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PETITIONS CONCERNING TOGOLAND UNDER FRENCH ADMINISTRATION

Observations of the French Government
as Administering Authority

Note by the Secretariat: These observations refer to the following petitions:

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1. Petition from the Chairman of the Women's Division of the "Comité de l'Unité Togolaise" (T/PIT.7/L.6)

With reference to certain assertions in previous petitions, which are taken up by the petitioner, the Administering Authority draws attention to the observations it has already submitted.

As regards her new assertions such as:

- (a) that men and women have been imprisoned,
- (b) that pregnant women have given birth prematurely in consequence of the sufferings inflicted on them,
- (c) that women have been beaten till the blood flowed and thrown into prison with babies,
- (d) that forced labour, has been "re-introduced",

the local Administration has no knowledge of any such occurrences. It would be glad to have details and names to enable it to institute enquiries and determine those responsible.

2. Petition from Mr. A. Isidore Sedo (T/PET.7/L.7)

The Administering Authority would point out that:

(1) Mr. Isidore A. Sedo is unknown in the village of Amenyra, of which he claims to be a native. The fact that the author has deliberately omitted to give his exact address in Lomé and that his allegations are wilfully false, suggests that the petition has been signed with a fictitious name and is thus in fact anonymous.

(2) If a Mr. Isidore Sedo exists, the local Administration does not know why he was compelled to leave his village and why he is prevented from returning to it.

(3) There is no village called Abodo in Togoland. There are villages called Abobo and Abobokome, whose names may have been distorted or abbreviated and distorted, but the facts related by the petitioner never occurred in either of them.

(4) The arrested persons referred to in the petition were tried by the Assize Court in January 1954.

3. Petition from Mr. Nicodeme A. Amegah (T/PET.7/378)

The Administering Authority points out that:

(1) To suspend from duty an official who is later to be brought before a Disciplinary Council does not, as the petitioner alleges, require a decision by a tribunal or court of law. Article 67 of the local order of 13 February 1952 governing the conditions of employment of public officials provides that "in the event of serious misconduct on the part of an official, involving either a breach of his professional duties or an offence under ordinary law, the official guilty of such misconduct may be suspended forthwith by the Commissioner of the Republic."

That was the procedure followed in the case of Mr. Amegah.

(2) Between 1946 and 1950, in other words, long before the Juvento was established or Mr. Amegah began to engage in politics, he had already been noted by his superiors as "a malcontent whose professional conduct was unsatisfactory and over whom strict control had to be exercised to train him to stay at his post in the office". His last report of 1950 contained the following statement: "Mr. Amegah would be completely satisfactory, if he devoted himself more whole-heartedly to his work and was not always looking for pretexts to absent himself from the office". Mr. Amegah had thus received critical reports, independently of any political considerations. Far from improving, the petitioner's professional conduct subsequently deteriorated. He absented himself from his office for hours at a time; he was not only a bad example during the short periods he spent there, but prevented his colleagues from working by gathering them together to address them on matters unconnected with the service.

He was given several warnings, which had no effect on his behaviour. It was, therefore, purely on account of breaches of his professional duties that the petitioner was suspended from duty and brought before the Disciplinary Council, which unanimously recommended his dismissal.

(3) The petitioner's appeal against this decision to the Administrative Disputes Court will be considered at the next session of that body.

4. Petition from Mr. Nicodeme A. Amegah (T/PET.7/379)

The Administering Authority points out that the local Administration only learnt of the petitioner's desire to publish the most recent resolutions of the General Assembly of the United Nations in his newspaper in vernacular and foreign languages from his second letter, dated 22 March 1954; his first letter, dated 24 December 1953, cannot be traced. If the petitioner had renewed his request at an earlier stage, he would have been able to publish the resolutions in whatever languages he wished at a time when they would have been of greater topical interest. He will be given permission to do so if he still desires it.

It should be pointed out that the resolutions in question were widely published at the time by all the newspapers and were extensively discussed in the vernacular languages by all the political parties at their public meetings.

5. Petition from Mr. A.W. Norvor (P/PET.7/384)

The Administering Authority submits the following observations on the incident provoked by the petitioner, of which he gives a completely inaccurate account.

1. Mr. Norvor and the police sergeant Tnagblodjo, both riding bicycles, were involved in a collision on 9 March 1954 at Palime. The collision was clearly the fault of Mr. Norvor, who lost control of his bicycle and collided with the policeman through waving at passers-by and failing to look where he was going. The policeman was slightly injured. Mr. Norvor answered the latter's remarks with abusive language and took pleasure in humiliating him before the passers-by who collected around them. On seeing a second policeman approaching, he made off. He was served with a summons and brought before the Lomé Court of First Instance, which sentenced him to fifteen days imprisonment and a fine of 2,000 francs for insulting and violent behavior to a member of the police force in the exercise of his duties.

2. After serving this sentence the petitioner, in view of his past record, was requested not to return to the Territory without the documents required of all aliens. He is in point of fact a native of the Gold Coast, and on account of the incidents for which he has been responsible will not, until further notice, be granted the benefit of the concessions made to natives of the Gold Coast in regard to residence in Togoland.

3. There is, therefore, no question of any final expulsion in pursuance of an order; permission to enter the Territory will be given to the petitioner on his application, provided that he complies with the regulations and that his conduct results in no further breaches of the peace.
