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GENERAL

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2 JUN 1952

PETITION FROM MR. OUSMAN MUISSE

CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION



Note by the Secretary-General: In accordance with rule 35 and supplementary rule F of the rules of procedure for the Trusteeship Council, the Secretary-General has the honour to transmit to the members of the Trusteeship Council and to the Government of Italy as the Administering Authority of the Trust Territory of Somaliland, a communication dated 3 May 1952 from Mr. Ousman Muisse concerning the Trust Territory of the Cameroons under French administration. This communication forms a supplement to the petition set forth in document T/PET.5/112.

N'Kongsamba, 3 May 1952

Muisse Ousman, Chief Post Office Clerk, N'Kongsamba

To the President of the Trusteeship Council, United Nations, Lake Success.

Sir,

With reference to my letter of 3 April 1952 sent to you under registration No. 431 of 10 April 1952, I have the honour to send herewith, for suitable action under the international agreements, copies of the relevant correspondence exchanged with the local authorities. I assure you that the Njisse community, which has suffered the expropriation, now relies for its future solely on the authority of the United Nations, as justice shuts its eyes in the Cameroons.

I have the honour to be, etc.

(signature illegible)

Received at United Nations Headquarters 9 May 1952

EVIDENCE

In 1912 my father gave land to the German Protestant Mission for the sum of 800 marks.

This sum, a very large one for that time, was handed over to him direct and he distributed it as follows:

Sultan and notables of the Bamouns 300 marks

Njiesse family (owners) 500 marks

This fair distribution was never contested and my father received thanks from the Sultan and the people for this mark of generosity.

The Sultan had had nothing to do with the matter and had only participated in the division of the land as an official witness in his capacity as Sultan of the country.

Any statement to the contrary is false and void absolutely.

MUISSE OUSMAN

/N'KONGSAMBA,

N'KONGSAMBA, 29 April 1952

MUISSE OUSMAN IBRAHIM NJIASSE,
CHIEF POST OFFICE CLERK,
N'KONGSAMBA.

To: The High Commissioner of the French Republic
The President of the Cameroons Representative Assembly, at Yaounde.

Trusting that the mistakes often committed in the Bamoun country at the expense of certain great and ancient families were not the result of a biased policy but occurred merely because the Administration was ill-informed, I respectfully take the liberty of again relating to you the following facts concerning the case of the KOUNDJA and KOUNLEN lands, which has dragged on for a long time.

Acting as representative of the Njisse Njiasse community, I have now for over seven years been arguing the case of our customary property, as the files which you have in your Services (APA, DOMAINES and ARCAM) testify. I mention as examples a few letters, such as the letter of 24 October 1945 to the High Commissioner giving the exact situation and extent of this customary land which has never been contested since the beginning; the Sultan himself has a copy of that letter because, then unrecognized by the French administration, he was our companion in distress; the letter of 28 July 1949 to the High Commissioner, President of the Cameroons Representative Assembly and Chief of the District of Bamoun and numerous private telegrams and several other letters which may be consulted in the relevant files.

It is only now, therefore, when the question of the compensation arises, that the Sultan, instead of supporting a just cause, as President of the Bamoun Alliance and representative of the people, tries to separate me from my family in order to take advantage of my youngest brother's ignorance. Moreover, did not the Sultan, on 21 November 1951 tell everybody at the Palace that it was with me that he had worked to obtain the 15 millions' compensation for KOUNDJA and KOUNLEN?

/When

When my father was alive and I, the eldest son, aged 6, was living with my other brothers on the plantation of KOUNDEN BAFOLE with our paternal grandmother, I was already chosen to live on his KOUNDJA plantation with a woman who was not my own mother so that I could come to know the place better and become acquainted with the management of our property. There is nothing new about the gesture of choosing me to represent my family and it is not because there is money involved that all this hostility against me is permitted. Before there was any question of compensation, the Sultan used to sign, together with us, all the requests to the Representative Assembly of the Cameroons and he cannot now prevent me from speaking on behalf of the community of NJISSE-NJIASSE. If the other heirs, in particular the Sultan, aligned themselves behind me to claim their rights to KOUNDEN, it was because they were aware that the kola plantations they possessed there had been granted to them by an agreement between my paternal ancestor and the Sultan's ancestor in accordance with sound custom, which should be respected. We have never said anything but the truth concerning those who are heirs, under custom and under the land tenure system, to the two lands:

KOUNDJA belongs to the community of Njisse-Njiasse

KOUNDEN to:

SULTAN Bamoun

NJIASSE of Njisse

NJINDAM of Foubot

NJIKAM of Fouyom

NJINCHARE of Manbain

MOMAVUT

MUISSE OUSMAROU as their representative.

The two paramount chiefs of the groups concerned are:

NJIMOGNY for KOUNDJA

NJIMOFFIRA for KOUNDEN.

The Bamoun country is not communist. All the rural lands were fairly distributed between the Sultan and the Bamoun notables. The Sultan had an ulterior motive in creating discord and bringing into the affair all the paramount chiefs and notables, who had no land whatsoever at KOUNDJA and KOUNDEN. The great and lamented Sultan NJOYA made a map of the Bamoun country in 1913 and if it has not been lost on purpose, that map should be in the Palace archives.

/Contrary

Contrary to the contention made now by the Sultan and his chance friends, the rural lands were not entirely royal property which he had the right to dispose of as he wished. The Sultan had his own land from which he could carve out parcels for distribution to his sons when they grew up, or to members of his family. Sultan Seidou himself, when he was only the son of a sultan, had his own rural property, given him by his father, but neither his land nor that of his many brothers was ever part of the properties seized by force from any NIASSE, NIANTOUT, NJIACHAIT, NIANSON, NJIKAM or others, but had been taken from the lands belonging to the Sultan himself. There was even a Bamoun Council which passed judgment on the Sultan and his family when they encroached upon private property or appropriated what did not belong to them. The Bamoun local Administration knows all that. What kind of custom are they following when it keeps the truth quiet and now tries to make out that all the rural lands belonged to the Sultan? Going into minor details, we should perhaps explain that as far as hunting is concerned, some animals such as the panther, buffalo, lion etc. were the property of the Sultan. But when a private hunter shot one, he received, for a panther or lion, a wife, and for a buffalo, part of the meat. If the Sultan were what he is now held out to be, why was he still paying these hunters for game shot in private property?

Another more important point is that land or other questions in the Chefferies of Fontain, Njinka and Marka have never been decided by the paramount chiefs of Njisse or Kounga. Compensation allocated for the Trading Centre at Marka, and for Foutain Mfenju (Palace) was shared out between the persons concerned without consultation with other paramount chiefs.

The Representative Assembly of the Cameroons in its discussions speaks of the heirs concerned and not of the Bamoun people.

As the Government has all the claims in this affair in its files, those who are now claiming to inherit should state why they did not state their claims at the beginning. All these claimants are simply flies attracted by honey, and in the many meetings at the Palace they do not recognize any of us, particularly myself, who was alone in defending our interests before the Administration.

In my letter of 24 December 1951, a copy of which I sent to the chief of the Bamoun District, I gave him some information on this affair and he led me to understand that on 19 January 1952 he would call together the claimants to make a final decision and said that we ought to come to an agreement. As nothing of the sort happened, I went again to the District Chief who told me that the Administration was taking no part in our affair and that he was waiting for us to submit an agreed settlement to him. I was waiting too because I had learned that the Sultan had just made out a so-called distribution list without consulting anyone. The Sultan-Representative merely declared to the Bamoun people that as the Government had entrusted the whole of the compensation money to him he intended to "distribute" it after the elections to his electors and friends.

The Sultan's statement during the elections also greatly puzzled us because we do not understand why the Bamoun local Administration allows the affair to drag on. What is there still to be done, now that all the formalities have been complied with; in particular, the hearing of 17 May 1950 at 4 p.m. had been held as a complementary palaver (summons No. 258 attached) and various other investigations had been made in the groups concerned, by the previous District Chiefs. We think that the Cameroons Representative Assembly's decisions Nos. 4/51 and 22/51 will undoubtedly be amended in view of the increase in the number of customary or administrative claimants. If not, why is the Administration waiting to settle the matter? We know that the French Administration and Justice are there to support the weak against the strong. We do not believe, therefore, that in the case of our compensation the authorities would wish to allow the Sultan an absolute power which does not exist. Sultan Seidou is co-owner in the 15 MILLIONS and if he wishes to act as a generous prince and offer money to his friends and family, he should take it out of his own share and not do so at the expense of the other owners of the land. No part of the rural lands ever became the property of the Sultan unless a murder had just been committed there. Unfortunately that is not the case with the lands in dispute.

/We also

We also know that the Sultan intended to keep back a large sum for the rebuilding of the Palace. We can never consent to such a thing. If the Palace falls in ruins, is it our fault? If the Administration, on whom the responsibility rests, wishes to support the Sultan, we are perfectly willing that he should receive a large sum just as, in November 1951, 4 millions were granted to Martin ABEGA, paramount chief and representative of YAOUNDE, to build a residence. That was only a matter of building a house for a paramount chief but when it is a question of restoring or rebuilding a monument which has long been admired by the Europeans and is an honour to the Bamoun people and their Sultan IJOYA, the Administration cannot remain unconcerned....

The Legislation prescribes that after the administrative period, which is defined for the Cameroons by the decree of 12 January 1953, an arbitration commission should sit to assess the compensation to be granted to the owners (Legislative Decree of 8.8.30-October 1935, articles 26 and 30). We, the representatives of the communities, have never been members of that arbitration commission, which is instructed to take our estimates into account.

Nor do we understand why our representative, knowing that KOUTOUA was 25 kilometres from KOUTOUEN and had a separate file, made it his business to mix up these two affairs and have the compensation granted in a lump sum of 15 million francs. Which are the rural lands referred to in the French Government's 1950 report to the United Nations?

If the affair has dragged on until now, that is not the fault of the heirs under customary law but of the Sultan, who, in preparation for his "re-election", has brought all his friends into it. Instead of seeking to confer with us, he avoids us and engages in a multiplicity of underhand tactics which have nothing to do with our rural lands. Oh poor Bamoun country, must we resurrect the dead in order to secure respect for the worthy customs which for centuries made you a great country?

In the interests of justice and to avoid going through the Deposit and Consignment Office it is desirable that the compensation should be paid into a bank in the name of the Bamoun District, pending a settlement between the claimants.

We have informed the Government and the Representative Assembly of the Cameroons and we rely on their usual wisdom for a fair settlement of this question, which, indeed, is a simple one but has been complicated intentionally by our Sultan-Representative.

Meanwhile, I have the honour to be, etc.,

(signed) illegible
