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PETITIONS CONCERNING THE CAMEROONS UNDER FRENCH ADMINISTRATION

Sixty-eighth report of the Standing Committee on Petitions

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

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INTRODUCTION

1. At its 142nd, 143rd and 150th meetings on 5, 8 and 16 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom, examined the two petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.
2. Mr. R. Doise participated in the examination as the representative of the Administering Authority concerned.
3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution II.

I. Petition from Chef Djomatchoua Fomokoum (T/PET.5/220)

1. This petition from a chief at Bakoum in the Bafang subdivision of the Bamiléké region contains a complaint on behalf of the population of that area that "their country has been laid waste by the officer in charge of Bafang subdivision and handed over to the authority of the four chiefs named below without any offence being imputed to us". He proceeds to give the names of these chiefs and also lists three other chiefs who, he claims, are connected with certain aspects of this "prolonged affair".
2. The petitioner states that he complained in August 1953 and again in September to the administrators but so far he has heard nothing from them.
3. The Administering Authority states (T/OBS.5/24) that the object of the petition from the petitioner seems to be that the Bakoum sub-chiefdom should be regrouped as part of the Bafang chiefdom only.
4. It is true that formerly the Bakoum community customarily formed part of the Bafang chiefdom, but in 1920, following the reorganization of the chiefdoms in that region and for purposes of ethnical regrouping, the Bakoum lands were redistributed among the neighbouring Baboné, Bankondji and Fombélé chiefdoms.
5. A commission appointed by Regional Decision No. 154/RBK of 3 December 1953 has already investigated the possibility of regrouping this community, subject to the approval of the chiefdoms concerned.
6. The petition was examined and discussed at the 142nd and 150th meetings of the Standing Committee (documents T/C.2/SR.142 and 150).
7. The representative of the Administering Authority emphasized that the question was merely one of regrouping certain chiefdoms. No land had been laid waste - as the petitioner stated - and no one's property had been destroyed. The commission was touring the area to find out what were the wishes of the several chiefdoms concerned regarding the possible regrouping.
8. At its 150th meeting, the Committee adopted by 3 votes to none with 3 abstentions draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. Petition from the "Fédération d'Agriculture et Forêts de l'Union des Syndicats Confédérés du Cameroun" (T/PET.5/L.8 and Add.1)

1. The petitioners, in motions and resolutions adopted by agricultural and forestry workers of the Cameroons under French administration, bring forward the claims of agricultural and forestry workers and raise other questions concerning land utilization in the Territory. The petition and its addendum are divisible into three parts: (a) motions adopted by the Syndicat de petits planteurs d'Eséka on 1 February 1953, and by the Syndicats agricoles de la subdivision d'Eséka on 1 March 1953, both of which cover very similar ground; (b) three resolutions adopted by the Constituent Congress of the Fédération des travailleurs agricoles et forestiers during February 1953; and (c) one resolution adopted by the latter body at its sixth congress held in 1953.
2. The Administering Authority in its observations on this petition (T/OBS.5/21) notes that it has repeatedly expressed its views on a number of general questions raised in the petition, such as land tenure, taxation, agricultural loans, the possession of arms and the development and activity of provident societies, and these questions would therefore seem to call for no further discussion.
3. The petitioners protest against the unjustifiable fixing of the working week in the Labour Code at 48 hours for agricultural and forestry workers, whereas the working week is 40 hours in other occupations. Also they protest against the abnormally low salaries prevailing in agricultural and forestry companies, and demand a minimum wage of 125 francs per day. They request that workers injured in accidents should enjoy the same guarantees and rights as those provided for by French law.
4. As regards the complaints concerning the working hours fixed for agricultural and forest workers, the Administering Authority observes that article 112 of the Labour Code (Act of 15 December 1952) extended to Overseas Territories and Trust Territories the system governing the working hours of workers in agricultural undertakings in metropolitan France. It provides that the working hours shall be based on 2,400 hours per annum, an average of about 46 hours weekly. This system takes into account the special conditions of agricultural work geared to a seasonal cycle, otherwise the provisions concerning work conditions are the same

for all categories of workers. A guaranteed minimum wage for all occupations is fixed by the Governor after consultation with the advisory labour board (article 95), which consists of an equal number of employers and workers. Pending the passage of an act in the French Parliament compensation for accidental injury at work and occupational diseases is governed by the decree of 7 January 1944.

5. The petitioners also demand the free exercise of trade union rights and call for more frequent visits of the Labour Inspectors to the agricultural and lumber companies, requesting also that on such visits the Inspectors consult the trade union representatives of the enterprises. They protest against the recruitment of children under 15 years of age for work in plantations and forestry companies, and against all measures of racial discrimination with regard both to wages and to working conditions.

6. The Administering Authority states that the Labour Code expressly recognizes the freedom to constitute a trade union (article 4). No complaint alleging violation of the freedom of association has been referred to the Labour Inspectorate. There is a Water and Forest Service sub-inspector at Eséka who regularly inspects lumber operations in that region. An inspector who resides at Douala also visits the Eséka region approximately once every two months. Likewise, the region is visited four or five times yearly by the head of the Water and Forest Service. In the event of a dispute between lumber operators and the indigenous inhabitants the sub-inspector visits the spot as soon as he is notified by either party. Employment of children under fourteen is prohibited by article 118 of the Labour Code. Racial discrimination is prohibited by articles 1 and 91.

7. Further, the petitioners demand a free exchange of agricultural products between the various regions, including the Cameroons under British administration, that the establishment of teams to combat plant disease be speeded up, that modern housing, adequate schools and dispensaries be provided, that roads be built and means of transport be provided for the workers.

8. Replying to these complaints the Administering Authority points out that a number of very liberal measures have been taken with regard to the exchange of agricultural products with the Cameroons under British administration. A programme to combat plant diseases is being conducted by the Agricultural Service and it is estimated that this work resulted in a saving of 2,500 tons of cocoa in 1952.

The employer is required to provide accommodation for any worker who is not a permanent resident of the area and who is unable to find adequate housing himself. The establishment of schools is dependent on the financial resources and staff available. Every effort is being made by the Administration to open schools wherever the need is particularly felt. Articles 138 to 144 of the Labour Code specify the medical services which employers are required to provide for workers. The principle is that every undertaking must provide a medical or health service for its workers. As regards the building of roads the Société des bois du Cameroun has played a considerable part, in co-operation with the Administration, in the construction of roads in the subdivision of Eséka. In laying out the road both the requirements of the lumber operations and the general interests of the region are taken into account.

9. The petitioners demand that land seized from the customary owners should be restored to them and that a law be passed to safeguard the ownership of land by Africans, having due regard to individual and collective customary rights. They protest against the concession of millions of hectares of forests to colonial forestry companies and demand a review of the concessions granted.

10. The documents also contain protests against the infiltration of the Company Les Bois du Cameroun into the lands and forests belonging to indigenous farmers of certain villages in the Sanaga Maritime region and against a Mr. Deparpe, "exploiter of forests at Eséka", and demands are made for compensation for the damage already done to certain plantations, among them the plantation of Mr. Marcous M'Billa (the General Secretary of the Fédération d'Agriculture et Forêts) where fruit trees have been destroyed. The petitioners request that the Water and Forest Service of the Territory inspect the lots where the Company is carrying out its work, and demand its cessation.

11. Concerning the protest against the concession of land to colonial forestry companies the Administering Authority states that the majority of the inhabitants of the region welcome the presence of the lumber companies which bring about increased economic activity. As regards the Société des bois du Cameroun this company was granted a forestry exploitation licence by the Decree of 7 June 1943 which was issued on the recommendation of the Representative Assembly of the

Cameroons. As regards the damage which allegedly has been done to the plantation of Mr. M'Billa by this company, the Administering Authority remarks that no duly formulated complaint appears to have been submitted concerning any depredations committed on the farm of Mr. M'Billa. Farmers who have suffered losses as a result of the work of the forestry companies are entitled to compensation. It is open to them to complain to the chef de circonscription, the Water and Forest Inspectorate or the courts.

12. The petition was examined and discussed at the 143rd and 150th meetings of the Standing Committee (documents T/C.2/SR.143 and 150).

13. At its 150th meeting, the Committee adopted by 3 votes to 2 with 1 abstention draft resolution II, annexed to the present report, which it recommends that the Council adopt.

ANNEX: DRAFT RESOLUTIONS PROPOSED BY THE COMMITTEE

I. Petition from Chief Djomatchoua Fomokoum (T/PET.5/220)

The Trusteeship Council,

Having examined the petition from Chief Djomatchoua Fomokoum concerning the Cameroons under French Administration in consultation with France as the Administering Authority concerned (T/PET.5/220, T/OBS.5/24, T/L.434),

1. Notes that the complaints of the petitioner have been taken under examination by the Administering Authority by the appointment of a commission to inquire into all the matters raised in the petition, particularly the matter of the regrouping of the community;
2. Invites the Administering Authority to inform the Council of the results of the inquiry when it is completed.

II. Petition from the "Fédération d'Agriculture et Forêts de l'Union des Syndicats Confédérés du Cameroun" (T/PET.5/L.8 and Add.1)

The Trusteeship Council,

Having examined the petition from the Fédération d'Agriculture et Forêts de l'Union des Syndicats Confédérés du Cameroun concerning the Cameroons under French Administration in consultation with France as the Administering Authority concerned (T/PET.5/L.8 and Add.1, T/OBS.5/21, T/L.434).

A. As regards the motions adopted by the Syndicat de petits planteurs d'Eséka, and by the Syndicats agricoles de la subdivision d'Eséka:

1. Expresses the hope that the activities of forest concessionaires may continue to be so supervised by the Administering Authority as to ensure that the rights of villagers are respected; in particular, that the appropriate departments of the Administration will take pains to protect the interests of indigenous inhabitants living in the area of a forest concession, and that the arrangements in force for considering complaints of, and awarding compensation for, damage sustained by villagers as the result of the activities of forest concessionaires shall be applied;

2. Expresses the further hope that, when forestry concessions are demarcated, the Administering Authority will ensure that their boundaries are drawn in such a manner as to exclude land, adjacent to villages, the use of which for forestry purposes might interfere with the enjoyment of normal amenities by the inhabitants of these villages.

B. As regards the resolutions adopted by the Constituent Congress of the Fédération des travailleurs agricoles et forestiers:

Draws the attention of the petitioners to the conclusions and recommendations adopted by the Council at its thirteenth session concerning economic and educational developments in the Territory;

C. As regards the resolution adopted by the Fédération des travailleurs agricoles et forestiers at its sixth congress:

1. Draws the attention of the petitioners to the observations of the Administering Authority, which indicate that the majority of their demands are already met by the relevant provisions of the Labour Code;
 2. Invites the Administering Authority to continue to ensure, by the development of the labour inspectorate, and other inspection services, that the provisions of the Labour Code are applied in practice.
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