exist to some extent, in view of the fact that the Representative Assembly was consulted on a number of points in connexion with regulations.

45. He recalled that, unlike Anglo-Saxon law, French law made a clear-cut distinction between law and regulations; law laid down principles, and regulations prescribed provisions for their application. Establishment of the principles lay within the competence of the French Government or the governmental organs; formulation of the regulations already lay partly within the competence of the Representative Assembly. In the case of a territory like the Cameroons, the scope of the regulations could be sufficiently broad to give the Assembly training in legislative work, as the representative of the Philippines desired.

46. The French Government and Parliament would moreover tend to grant increasingly wide powers to the Representative Assembly so as to enable it to prepare internal regulations for the Cameroons; such regulations really represented local laws concerning both family and tribal matters and the social and economic conditions of the inhabitants. In that connexion, the recommendation made to the Administering Authority by the Trusteeship Council the previous year had been borne in mind by the French Government and would gradually be applied in full. When the execution of regulations was entirely in the hands of the local Assembly, the latter's competence should, if possible, be extended, but such was not yet the case.

47. Mr. CARPIO (Philippines) further noted that in his reply to question 9 (T/L.56) the special representative stated that it was incorrect to suggest that the elected representatives of the Representative Assembly could not discuss political matters or that they dealt with legislation of purely local interest. Nevertheless, his perusal of the annual report, had led him to the conclusion that the Representative Assembly was in fact prohibited from discussing politics. That impression was borne out by the report (chapter I, (b) section 3) of the Visiting Mission, which had declared that the Representative Assembly's present competence was still essentially limited, that the field of politics remained theoretically closed to it, and that it was still statutorily deprived of legislative powers, but that its members were jealous of its prerogatives and seemed fully determined to do their utmost to extend its powers and competence.

48. He asked the special representative whether political discussion in the Assembly was forbidden by law or whether, in refraining from political discussion, its members had merely been exercising a certain restraint.

49. Mr. WATIER (special representative) contended that if discussion of political matters was taken to mean discussion of the legislative principles applied in the territory by the Metropolitan Assemblies, there was no doubt that the Representative Assembly's competence did not cover the right to question those principles. On the other hand, if the expression was understood as the discussion of general principles or the development of a type of political philosophy, the local Assembly was undoubtedly fully entitled to discuss political principles such as those professed by various political parties in the metropolitan country. The

Assembly, it could be added, was also entitled to pursue a particular policy on local questions. For example, some of the members of the Assembly were in favour of the extension of the railway now linking Duala and Yaoundé, whereas others were against it; the question was one of local politics on which the Assembly could freely express its opinion.

50. In answer to the Philippines representative's question as to whether the members of the Assembly avoided discussing political matters because they were forbidden to do so or because they did not choose to do so, he explained that the Assembly members' main concern was to resolve local questions on a purely local basis and that they eschewed discussion on the political aspect of those questions. Nevertheless, there was nothing to prevent them from doing so; in fact, they had had discussions on those lines and would have still more of them in the future.

51. In 1949, for instance, the Representative Assembly had been anxious to ascertain how the principle of complete freedom of employment had been interpreted in the Territory. In fact, some of the Africans had gained the impression that no more work was required, and had interpreted that freedom so widely as to cover total abstention from even the most essential public works. A section of the members of the Assembly accordingly went into the question of adopting measures whereby the local Administration could recommend certain work without necessitating recourse to compulsory labour. The discussion centred mainly on political questions, such as whether the labour law should be regarded as a mandatory social law or as a matter of mere economic obligation to which the individual had a perfect moral and philosophical right to refuse to be party.

52. Mr. KHALIDY (Iraq) suggested that the precise meaning of the phrase "the field of politics remains theoretically closed to it" in the Visiting Mission's report was that the Representative Assembly was competent to discuss questions which, though in essence non-political, yet contained certain political elements. He presumed, therefore, that only purely political questions were out of order.

53. Mr. DUSSAUT (Argentina), referring to the table given in answer to question 3 (T/L.56) showing the growth of the electoral body, asked for particulars as to the respective proportions of urban and rural electors.

54. Mr. WATIER (special representative) explained that it was not altogether easy to give precise figures under those heads, in view of the fact that the categories of electors were based on the list of qualified persons drawn up under the law of 27 August 1947. The thirteen categories of qualified persons listed included both town and country dwellers. In the case of the notables, local chiefs and representatives of indigenous communities, the big majority obviously lived in the country districts. Generally speaking, urban concentration was not a significant factor except at Duala and Yaoundé, the populations of which totalled 100,000

and 40,000 respectively. The other towns were very much smaller. Thus the bulk of the electors lived in rural areas, apart from certain categories such as holders of driving licences and officials, who were usually town dwellers.

55. Mr. DUSSAUT (Argentina) asked for information as to the lines on which the votes were cast by members of the representative Assembly, who, as the special representative had explained, did not usually participate in political discussions on questions concerning the metropolitan country. Did their vote vary according to circumstances and the questions under discussion?

56. Mr. WATIER (special representative) pointed out that the members of the Assembly were not guided by preconceived political ideas; they acted essentially on the basis of local interests. As he had already stated, some of them belonged to political parties, such as the Socialist Party and the Mouvement républicain populaire (MRP). Obviously, their attitude was determined to a certain extent by their membership of a political party. By and large, however, the Assembly's discussions were confined to matters of local interest and were unaffected by political ideologies of any kind.

57. Mr. CARPIO (Philippines) noted with interest that the French Government had representatives of the indigenous population in the highest government organs: there were three representatives in the French National Assembly, three in the Council of Representatives, five in the Assembly of the French Union and two in the Economic Council. That was presumably part of the Administering Authority's policy in training the people of the Territory to political and legislative work on the international level, since the above-mentioned organs were concerned with matters affecting the French Union as a whole. It seemed surprising that the same policy was not applied on the territorial and regional level in that the Representative Assembly was not competent to deal with political and legislative issues. What were the reasons?

58. Mr. WATIER (special representative) explained that there was a distinction between the power to legislate and the power to make regulations. The latter impinged on its legislative counterpart by reason of the fact that it consisted in applying to local conditions the broad principles laid down by law; by exercising ever wider powers in the matter of making regulations, the members of the Assembly were receiving their political training in the legislative field as well.

59. In addition, the representatives elected by the Cameroons to the French Assemblies shared in formulating laws which covered not only the overseas territories of the French Union, but also the metropolitan country. There could hardly be a better school for enabling the Cameroonians to obtain an insight into the internal, juridical and administrative organization of a great and highly developed nation such as France.

60. The problem had been to find an intermediate solution which would have enabled the Cameroonians to receive their political education on a sufficiently extensive scale without giving them forthwith legisla-

tive powers which they would not have known how to use effectively and in the country's interest. It was for those reasons that the activities of the Representative Assembly, consisting as it did of a majority of Cameroonians, were restricted to the sphere of regulations.

61. Mr. LAURENTIE (France) recalled that when, in 1945 and 1946, extensive political reforms were carried out in the French African Territories in general and those which were to be placed under trusteeship in particular, France had to choose between two methods: one, which might perhaps be considered the more prudent, would have been to undertake the political and administrative education of the Africans from the bottom upwards—that is, starting with the municipalities or village councils, going on to the *conseils de subdivisions et de régions*, and thence to a local assembly and finally by means of these successive stages to familiarize them with international political life. It was considered, however, that that method would be far too slow and that the Cameroonians, who were anxious to play a real part in high-level and even in international politics, might get too impatient.

62. A start had therefore been made at the top by setting up a representative Assembly for the Cameroons as a whole, and by giving the Territory suitable representation on the various central organs of the French Republic and the French Union.

63. Could those two methods have been applied at one and the same time? Such a course would, he thought have been too difficult and would have involved the danger of a complete setback.

64. The French Government was of the opinion that the essential step had been taken to break the bonds of subordination by which the Africans had been bound until 1945. They were now called upon to discuss their own affairs within their local Assembly, and national interests as well as those of the French Union, in the Paris Assemblies.

65. Seeing that the first step had been successful, the time had now come to undertake the second and provide for a similar education in local and territorial administration. That, as the special representative had said, had already been begun. The Councils of Notables were being reformed and municipalities were being set up here and there, and it was to be hoped that a completely cohesive organization would be in existence in a few years' time. It would therefore be seen that the political and administrative education of the African was being pursued at all levels. That was the objective the French Government had in view.

66. Mr. CARPIO (Philippines) once more drew attention to the special representative's reference, in his reply to question 9, to article 4 of the Trusteeship Agreement and emphasized his anxiety lest, by virtue of that article, the Representative Assembly would be permanently deprived of legislative powers as long as the Territory remained under the trusteeship. Did he understand the statements just made by the French representative and the special representative to mean

that that provision would not in fact prevent the French Government from bestowing in the near future some measure of legislative authority on the Representative Assembly ?

67. Mr. WATIER (special representative) pointed out that the provisions of the Trusteeship Agreement whereby the Administering Authority was to govern the Territory in accordance with French law did not mean that the Territory would be completely deprived of all legislative power during the period of trusteeship.

68. Nevertheless, at the present time the Territory had not yet attained the stage of political maturity and development which would enable it to manage its own affairs in complete independence, and the Administering Authority was therefore of the opinion that the Territory could not yet be entrusted with legislative powers.

69. Without committing his Government in the matter, he felt able to say that the system by which the Trust Territory was administered did not *a priori* exclude its progressive association with its own legislation.

70. Mr. GERIG (United States of America) asked how much influence over the inhabitants of the Territory was exerted by those who represented it on central organs of the French Union. Did they return frequently to the Territory and travel round it to tell the inhabitants about their experiences ? Were the inhabitants of the Trust Territory in general aware of their activities ?

71. Mr. WATIER (special representative) stated that out of the eleven representatives of the Cameroons on the various metropolitan Assemblies, eight were Africans. The inhabitants of the Cameroons in general were beginning to take more and more interest in the activities of their representatives in metropolitan France, some of whom were also members of the Cameroons Representative Assembly and kept in close touch with their constituents. Some were also members of metropolitan political parties and were beginning to introduce into the Territory the idea of the responsibility of the parties in social and economic matters.

72. Mr. GERIG (United States of America) asked whether the representatives of the Trust Territory on the central organs of the French Union frequently changed so that the fruits of the experience thus obtained might be distributed as widely as possible.

73. Mr. WATIER (special representative) pointed out that the members of the French Assemblies were elected for the lifetime of the legislature and that it was therefore not possible to hold more frequent elections in the Cameroons than in France. Under the French Republican Constitution, members of the National Assembly were elected for five years, whilst those of the Council of the Republic and other Assemblies were elected for four.

74. Mr. CARPIO (Philippines) said that he was very interested to note that, in his reply to question 18 (T/L.56) the special representative had stated that "... the French system of direct administration tends

to guarantee the population concerned against abuses contrary to the European conception of natural law of which they might be victims". The "French system of direct administration", which he assumed was the opposite of the indirect rule system followed in other Trust Territories, had given rise to the bold reforms which had been carried out in the Trust Territory of the Cameroons under French administration. Yet one of the Trusteeship Agreements relating to a Territory in which the system of indirect rule was followed contained exactly the same words as were contained in article 4 of the Trusteeship Agreement for the Territory of the Cameroons under French Administration—namely: "The Administering Authority: 1. Shall have full powers of legislation, administration and jurisdiction in the Territory...". He asked what were the reasons why the French Authorities had decided to apply the system of "direct administration".

75. Mr. LAURENTIE (France) did not think that it was through her interpretation of the Trusteeship Agreement that France had been led to adopt in the Cameroons the system of direct administration which was the special hallmark of her authority and influence in the country. For a long time past (in fact, ever since France had been in contact with African races), it had placed the interests of the individual before those of the community as a whole or of any collective body.

76. The important point was to ascertain whether, in accordance with the Trusteeship Agreements, the Administering Authorities had borne in mind the essential importance of the African as a human being. He thought that, so far as France was concerned, that was unquestionably so.

77. He called to mind Governor-General Eboué's view that indigenous political institutions constituted the expression of the national and patriotic sentiments of the people. A population without institutions, background or ancestral customs was lost, as it was not in a position to base its patriotism and love of the soil on a solid foundation. It was for that reason that many people in France, as well as in the French Colonial Administration, were of the opinion that a useful purpose was served by developing African traditional political institutions and emphasizing their value.

78. However, the opposite trend had in general prevailed and France had been largely concerned to abolish such traditional political institutions and to stress the importance of the individual within his own country. It would, however, have been deplorable if the people had not been given in exchange a new social framework, a new community feeling and a new *raison d'être*. That France had done.

79. He believed that the truth lay somewhere in between the two systems and that the choice between them had not as yet been finally made. It was true that France had set up a local assembly in which the population of the Cameroons as a whole was represented. Nevertheless, in many parts of the Cameroons the traditional authority of ancestral political institutions was still sufficiently powerful to hold the loyalty of the population.

80. There were two methods of dealing with that quite legitimate persistence of traditional institutions. The first was to take the men representing ancestral authority and educate them all in such a way as to ensure real political and moral progress. The other method, which was already applied in the Cameroons, was to embody traditional institutions in the new social framework which the French Administration had provided for the country. A number of traditional chiefs had been elected to the Representative Assembly, thereby paving the way for the necessary transition from the old African social structure to the new.
81. He attached special importance to the two following considerations. It was necessary first of all to provide for the political and moral development of the African population, but also, not to deprive them of the values to which they were legitimately attached before giving them in exchange other values to which they could just as legitimately transfer their loyalty.
82. Mr. CARPIO (Philippines) asked whether he was correct in assuming that one of the reasons why the French Authorities had decided to follow the direct administration system in the Territory was their desire to protect its inhabitants from "abuses contrary to the European conception of natural law". Could examples be given of what abuses were meant?
83. Mr. WATIER (special representative) said that the point mentioned by the representative of the Philippines arose not so much from the distinction between a direct and an indirect system of administration as from the extent of the powers exercised by the chiefs. It was not so much a question of system as of method. It was nevertheless true that under the system in force the indigenous chiefs had no power to inflict penalties. Formerly, the chief wielded both executive and judicial powers. The Administering Authority had thought it desirable to separate those powers and to leave all responsibility for carrying out the sentences rendered by the courts to the French Administration.
84. Mr. CARPIO (Philippines) asked whether it would be in order to comment on statements in the report of the Visiting Mission on the Cameroons under French administration.
85. The PRESIDENT said that the Council would be wise to combine consideration of the Visiting Mission's report on the Trust Territory with its discussion on the Administering Authority's report.
86. Mr. GERIG (United States of America) said that he was not aware that it was planned to hold a separate discussion on the Visiting Mission's report. Surely the Council was considering simultaneously all documents submitted to it relating to the Trust Territory of the Cameroons under French administration.
87. The PRESIDENT recalled that the Council had already taken similar action when studying the report on the Cameroons under British administration. All documents before the Council might therefore be included in the discussion. In the absence of any objection that was the procedure he would advocate.
- It was so decided.*
88. Mr. WENDELEN (Belgium) remarked that a glance at the table on page 22 of the annual report revealed that the size of the administration staff was considerable and showed how it had increased between 1938 and 1947/48. He was of the opinion that the increase in the number of officials engaged in the administration of the Territory, and the large number of native officials, was a matter on which the Administering Authority should be congratulated.
89. However, he noticed that in most branches of the Administration the number of African officials had fallen between 1947 and 1948. On the other hand, the total had increased, owing presumably to the increase of 1,800 African officials under the head "contractual and permanent assistants". He asked what was the exact status of those 1,800 permanent assistants, and whether it was intended that they should be put on the establishment, and also whether the fall in the number of officials in some departments had any connexion with the creation in 1947 of a single establishment for European and native officials.
90. Mr. WATIER (special representative) stated that the apparent drop in the number of officials was illusory. As a matter of fact, the numbers had not fallen. In 1947, the officials had been classified by departments and not by grades, but since the institution of higher grades, common to all departments, only officials belonging to the regularly established grades were considered as being on the permanent establishment. That was why the 1,800 officials who in 1947 had been divided up among the various administrative branches had been grouped under the head "contractual and permanent assistants".
91. The status of those contractual and permanent assistants varied according to their classification. Some of them did not as yet possess the necessary qualifications for permanent appointments, but the possibility remained open to them, as entry was by competitive examination. All assistants studied for that examination, but even if they failed it, they could be retained as contractual assistants. Some assistants were engaged on a contractual basis as their work was too specialized for inclusion in one of the regular grades.
92. Mr. WENDELEN (Belgium) observed that, according to the report of the Visiting Mission, the Administering Authority was endeavouring to appoint only professional magistrates or, failing them, officials released from all other duties as *juges de paix*. He understood that at present *juges de paix à compétence correctionnelle* and *juges de paix à compétence ordinaire* were administrative officials and that other justices of the peace were, as a rule, magistrates. Hence some 50 appointments as *juges de paix à compétence correctionnelle* or *à compétence ordinaire* had presumably been conferred on officials, whereas some of the *juges de paix à compétence étendue* were, in fact, magistrates. He would like to know if that was actually the case and whether it



was the intention that all *juges de paix à compétence étendue* should in future be professional magistrates and that later on the *juges de paix à compétence correctionnelle* or *ordinaire* should likewise be professional magistrates.

93. Mr. WATIER (special representative) said he did not think the Belgian representative's interpretation of the situation was correct. All *juges de paix à compétence étendue* were in fact magistrates. As regard *juges de paix à compétence ordinaire*, the policy of the Administration was to appoint only magistrates for the future. A certain number of those posts were already filled either by professional judges or by officials with legal qualifications, who acted as whole-time magistrates and had no other functions. There was no mingling of functions except at the level of  *juge de paix à compétence correctionnelle*; in their case the Administration had no option but to leave judicial power in the hands of the *chefs de subdivision*, owing to the lack of magistrates, since a law enacted in 1947 gave the French Administration power to appoint *juges de paix à compétence correctionnelle* from outside the ranks of the Administration for a period ending in 1952, provided that persons with the necessary moral qualifications were available. There were, in fact, very few persons in the Territory qualified to fulfil the functions of a  *juge de paix à compétence correctionnelle*.

94. Mr. WENDELEN (Belgium) drew attention to the fact that the report of the Visiting Mission, as well as the petitions themselves, alluded to complaints by some of the indigenous inhabitants that the *indigénat* system, although supposedly abolished, was actually still in force. He wondered whether those complaints did not arise precisely from the fact that in certain cases the functions of  *juge de paix* were still exercised by officials and whether such misunderstanding would disappear when the reorganization at present in progress had been completed.

95. Mr. WATIER (special representative) said he was of the opinion that those petitions were not submitted in good faith. They nearly all came from one and the same movement, which was constantly complaining about the present Administration without any real reason. In any case, confusion did not often arise and existed only in the minds of those who were not familiar with the present administrative system. The indigenous inhabitant was perfectly well aware that if the *chef de subdivision* was in a position to impose penalties for minor offences, he could only do so by sentence rendered in proper form and after investigation, whereas formerly, under the *indigénat* system, penalties had been inflicted by arbitrary decision of the *chef de subdivision*.

96. Mr. CARPIO (Philippines) asked what were the views of the Administering Authority on the statements in the Visiting Mission's report (chapter I (c)) that it had received complaints to the effect that, in spite of the special status of the Territory under trusteeship, it was treated from the centre on the same footing as if it were a colony, even though special legislation might be required for the Territory as regards

such questions as land tenure, immigration, exchange controls, or trade and commerce with other nations, and that it had heard statements that in the proposed draft law defining the position of traditional chiefs in West Africa, the special position of the chiefs in the Cameroons should have been the subject of special legislation in view of the requirement under the Charter for preparing the Trust Territory for self-government or independence, and that the evolution of the Trust Territory in that direction should not be retarded by general legislation covering other territories whose goals might not in every case be the same.

97. Mr. WATIER (special representative) pointed out that the French legislation relating to the overseas territories as a whole ante-dated the Trusteeship Agreement; consequently, the generous principles of the French Constitution of 1946 had been applied to Trust Territories long before there was any international obligation to do so.

98. The fact that the Trust Territories benefited by those extremely generous provisions in the same way as other non-self-governing African territories under French administration could only be considered as an advantage. He pointed out that the political institutions introduced into the Territory in no way hindered its development; quite the contrary. He doubted, therefore, whether the petitions asking that the Territory should enjoy special legislation were justified by the facts.

99. Mr. FLETCHER-COOKE (United Kingdom) said that he had noted with interest the statement on page 11 of the annual report to the effect that an indigenous inhabitant of the Trust Territory had been chosen by the Assembly of the French Union as a representative of the Cameroons and Togoland on the National Economic Council in Paris in 1948.

100. He had also noted that the whole of 1948 was spent in familiarizing the indigenous inhabitants of the Territory with the new political institutions introduced during the two preceding years. It was wise to allow time for the population to become acquainted with such new institutions before expecting them to function as effectively as planned. The statement on page 14 of the report that the Administration of the Territory had planned trial municipal elections in Duala on the basis of the principal of universal suffrage, and that the Representative Assembly, of which the majority was composed of indigenous inhabitants, had rejected the plan as premature, gave point to what had been said by representatives of the United Kingdom Government on previous occasions. Proposals were repeatedly being made that Administering Authorities should proceed quickly with the introduction of western election methods; the Council should not forget that, however willing the Administering Authorities might be to introduce such methods, indigenous inhabitants of Trust Territories were, in many cases, opposed to their introduction; their wishes should be taken into account. What had been the main arguments adduced by members of the Representative Assembly to support their opinion that it was too early to hold municipal

elections in Duala based on the principle of universal suffrage ?

101. Mr. WATIER (special representative) observed that the question put by the United Kingdom representative gave a general indication of the difficulties which might result from the over-hasty introduction in a country with a social organization still largely patriarchal or based on tribal relationship of a system based on the complete freedom of the individual and civic equality. When the Administration had suggested making a trial attempt to introduce universal suffrage for the election of a municipal council at Duala, it had met with extremely spirited resistance on the part of the Africans.

102. The answer to question 5 (T/L.56) indicated some of the reasons behind that resistance. The Dualas, who were among the most developed peoples in the Cameroons and the readiest champions of universal suffrage in other instances, were strongly opposed to the introduction of that system for the election of a municipal council at Duala because they would have found themselves in a minority and would have lost the privileges they now enjoyed.

103. As regards the attitude of the Representative Assembly, that body was torn between its desire to promote the democratic development of the Territory at the maximum rate and its fear of the difficulties which an excessively rapid implementation of those principles would involve.

104. Some of the members of the Assembly, incidentally, were traditional chiefs who were anxious to ease the transition between the old African system and the democratic reforms which had been introduced. The submission of that proposal by the Government had been followed by a very lively discussion, and the Assembly, by a slight majority, had deferred until a later date the introduction of a universal suffrage system for municipal elections.

105. Mr. DUSSAUT (Argentina) asked whether the reactions of the population with regard to the problems referred to by the special representative and the French representative were everywhere the same, or whether there were any areas where more concrete aspirations to participate in the administration of the Territory were observable.

106. Mr. WATIER (special representative) replied that the reaction of the inhabitants had, in fact, varied considerably, not only as between one region and another, but also according to tribal organization and degree of development. In most cases, the intentions behind the reforms introduced had been misunderstood ; in some cases, the reforms had been regarded as having been adopted under pressure from certain individuals, who had accordingly been given the credit by many Cameroonians for reforms which the Administering Authority had introduced of its own accord.

107. In the long run, however, public opinion was acquiring a progressively clearer insight into the mechanism of the new institutions ; it was becoming

increasingly eloquent and was exercising growing pressure on the elected representatives.

108. The most distant tribes in the Territory understood that the Representative Assembly was henceforward entrusted with the task of ensuring their advancement, and that their representatives in the Assembly bore a very heavy responsibility for the country's development.

109. Mr. HOOD (Australia) said that he had noted a statement in the Visiting Mission's Report to the effect that the Administration was paying increasingly more attention to the activities of the Representative Assembly, and asked whether he was right in assuming that no member of the Administration was a member of the Representative Assembly. What links were there between the Administration and the Representative Assembly ? By what means did the Administration become acquainted with the views of the Representative Assembly ?

110. Mr. WATIER (special representative) explained that the head of the Government of the Territory was represented at all meetings of the Representative Assembly by a Commissioner, who did not, however, sit as a member. The Assembly's decisions were regularly communicated to the Government through the medium of records of the meetings. Assembly resolutions were usually prepared by a drafting committee and signed, after approval, by the President and Secretary of the Assembly and transmitted to the Government.

111. Mr. LIU (China) pointing out that in the reply to questions 5 and 6 (T/L.56) it was stated that one reason for not holding municipal elections in Duala based on the principle of universal suffrage was the fact that there were more "strangers" in that town than in Duala, asked whether the Administering Authority intended to arrange for trial elections based on that principle to be held in another town, where the preponderance of strangers would not be an obstacle.

112. Mr. WATIER (special representative) said that theoretically it would be possible to attempt in other towns to carry out the experiment which had proved difficult at Duala, and such an attempt would probably be made. However, the other towns in the Territory were not sufficiently developed or large enough to justify organizing a municipal council, especially on an elected basis. Thus, an experiment on the lines suggested might prove insufficiently conclusive if it were attempted in one of the bush centres.

113. He would once again stress, at that juncture, the importance which the decisions of the Representative Assembly might have, even in the regulative sphere ; in fact, the establishment of fully fledged municipal councils, with elected members and an elected mayor, was a matter which could be decided by the Assembly. That showed how wide were the Assembly's regulative powers ; that body, as had been stated, refused to introduce that innovation in the Territory, despite the Administration's expressed wishes on the matter.

114. The PRESIDENT announced that in the absence of any other questions or observations concerning poli-

tical advancement, the Council would begin its consideration of the section on economic advancement at the next meeting.

The meeting rose at 1.15 p.m.

257th meeting

## FIFTY-FIFTH MEETING

*Held at the Palais des Nations, Geneva,  
on Tuesday, 14 March 1950, at 3 p.m.*

*President* : Mr. HENRÍQUEZ UREÑA  
(Dominican Republic) (*Vice-President*)

*Present* : The representatives of the following countries : Argentina, Australia, Belgium, China, Dominican Republic, France, Iraq, New Zealand, Philippines, United Kingdom, United States of America.

### 101. Examination of annual reports on the administration of Trust Territories (*continued*)

CAMEROONS UNDER FRENCH ADMINISTRATION, 1948  
(T/368, T/462 and T/L.56) (*continued*)

#### *Economic advancement*

1. Mr. GERIG (United States of America) drew the attention of the Council to written question 21 (T/L.56) put by his Government to the special representative of the Administering Authority which ran : " To what extent does the Administering Authority consider that the Territory, through its own human and natural resources, will be able to continue and to maintain the level of development thus attained ? " An extensive programme of economic development, comprising the construction of roads and bridges, the extension of the railway network, harbour development, building schemes for schools and hospitals, had been undertaken by the Administering Authority. The rate of progress was evidently rapid, and he was greatly concerned to know to what extent the cost of that heavy capital investment programme would have to be borne by the Territory itself. To what extent was the Territory under an obligation to pay interest and redeem the principal ? Was there any risk of so encumbering the Territory with debt as to jeopardize its future financial position ?

2. Mr. WATIER (special representative) explained that the Administering Authority had devoted considerable attention to that question, which had constituted a major factor in balancing the ten-year development plan for the Territory. It was obvious that the type of development contemplated had to take account of the Territory's economic resources. The Territory's mining statistics to date afforded no grounds for assuming that it would ever possess a heavy industry of any considerable size. In any event, its future development would be based on its natural economy, which was primarily agricultural and silvicultural, and to a lesser extent pastoral. The details of the ten-year plan had been worked out on that basis, but they naturally allowed

for a certain degree of industrialization of the Territory, particularly in the field of the primary processing of raw materials.

3. The problem of amortizing the debt contracted by the Territory for the purposes of developing its economy had been very carefully studied. The plans for amortization were not confined to repayment of loans, but also covered the additional expenditure which the Territory's budget would naturally have to bear as a result of the increased rate and extent of development.

4. The Administering Authority had taken the view that that increased expenditure would in part be offset by the development of the Territory which its improved equipment would necessarily bring in its train.

5. It had been estimated that the over-all charges of the ten-year plan would represent an increased expenditure for the Territory of about 1,000,000,000 francs a year for some thirty years, that was, an increase of about 28 per cent over the present budget. The Territory could bear that burden without difficulty.

6. A very considerable part of the sums invested under the plan took the form of subsidies provided by metropolitan France without security. Moreover, interest was charged on loans advanced by the metropolitan country at a rate of only 2 %.

7. The expansion of the Territory's administrative machinery, which the detailed implementation of the plan was bound to entail, would be a heavy item.

8. Mr. GERIG (United States of America) expressed his satisfaction with the reply given by the special representative. It was often felt that a Territory should depend largely upon its own resources for its development, but in the case in point the Administering Authority was advancing large sums for such development in the knowledge that the resources of the Territory were adequate to justify such loans. Such action should be welcomed, provided that it did not entail a heavy burden of taxation for the native population.

9. Passing to the problem of the relation between wages and prices of consumer goods, he wondered whether the Administering Authority was taking any steps to bring consumer goods within the range of the average wage-earner, whose pay, he understood, averaged only twenty-eight francs a day. The disparity between the prices of consumer goods and the wage-level appeared to be considerable.

10. Mr. WATIER (special representative) said he believed that the concept of an average wage should be treated with great caution. To add up the average wage paid in the various regions of the Territory and strike a new average by dividing the resultant total by the number of regions was scarcely practicable. In some regions, there were very few undertakings employing wage-earners, whereas in others the number was very considerable. At present, an extremely large proportion of works in progress were concentrated in the southern and south-western region. In those areas wages were above the average quoted by the United States representative, and, in some cases were as high