

UNITED NATIONS TRUSTEESHIP COUNCIL



Distr.
LIMITED

T/L.752
30 April 1957

ORIGINAL: ENGLISH

Nineteenth session
Agenda item 4

PETITIONS CONCERNING THE TRUST TERRITORY OF THE CAMEROONS UNDER FRENCH ADMINISTRATION

190th Report of the Standing Committee on Petitions

Chairman: U Paw Htin (Burma)

Table of Contents

<u>Section</u>	<u>Petitioner</u>	<u>Symbol in T/NET.5/... Series</u>	<u>Page</u>
I.	Paramount Chief Louis Abel Mahop	489 and Add.1 607	3
II.	Mr. Robert Mbedi Ebelley	490	6
III.	Central Committee of the "Union des Populations du Cameroun" of Bafang	510 546 and Add.1	8
IV..	The "Syndicat des Petits Planteurs" of Messoué	511	11
Draft Resolutions Proposed by the Committee			Annex

1. At its 437th, 438th and 439th meetings on 19, 24 and 30 April 1957, the Standing Committee on Petitions, composed of the representatives of Belgium, Burma, China, France, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.
2. Mr. X. Deniau participated in the examination as the Special Representative of the Administering Authority concerned.
3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-IV.

/...

I. Petitions from Paramount Chief Louis Abel Mahor (T/PET.5/489 and Add.1 and 607)

1. In his petition of 1 November 1954 (T/PET.5/489), the petitioner, who declares himself a strong supporter of the UPC, repudiates a document whose contents were unknown to him and which he alleges he was forced to sign by the Chief Subdivisional Officer of Babimbi. He emphasizes "that 98 per cent of the petitions sent to the United Nations are not written by indigenous inhabitants, they are either dictated or drafted by French administrators". The petitioner also withdraws the statement he made which incriminated Mr. Pierre Penda, Chairman of the Solidarité Babimbi, whom the petitioner thus unknowingly accused of disturbing law and order in his chiefdom and for which Mr. Penda was imprisoned.
2. In his petition of 9 April 1955 (T/PET.5/489/Add.1), the petitioner asks that the Visiting Mission be enabled to visit his village of Poutkak. He states that because of his membership in the UPC he has been deprived of his chiefdomship, which he has exercised since 1916, and his chiefdom has been divided between Paul Biyaga, a former interpreter in the administrative service, and Gabriel Sintat, a Songmbengue shopkeeper, both of whom are supporters of the Administration and are against the national movements.
3. In his petition of 10 April 1955 (T/PET.5/607), the petitioner claims an indemnity of at least ten million francs CFA for the use by the Administration of his house at Ngambe from 1929 to 1955 for the accommodation of the Chief Subdivisional Officer. He also asks for the return of his band which consists of twelve silver instruments, two drums and two cymbals, which the Administration seized in 1939 and for which he wants compensation. Finally, he complains that since he submitted his petition to the United Nations in November 1954, his chief's salary has been reduced from 11,000 francs to 3,000 francs.
4. In his second petition, T/PET.5/489/Add.1, the petitioner alluded to the activities of the religious missions. This part of his petition was taken into consideration by the Standing Committee on Petitions during the seventeenth session and the decision of the Trusteeship Council is recorded in resolution 1486 (XVII).
5. In its observations (T/OBS.5/91, section 3) on T/PET.5/489 and Add.1 the Administering Authority states it has already submitted its observations on the

/...

matters involving Penda Pierre and Njimoffira in connexion with petitions T/PET.5/470 and 5/210.^{1/} It denies that any form of pressure was applied to the petitioner with the object of making him sign any document whatsoever.

6. The Administering Authority felt obliged to divest Mahop, in stages, of all his powers, on account of the growing hostility displayed by the population towards him. In every case the people were consulted. The proportion of votes cast against Mahop varied between a three-quarters majority and unanimity. A part of Mr. Mahop's powers was thus withdrawn on 13 December 1954 and a second part on 15 February 1955. Finally, on 6 May 1955 he was divested of his remaining functions as Chief. Biyaga and Sintat, to whom the petitioner refers, are the Chiefs who have been appointed to take charge of the first two groups detached from Mr. Mahop's chiefdom. Forty out of forty-six villagers voted for the former, while the latter was elected unanimously. Lastly, the Administering Authority states that no judicial proceedings have been instituted against Mr. Mahop.

7. In its observations (T/OBS.5/90, section 1, on T/PET.5/607, the Administering Authority states that it is true that the land upon which the residence at Ngambé has stood since 1920 has never been classified as private State land. Prior to that date, it was occupied, under customary law, by the Log-Pian and Log-Imbang communities. As the petitioner does not belong to either of these communities, he cannot claim any rights. Proceedings have been instituted to legalize the position with regard to this land; it has not yet been possible to bring them to a successful conclusion owing to the exorbitant claims made by the representatives of the communities concerned, who are requesting compensation ranging from 12 million to 14 million francs, although they omitted to make any claim when the land was first occupied. In any case, the buildings were put up by the Administration.

8. The Administration has no knowledge of the confiscation of a band which is said to have occurred in 1939. The petitioner must furnish proof of the loss he says he suffered at that time, and prove that the Administration was to blame, if he wishes to obtain compensation.

1/ Note by the Secretariat: see T/OBS.5/17 and 73.

/

9. As stated above in paragraph 6, Mr. Mahop, who was chief of the canton of Babimbi I, was removed from office by the local authorities on 7 April 1955 as a result of numerous complaints of extortion. In addition the canton was divided into two independent groups and there was no reason for keeping Mr. Mahop's post.

10. The petitions were examined and discussed at the 437th and 439th meetings of the Standing Committee (documents T/C.2/SR.437 and 439).

11. At its 439th meeting, the Committee approved by 4 votes to none with 2 abstentions draft resolution I, annexed to the present report, which it recommends that the Council adopt.

/...

II. Petition from Mr. Robert Mbédi Ebelley (T/PET.5/490)

1. In his letter dated 14 October 1954, the petitioner discourses on "the liberation of the Cameroons and the attainment of its independence", for which adequate financial resources are needed. In this connexion, he gathers that negotiations are in progress to sell the port of Douala, with the result that the port will no longer belong to the people of the Territory and a person will have nowhere to moor his canoe when he returns from fishing. The petitioner complains of the racial discrimination practised in the workshops of Régifercam (the State Railway) where a European driver is paid a bonus of 1,000 francs for bringing his train in on time while the only bonus an African gets is thanks and where the European drivers have cars to take to and from their homes while the African staff have to walk home.

2. In its observations (T/OBS.5/74, section 2) the Administering Authority states that:

(a) The petitioner's allegations concerning the political situation in the Territory are without foundation and are in keeping with the usual watchwords of UPC groups.

(b) There is a landing area for canoes, separate from the port, in the Deido district of Douala.

(c) No racial discrimination is practised in the workshops of the Régifercam with regard to the wages payable to employees with equal occupational qualifications. The special regulations for the Permanent Staff of the Cameroonian Railways Administration (Régie des Chemins de Fer du Cameroun) make it possible for any employee, whatever his origin, to rise to posts of the highest grade if he has passed the prescribed examinations or competitions and has been given a report good enough to justify his being entered in a proficiency roll. It is completely untrue that a European driver receives a bonus of 1,000 francs for driving a train to time. Mileage and time-keeping bonuses are paid to all train personnel according to grade. It might well be mentioned by way of example that Mr. Roger Naudi, a European, Chief Driver, Second Class, and Mr. Antonin Tocke, a Cameroonian, Deputy Chief Driver, First Class, draw average monthly pay of 72,488 francs and 64,269 francs respectively, the

/....

difference between the two remunerations being due solely to the expatriation allowances paid to Mr. Maudi, whose technical skill is, incidentally, distinctly superior to that of Mr. Tocke. In addition, Mr. Naudi draws a monthly average of 3,200 francs in mileage bonuses, while Mr. Tocke receives a monthly average of 3,150 francs under the same head.

3. The petitioner also complained about the payment of taxes and the activities of the Catholic clergy in the Cameroons. These two subjects in his petition were taken into consideration by the Standing Committee on Petitions during the seventeenth session and the relevant decisions of the Trusteeship Council are set out in resolutions 1485 (XVII) and 1486 (XVII) respectively.
4. The petition was examined and discussed at the 437th and 439th meetings of the Standing Committee (documents T/C.2/SR.437 and 439).
5. At its 439th meeting, the Committee approved by 4 votes to none with 2 abstentions draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. Petitions from the Central Committee of the UPC of Bafang (T/PET.5/510, 546 and Add.1)

1. In their "motion" of 3 February 1955 (T/PET.5/510), the petitioners complain of the actions of the administrative officials of their area, in particular to the rejection of their application to be appointed to the committee for revising the electoral roll. They allege that the Chief Subdivisional Officer of Bafang, aided and abetted by a certain Mr. Kwékong, compels the notables at Bafang to pay 1,200 francs each in order to cover the taxes collected on his quartier and that this money is taken by Mr. Kwékong. They also state that Mr. Jacob Wendji, a veteran roadmender, is now assistant to the Chief Subdivisional Officer.
2. In their letter of 20 February 1955, (T/PET.5/546), the petitioners allege that the Chief Subdivisional Officer and Mayor of Bafang forced Mr. Henri Towo and seven other persons to resign from the UPC on 18 February 1955. They protest against the sale of land at Bafang by some seven persons; against the beating of Mr. T. Njonko Tagne and the confiscation of his property by one, Maya, who they consider should not be the Kekem chief.
3. In their "motion" of 1 March 1955 (T/PET.5/546/Add.1), the petitioners continue their complaints against the Chief Subdivisional Officer who is alleged to have beaten Messrs. Pierre Wamba, Sob, Tchamaga and others on 22 February 1955. They protest against the threats made at Kekem on 26 February that there would be a complete prohibition of the purchase of goods if the people continued to support the UPC, the CGT and the ASSONOCAM (Association of Notables of the Cameroons).
4. In their first petition (T/PET.5/510), the petitioners complained about the actions of the Catholic Mission at Bafang and in their second petition (T/PET.5/546) they protested against the payment of taxes. These two aspects of their petitions were taken into consideration by the Standing Committee on Petitions during the seventeenth session and the relevant decisions of the Trusteeship Council are set out in resolutions 1487 (XVII) and 1484 (XVII) respectively.

/...

5. In its observations (T/OBS.5/91, section 6) on T/PET.5/510, the Administering Authority states that:

(a) It is correct that the Bafang Central Committee, after the lapse of the statutory time-limit, requested that its representatives should be allowed to take part in the revision of the electoral rolls. The request could not be granted because the time-limit had elapsed:

(b) The Administering Authority is not aware that "people were invited" to Banka market on 27 January 1955:

(c) Observations were submitted on the Association des Notables Camerounais in connexion with petition T/PET.5/325.^{1/} It is not correct that the Chief Subdivisional Officer compelled certain notables to pay a sum of money which is taken by the man Kwekong. It is also incorrect to state that some of the notables were removed from office for failure to pay this money. The title of notable is traditional and hereditary. Only the Fong, the customary chief, has the power to remove them from office. He seldom does so, and then only in serious cases for which the customary law provides:

(d) Jacob Wandji is not assistant to the Chief of the Bafang Subdivision. He is a lower-grade employee.

6. In its observations (T/OBS.5/91, section 9) on T/PET.5/546 and Add.1 the Administering Authority states that:

(a) It is possible that Henri Towo resigned from the U.P.C. in February 1955. In fact, he wrote a letter to the local authorities advising them that he was taking such a decision. The Administering Authority has no other information on the matter and it formally denies that any pressure whatsoever was brought to bear on Mr. Towo:

(b) So far as the tax rates are concerned, it is not correct to state that the people are unacquainted with them. After consideration by the Territorial Assembly, they are published in the Journal Officiel of the Territory and promulgated to the people by the Chief Subdivisional Officers when they make their rounds; finally they appear on the tickets received by the

^{1/} Note by the Secretariat: See T/OBS.5/55.

taxpayers after they have paid the tax. No seizure of property was carried out in Bafang Subdivision in 1955 for non-payment of taxes.

(c) The "sales of land" to which the petitioner refers are actually free allocations of urban lots to tribal groups. These allocations are effected by the Administration after consultation with the Municipal Commission. The names quoted by the complainant or complainants are those of members of that Commission:

(d) The case of Njonko Samuel against Chief Maya was the subject of a judicial inquiry. Njonko Samuel was sentenced for assault and battery and is now in prison. Chief Maya has been in office for more than twenty-five years. His authority is not disputed by his subjects.

7. With regard to T/PET.5/546/Add.1,

(a) The Administering Authority denies that the individuals mentioned in the petition were beaten by the Chief Subdivisional Officer. It seems unlikely that the Chief of Bakoundji, a man of poor physique, could have used violence against the man Njintchen. No complaint was lodged.

(b) It is not true that the Chief Subdivisional Officer uttered the words attributed to him by the petitioner or petitioners.

(c) The Administration has no knowledge of an attempt by "nocturnal maniacs" to arrest Tchani Lucas. An inquiry into the matter has proved fruitless.

8. The petitions were examined and discussed at the 437th, 438th and 439th meetings of the Standing Committee (documents T/C.2/SR.437, 438 and 439).

9. The representative of the United States of America wished it to be placed on record that in the opinion of his delegation these three communications, two of which were entitled "Motions" and the third (T/PET.5/546) which was in the form of a resolution, were not petitions to which the established procedure should have been applied since only copies of them had been addressed to the Secretary-General of the United Nations and they did not seek action by the Trusteeship Council. The representative of Belgium associated himself with the opinion expressed by the representative of the United States.

10. At its 439th meeting, the Committee approved by 3 votes to 2 with 1 abstention draft resolution III, annexed to the present report, which it recommends that the Council adopt:

/...

IV. Petition from the "Syndicat des Petits Planteurs" of Messondo (T/PET.5/511)

1. In a letter dated 10 November 1954, the petitioners make the following complaints:

- (a) That the sum of 70,000 francs offered to them in 1953 as compensation for the trees felled by the five exploiters of the forests in their area would only be accepted if the exploiters first paid for the bearing plants which had been uprooted and also if the land was returned to the indigenous inhabitants;
- (b) That the exploitation of the forests in their area without their knowledge should cease;
- (c) That the airfield at Messondo, which was sold to Mr. Eschoff in 1947, without the knowledge of the population or even of its owner, should be returned to its owner;
- (d) That their area should be provided with a post, telegraph and telephone office, some dispensaries, rural schools and roads;
- (e) That their area and the town of Messondo be provided with four oil-presses and four palm-kernel crushers, in return for the money they have paid into the Provident Society.

2. The petitioners also complain against the payment of taxes. This aspect of their petition was taken into consideration by the Standing Committee on Petitions during the seventeenth session and the decision of the Trusteeship Council is recorded in resolution 1485 (XVII).

3. In its observations (T/CBS.5/93, section 1) the Administering Authority states that:

- (a) It is true that in 1954 the inhabitants of Sodibanga refused to accept the refund due them on the felling taxes received for the year 1953, amounting to 10,500 francs and not 70,000 francs, as stated in the petition. This sum was deposited for their use with the special agency at Eséka. In accordance with the financial regulations, the credit will lapse after four years.
- (b) The Chief Subdivisional Officer has never refused to explain the forestry regulations to the people.

/...

(c) The airfield at Messondo, constructed during the last war, was taken out of service in 1945 and transferred from the public domain. On 14 May 1946 Mr. Erschoff requested the concession for this land. A public notice to that effect appeared in the Journal officiel of 10 September 1947 and an informational palaver was held on the airfield itself on 21 June 1948 in the presence of all the notables of the village.

(d) The Douala-Yaoundé railway runs through the canton of Ndogbessol. There is a station at Messondo. A road connects the canton with Eséka, the chief town of the Subdivision, and the villages of Bidjocka, Badjob and Ndogbessol are connected with that artery by forest roads. That road is to be extended to the Edéa-Yaoundé trunk road. There is a dispensary at Bidjocka, three markets at Sodibanga, Messondo and Didjocka, and a school for all grades at Kellé-Dongong.

(e) The Sanaga-Maritime Provident Society has made loans to various local farmers amounting to a total of 2,171,500 francs CFA for the purchase of motor-press and motor-crusher equipment for extracting palm oil and processing palm kernels. Its activities in the way of supplying equipment have been retarded by the unwillingness of the borrowers to repay their debts.

4. The petition was examined and discussed at the 438th and 439th meetings of the Standing Committee (documents T/C.2/SR.438 and 439).

5. The draft resolution considered by the Committee at its 439th meeting contained the following paragraph:

"3. Recommends that the Administering Authority take necessary measures so that the land which was alienated from the indigenous inhabitants as mentioned in the petition be returned to them and that they be paid full compensation for the damage they have suffered."

This paragraph was rejected by 5 votes to 1 with 2 abstentions.

6. At its 439th meeting, the Committee approved by 4 votes to 1 with 1 abstention draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

/...

Annex: Draft resolutions proposed by the Committee

I. Petitions from Paramount Chief Louis Abel Mahop (T/PET.5/489 and Add.1, T/PET.5/607)

The Trusteeship Council,

Having examined the petitions from Paramount Chief Louis Abel Mahop concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/489 and Add.1 and 607, T/OBS.5/90 and 91, T/L.752),

Draws the attention of the petitioner to the observations of the Administering Authority and to the statements of its Special Representative.

II. Petition from Mr. Robert Mbedi Ebelley (T/PET.5/490)

The Trusteeship Council,

Having examined the petition from Mr. Robert Mbedi Ebelley concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/490, T/OBS.5/74, T/L.752),

Draws the attention of the petitioner to the observations of the Administering Authority.

III. Petitions from the Central Committee of the "Union des Populations du Cameroun" of Bafang (T/PET.5/510, 546 and Add.1)

The Trusteeship Council,

Having examined the petitions from the Central Committee of the "Union des Populations du Cameroun" of Bafang concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/510, 546 and Add.1, T/OBS.5/91, T/L.752),

Takes note of the observations of the Administering Authority.

/...

IV. Petition from the "Syndicat des Petits Planteurs" of Messondo
(T/PET.5/511)

The Trusteeship Council,

Having examined the petition from the "Syndicat des Petits Planteurs" of Messondo concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/511, T/OBS.5/93, T/L.752),

1. Draws the attention of the petitioners to the observations of the Administering Authority and to the statements of its Special Representative, in particular that:

(a) permits for the exploitation of the forests in the area were granted in accordance with regular procedure;

(b) it was duly explained to the inhabitants of Sodibanga that the amount which they refused to accept in 1954 was due them on the felling taxes for the year 1953;

(c) compensation for the loss of customary rights of usage and for bearing plants which may have been uprooted was paid in full by the exploiters after agreement had been reached with the local population at the time the concession was originally granted;

(d) telephone service is available to the local population at the railroad station of Messondo, in cases of emergency;

2. Expresses the hope that an agreement will be reached between the petitioners and the authorities concerned which will permit them to utilize the credit due them for felling taxes in 1953 before such credit lapses.
