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PETITIONS CONCERNING THE TRUST TERRITORY OF THE CAMEROONS UNDER FRENCH ADMINISTRATION

Draft Report of the Standing Committee on Petitions

Chairman: Mr. Roberto E. Quiros (El Salvador)

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Note by the Secretariat: In order to avoid unnecessary duplication of material which has been already circulated in mimeographed form, the present draft report contains only the material to be added to that contained in the corresponding sections of the Secretariat working paper and the draft resolutions. The original material should be considered as forming part of the draft, except where otherwise indicated.

The report as adopted by the Committee will of course be circulated to the Trusteeship Council in a complete form.]

1. At its 119th, 120th and meetings on 2nd, 3rd, February and 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, 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. 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 inclusive.

I. Petition from the Secretary-General of the "Union des populations du Cameroun" (T/PET.5/211) /Section XIV of T/C.2/L.53/Add.1/

7. The petition was examined and discussed at the 119th and meetings of the Standing Committee (documents T/C.2/SR.119 and).

8. 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.

9. The special representative stated that the charges brought by the petitioner in connexion with the incidents at Songmbengué and Foumban were being investigated by the judicial authorities, but that the investigations were held up by the absence of the petitioner from the Territory.

10. At its meeting, the Committee adopted by votes to with abstention draft resolution I, annexed to the present report, which it recommends that the Council adopt.

I. Petition from the Secretary-General of the "Union
des populations du Cameroun" (T/PET.5/211)

The Trusteeship Council,

Having examined the petition from the Secretary-General of the Union des
populations du Cameroun concerning the Cameroons under French administration
in consultation with France as the Administering Authority concerned
(T/PET.5/211, T/OBS.5/18, T/L.),

1. Notes from the observations of the Administering Authority and the statement of the special representative that Mr. Um Nyobé has been free to promote his political views by holding a number of public and private meetings and that the action taken by the Administering Authority to prevent the holding of a few meetings was to protect public order and security;
2. Considers that no recommendation by the Council is called for on the specific incidents referred to by the petitioner;
3. Expresses the hope that the Administering Authority will continue to accord all political movements in the Territory adequate opportunity, subject only to the requirements of public order and security, to advance their political views.

II. Petition from the Secretary-General of the "Union des populations du Cameroun" (T/PET.5/214, Add.1 and 2) [Section XVI of T/C.2/L.53/Add.1]

7. The petition was examined and discussed at the 119th and meetings of the Standing Committee (documents T/C.2/SR.119 and).

8. The special representative explained that the two pamphlets in question arrived in the Territory in packages incorrectly labelled as 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 Foumban, l'U.P.C. accuse, was temporarily prohibited by Order dated 12 September 1953 until the judicial investigation of charges arising out of the incident of Foumban was finally concluded, since the Administration believed that its circulation might prove prejudicial to the progress of the investigation.

9. At its meeting, the Committee adopted by votes to with abstention draft resolution II, 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, Add.1 and 2)

The Trusteeship Council,

Having examined the petition from the Secretary-General of the "Union des populations du Cameroun" concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/214, Add.1 and 2, T/OBS.5/18, T/L.),

1. Notes from the observations of the Administering Authority and the statement of the special representative that one of the pamphlets in question is at present in circulation in the Territory, and that circulation of the second pamphlet is temporarily prohibited until the completion of the judicial investigation arising out of the Fouban incident;
2. Considers that under the circumstances no further recommendation by the Trusteeship Council is called for.

III. Petitions from the "Union des populations camerounaises" M'Balmayo branch
(T/PET.5/R.5 and T/PET.5/207) /Section I of T/C.2/L.53/Add.2/

(In paragraph 2, delete the bracketed sentence in the third and fourth lines. In paragraph 4, line 6, delete the remainder of paragraph starting with "Appealing his sentence".

Add the following to paragraph 11:

... Further details of this incident are given in a letter^{1/} 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 Sub-Division of M'Balmayo, 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 Sub-Division and his assistant Mr. Jacques Debost and asked for payment of his wages for September and October of 1952 which he believed the Sub-Division still owed him. An argument ensued and the two European officials are said to have attacked and beat 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.

Delete paragraph 13.)

13. The petitions were examined and discussed at the 119th and meetings of the Standing Committee (documents T/C.2/SR.119 and).

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 Edea 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 Sub-Division office, showed signs of mental derangement and was

^{1/} See A/C.4/243. The Committee granted the request for a hearing, but the petitioner did not appear before it and the letter was therefore not discussed.

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 M'Balmayo on 3 February 1953, he confronted and reviled the chef de sub-division, 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 meeting, the Committee adopted by votes to with abstention draft resolution III, annexed to the present report, which it recommends that the Council adopt.

III. Petitions from the "Union des populations camerounaises"
M'Balmayo branch (T/PET.5/R.5 and T/PET.5/207)

The Trusteeship Council,

Having examined the petitions from the Union des populations camerounaises, M'Balmayo branch, concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/R.5 and T/PET.5/207, T/OBS.5/5 and 5/12, T/L.),

1. Notes the statement of the Administering Authority that Mr. Abessolo's motion that his conviction by the Juge de paix à compétence ordinaire be annulled was declared inadmissible by the Chambre d'annulation in May 1953, but an insufficiently explicit letter to the Juge de paix led him to put the judgment into effect in November 1952;
2. Regrets that Mr. Abessolo had to serve his prison sentence in anticipation;
3. Notes the statement of the Administering Authority that the judicial officials responsible for the mistake have been reprimanded and expresses the hope that all judicial officials in the Territory will familiarize themselves with the established procedures;
4. Notes from the petition that the Juge de paix who sentenced Mr. Abessolo was at the same time the chief administrative officer of the Sub-Division and the person who brought the charge against him;
5. Recommends to the Administering Authority that it continue and intensify its efforts to achieve a separation of judicial and administrative powers;
6. Considers that no recommendation by the Council is called for on the charges of "monstrous crimes", since the one specific case mentioned was investigated by the judicial authorities of the Territory, who decided that the official in question had acted in legitimate self-defence.

IV. Petition from the "Bureau de l'Union des populations du Cameroun"
(T/PET.5/210) /Section XVIII of T/C.2/L.53/Add.2/

15. The petition was examined and discussed at the 120th and meetings of the Standing Committee (documents T/C.2/SR.120 and).

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 meeting, the Committee adopted by votes to with abstention draft resolution IV, 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)

The Trusteeship Council,

Having examined the petition from the Bureau de l'Union des populations du Cameroun concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/210, T/OBS.5/17, T/L.),

1. Notes that former Chief Njimofira was deposed from his functions as paramount chief as a result of his conviction on a charge of making slanderous statements against other chiefs, and from his functions as village chief because of incapacity;
 2. Considers that under the circumstances no recommendation by the Council on that question is called for;
 3. Recommends to the Administering Authority that it continue and intensify its efforts to achieve a progressive separation of judicial and administrative powers and that it encourage suitably qualified indigenous inhabitants to take legal courses, with a view to appointment to the judiciary.
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