



**Tuesday, 4 December 1956,
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Chairman: Mr. Enrique de MARCHENA
 (Dominican Republic).

AGENDA ITEM 39

The Togoland unification problem and the future of the Trust Territory of Togoland under British administration: reports of the United Nations Plebiscite Commissioner and of the Trusteeship Council (A/3169 and Corr.1, A/3173 and Add.1, A/3323; A/C.4/332 and Add.1 and 2, A/C.4/334, 336, 337; A/C.4/L.435 and Add.1 and 2, A/C.4/L.437) (*continued*)

At the invitation of the Chairman, Mr. S. W. Kumah and Mr. F. Y. Asare, representatives of the Convention People's Party, Mr. S. G. Antor, Mr. A. K. Odame, Miss R. Asamany and Mr. F. R. Ametowobla, representatives of the Togoland Congress, Mr. S. Olympio, representative of the All-Ewe Conference, Mr. A. Akakpo, representative of the Mouvement populaire togolais, and Mr. A. I. Santos, representative of the Mouvement de la jeunesse togolaise (Juvento), took places at the Committee table.

**GENERAL DEBATE ON THE FUTURE OF TOGOLAND UNDER
 BRITISH ADMINISTRATION (*concluded*)**

1. Mr. BALAY (Uruguay) said that in a century when so many countries had gained their independence by violence, it was a good omen for Togoland under British administration that its future was to be peacefully decided under the auspices of the United Nations. In discharging their functions under Chapter XII of the Charter, it was the duty of the Administering Authorities for the Trust Territories to exercise impartiality; to enable the peoples under their administration to develop free from external pressure; and to govern, not in their own interests, but in those of the governed.

2. The Togoland unification problem had been before the United Nations for nine years. In 1954, however, events had taken a new turn with the submission by the United Kingdom of an explanatory memorandum (A/2660) announcing that the Gold Coast was approaching independence, whereafter it would no longer be constitutionally possible to administer Togoland

under British administration as an integral part of the Gold Coast. The General Assembly had subsequently adopted resolution 944 (X), which was unexceptionable from the legal standpoint, and pursuant to that resolution a plebiscite had been held in a scrupulously fair manner; the Administering Authority and the United Nations Plebiscite Commissioner were to be congratulated on their contributions to that result. The Committee had the Commissioner's report (A/3173 and Add.1) before it and had received further useful information from the petitioners. It now remained to assess the results of the plebiscite in accordance with paragraph 5 of resolution 944 (X).

3. In formulating the recommendation in resolution 1496 (XVIII), the Trusteeship Council had disregarded the recommendation made by the United Nations Visiting Mission to the Trust Territories of Togoland under British Administration and Togoland under French Administration, 1955, in paragraph 108 of its report (T/1206 and Add.1), to the effect that the results of the plebiscite should be determined separately for each of four units; that decision was regrettable in view of the understanding of public opinion in the Territory which the Mission appeared to have achieved. The Plebiscite Commissioner had pointed out in paragraph 141 of his report that the association of Togoland with the Gold Coast had been an important obstacle and that an ideal condition for the free expression of the people's views would have been total isolation of the Trust Territory. The cultural and economic disparities between the northern and southern parts of Togoland under British administration made it easy to understand the wide divergence of their respective choices in the plebiscite: the North for union with the Gold Coast, the South for the other alternative. The Committee's discussion had revealed that the South had a strong sense of its own identity and desired unification with Togoland under French administration.

4. For those reasons his delegation considered it a mistake to assess the plebiscite results purely on an over-all basis. Those who opposed any division of the Trust Territory should remember that minorities were a potential source of disturbances and, in some cases, of eventual schism. Moreover, it was clear from the documents before the Committee that the South desired a federal form of government.

5. Taking the plebiscite results as a whole the vote had been in favour of integration with the Gold Coast. The Committee would not, however, be justified in accepting those results as grounds for an immediate recommendation to the General Assembly that the Trusteeship Agreement should be terminated. The majority in favour of integration had been small and the constitution of the future State of Ghana had yet to be approved by the United Kingdom Parliament. That did not mean that the Committee should discuss what form the constitution should take, whether unitary

or federal. If the General Assembly adopted the Trusteeship Council's recommendation, that question would be resolved by Ghana itself after it became independent.

6. For the reasons he had given Uruguay was unable to vote in favour of the eleven-Power draft resolution (A/C.4/L.435 and Add.1 and 2) but it would support a draft resolution expressing the Assembly's appreciation of the work of the Plebiscite Commissioner.

7. In conclusion, his delegation extended its cordial greetings to the emergent State of Ghana and reaffirmed its readiness to assist in removing all obstacles to the attainment of self-government or independence by all dependent peoples.

8. Mr. DE LOJENDIO (Spain) said that in the Spanish delegation's view the Committee, the Trusteeship Council and the Plebiscite Commissioner had performed their functions in relation to Togoland under British administration soberly and effectively. The course of action recommended in Trusteeship Council resolution 1496 (XVIII), while not ideal in theory, was the best practical solution available. Spain would accordingly vote in favour of the eleven-Power draft resolution; in doing so it would be paying a tribute to the action of the United Nations and welcoming Ghana to the community of free nations.

9. Mr. VELANDO (Peru) said that the Togoland problem had been thoroughly investigated by Visiting Missions, the Trusteeship Council and the General Assembly; resolutions had been passed, a fair plebiscite had been held and there had been full discussions in which representatives of the various sectors of the Togoland people had frequently been heard. His delegation considered that the wishes of the majority of the people of Togoland under British administration, freely expressed in accordance with the Charter, were for integration with the Gold Coast; that, therefore, was the course which Peru would support. The Administering Authority, the Plebiscite Commissioner and his staff were to be congratulated on their work in connexion with the plebiscite, which had strengthened his country's faith in the Trusteeship System.

10. Events in Togoland did honour to the Trusteeship System, the United Nations and the Administering Authority and revealed the political maturity of the people of the Trust Territory who, when they joined the new State of Ghana, would assuredly not forsake the democratic cause. Peru extended its best wishes for their future, and would cast its vote in favour of the eleven-Power draft resolution as a vote for liberty.

11. Mr. VILLAREAL (Philippines) said that one of the cardinal points of Philippine foreign policy was its stand against colonialism. For that reason his Government had welcomed with great satisfaction the announcement of the United Kingdom Government's intention to grant the Gold Coast independence by 6 March 1957. The question before the Fourth Committee was not, however, the Gold Coast but the future of the Trust Territory of Togoland under British administration. The Fourth Committee had been told that when the Gold Coast attained freedom the objectives of the trusteeship over Togoland would have been achieved and that the continuation of the trusteeship would no longer be feasible. Hence it was proposed to make the Trust Territory a part of an independent Gold Coast and thereafter to consider the Trusteeship Agreement at an end.

12. The problem before the Fourth Committee was one of the utmost importance, for a number of reasons. Firstly, whatever decision was made would establish a precedent for similar cases in the future. It was therefore imperative that the decision to be taken should be based on thorough study and analysis of all the moral, legal and practical aspects of the case. Secondly, in the light of the past history of the Trust Territory, the question arose whether the proposed integration of one part to one State, which would probably lead to the integration of the other part to another State, was in strict conformity with the principles and purposes of the Charter. Thirdly, up to 1954 Visiting Missions to the two Trust Territories concerned had noted the aspiration of the peoples of those Territories to be united and the United Nations in repeated resolutions had shown sympathy toward their aspirations.

13. Such questions, and others which need not be enumerated, caused the Philippine delegation to hesitate with regard to the procedure now being followed. He felt sure that all delegations wanted to give the people of Togoland under British administration self-government and independence in accordance with the principles laid down in Chapter XII of the Charter. Opinions differed only with regard to procedure and appreciation of value.

14. In his delegation's view the plebiscite of May 1956 was not the end of the matter. General Assembly resolution 944 (X) envisaged the plebiscite as a mere preliminary step to be taken into account by the General Assembly when considering the question. To say that the plebiscite ended the whole question showed a failure to appreciate the complicated aspects of the problem. The plebiscite must be appraised in the light of all the circumstances and of the delicate legal, moral and practical problems involved in the question of Togoland. His delegation fully concurred in the analysis of the plebiscite the representative of Guatemala had made at the 563rd meeting. Considering the fact that less than half of the registered voters had voted for integration, the small majority voting in favour, the difference in political and educational maturity between the North, which had voted for integration, and the South, which had voted against it, and other equally important factors, it was doubtful whether the plebiscite could be regarded as the ultimate solution of the problem.

15. In the light of those considerations his delegation had grave doubts about the wisdom and propriety of the procedure being followed on so important a question, with all its possible consequences on the future success or failure of the International Trusteeship System. The Gold Coast was not yet independent; the nature and extent of its freedom must ultimately be decided by the Government of the United Kingdom. The constitution of the future independent Gold Coast had yet to be drafted in final form. In such circumstances to take an irrevocable decision that the Trust Territory should be integrated with the Gold Coast and the Trusteeship Agreement terminated would be like signing a blank cheque. The future of the Trust Territory was too important to be the subject of guesswork.

16. The Philippines would be failing in its duty as a Member of the United Nations if it did not express its views on a matter so basic to the future of the International Trusteeship System. He hoped that the

members of the Fourth Committee would not be wanting in the wisdom, moral courage and statesmanship so necessary in arriving at a just and correct decision on the question.

17. Mr. RIVAS (Venezuela) said that before dealing with the joint draft resolution (A/C.4/L.435 and Add.1 and 2), he would touch on the statement made by the Plebiscite Commissioner at the 562nd meeting with reference to paragraph 188 of his report (A/3173 and Add.1). It was clear from his statement that the Plebiscite Commissioner had meant to say in that paragraph that if the federal tendency had been victorious in the general election the Convention People's Party would have fallen from power, and that consequently it would have been impossible to implement the first alternative put to the people in the plebiscite.

18. The Plebiscite Commissioner's statement reinforced the position of those delegations which, like the Venezuelan delegation, felt that the General Assembly ought not to come to a final decision on the future of Togoland under British administration without having before it the constitution governing the union of Togoland with the Gold Coast. The question had been asked what the attitude of the people in the North of Togoland would have been during the plebiscite had they known in advance that union would take place under a constitutional system of a unitary type. The Committee had omitted to include in General Assembly resolution 944 (X) a paragraph to the effect that the plebiscite should not be held so long as the constitutional basis upon which union would take place was unknown. If that requirement had been included and complied with, the people of the North of the Territory, as well as those of the South, would have been better able to understand the meaning of the vote they were casting. In that connexion he drew attention to paragraph 7 of the Plebiscite Commissioner's report, which stated that the questions put had been such that persons of a higher education in any country of the world would not readily understand them unless the full background of the matter were made available to them. His delegation therefore felt that the constitution should have been promulgated before and not after the plebiscite. The people of the Northern Section of the Territory had realized too late that they had voted for a union which later they would be unable to support because it was not in conformity with their aspirations. Nor would the General Assembly be able to foresee to what extent the principles of the Trusteeship System had been complied with so long as it did not know the effects in Togoland of a constitution which had not yet been approved by the United Kingdom or by a majority of the people of Togoland under British administration.

19. His delegation did not believe that illiteracy need prevent a people from expressing its aspirations. Differences of opinion on that subject had frequently led to conflict between administrators and administered and in the long run the administrators had been obliged to accept the situation. The United Nations had been established for the very purpose of avoiding recourse to violence and of enabling the peoples to progress towards self-government and independence by peaceful means.

20. His delegation was doubtful whether people were able to express their aspirations when they were living under primitive systems of government in which their

very thoughts were governed by the chiefs, through the influence of superstition. Until the eve of the plebiscite that seemed to have been the situation in Northern Togoland. During the plebiscite the people had been given facilities and guarantees and many of them had shaken off their old traditions and by means of the secret ballot had shown what they could do if they had more political training. In support of that statement, he drew attention to paragraph 167 of the Plebiscite Commissioner's report.

21. The penetration of the North of Togoland by the Togoland Congress, referred to by the Plebiscite Commissioner, was a recent matter and had not lasted long. It had not been continuous and progressive there as it had been in the South. Nevertheless, it had awakened the people to their right to make their participation in the future State of Ghana subject to conditions. Northern and Southern Togoland were united in a common aspiration to be regarded as capable of self-determination.

22. His delegation was concerned by the fact that the provisions of General Assembly resolution 944 (X) had led to confusion and discord. Nevertheless, on such a fragile basis the United Nations was attempting to erect an edifice which was to be proclaimed as a triumph for the Trusteeship System, although in reality it represented a defeat for the peoples it was the Organization's duty to defend.

23. A number of speakers, after expressing reservations and apprehensions with regard to the eleven-Power draft resolution (A/C.4/L.435 and Add.1 and 2), had concluded by announcing in a tone of resignation that they would nevertheless vote in favour of it because there was no alternative. One representative had been frank enough to say that it was a choice between two evils. Most of the delegations knew or feared that that was in fact the case.

24. His delegation could not vote in favour of the draft resolution presented by the delegation of India and ten others; on the other hand, it would hesitate to vote against a group of Powers which on many occasions had shown support for the dependent peoples. It would therefore have no alternative but to abstain in the vote.

25. Mr. RYCKMANS (Belgium) said that he had hoped his delegation's amendment (A/C.4/L.436) to the eleven-Power draft resolution would be adopted without difficulty. Its object was merely to reaffirm the self-evident truth that independence and trusteeship were incompatible and that it was therefore impossible for the General Assembly to "resolve" that an independent people should cease to be under trusteeship. Apparently, however, the majority of the members of the Committee misunderstood the purpose of the Belgian amendment and a number of them had attributed sinister motives to his delegation. The Liberian representative had announced that she would vote against the amendment because her delegation had always felt that every modification of a Trusteeship Agreement should be approved by the General Assembly. The Belgian delegation entirely agreed with that view, but in the case in point there was no question of approving a change in a Trusteeship Agreement; as soon as Togoland under British administration had been united with the Gold Coast the Trusteeship Agreement would cease to exist.

26. In view of the interpretation given to the Belgian delegation's proposal, he would not ask for a vote on the amendment but would merely request a separate vote on paragraph 2 of the eleven-Power draft resolution. That would enable him to abstain in the vote on that paragraph, which seemed to him inconsistent with the facts, while voting in favour of the remainder of the resolution.

27. The Belgian Government and people had always had the most friendly feelings towards the people of the Gold Coast and Togoland and he expressed their good will towards the new State of Ghana, which he hoped would soon take its place among the Members of the United Nations.

28. Miss BROOKS (Liberia) thanked the Belgian representative for withdrawing his delegation's amendment. That decision would help the Committee to complete its work more rapidly.

29. Mr. ROLZ BENNETT (Guatemala) drew attention to certain discrepancies between the report of the Plebiscite Commissioner (A/3173 and Add.1) and the report of the Plebiscite Administrator (T/1269 and Add.1). In appendix D of the Plebiscite Administrator's report the population of the Territory was given as 383,965, the 1948 figures being used as a basis, and it was stated that 51 per cent of the population had registered. In paragraph 493 of the Plebiscite Commissioner's report, however, the total population was given as 423,000, and it was stated that 46 per cent of the population had registered. Again, appendix D of the Administrator's report gave the number of objections received as 311, while it was stated in paragraph 436 of the Commissioner's report that 435 objections had been received.

30. Mr. ESPINOSA y PRIETO (United Nations Plebiscite Commissioner) said that he had used the latest official figures for the population of the Territory; he was sure the representative of the Administering Authority would be able to clarify the matter. With regard to the number of objections, he understood that the Plebiscite Administrator had not classified as objections communications protesting against certain decisions relating to boundary lines.

31. Mr. GIDDEN (United Kingdom) said that his delegation would be able to provide information regarding the population figures at a later meeting.

32. Mr. PACHACHI (Iraq) said he could not agree with the Venezuelan representative's statement that at the time of the plebiscite the Northern People's Party had been unaware that the future State of Ghana might be a unitary rather than a federal State. On the basis of all the evidence presented to the Committee it seemed clear that the constitutional issue had been well understood in the Territory both before and during the plebiscite. It could therefore be assumed that the members of the Northern People's Party had voted as they did in the plebiscite because it was their primary desire to be united with their brothers in the Gold Coast, regardless of the constitutional form under which that union would take place. Furthermore his delegation felt that the conclusion in paragraph 188 of the Plebiscite Commissioner's report was incomplete, since it was not only the Convention People's Party which could claim victory in the plebiscite but also the Northern People's Party. Hence, even if the opposition had won the general election, that would not

have constituted a reversal of the plebiscite results, since the Northern People's Party, which was part of the opposition, was in favour of unification.

33. Those were the reasons which had led his delegation to conclude that the results of the plebiscite, far from indicating the opposition of the people of the Territory to unification, had reaffirmed their desire for it.

34. Mr. RIVAS (Venezuela) said his belief that the Northern People's Party had not known at the time of the plebiscite that the new State would have a unitary constitution was based on the fact that that party was now advocating secession from the Gold Coast, as was evident from the statement of the party's principles which had been published in various African newspapers.

35. Mr. PACHACHI (Iraq) said that from all the statements and reports made to the Committee he had gained the clear impression that the Northern People's Party was now reconciled to the fact that Ghana might not have a federal constitution and that it agreed in principle to the proposed system of decentralization on a regional basis. At present the quarrel between the opposition and the Government seemed to relate rather to the details of that decentralization of powers. The petitioners themselves had stated over and over again that they had no objection to union with the Gold Coast under certain conditions. It therefore seemed evident that there was no longer any question of secession, but only of the form which the union would take. He hoped the Government of the new State would be able to settle its differences with the opposition parties and work out a constitution which would not only satisfy the opposition but furnish a model for the rest of Africa.

36. The CHAIRMAN declared the general debate concluded.

CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L.435 and Add.1 and 2, A/C.4/L.437)

37. Miss BROOKS (Liberia) introduced the draft resolution sponsored by her delegation and the delegations of Haiti, India and the United States, the text of which read as follows:

"The General Assembly,

"Having received the report of the United Nations Plebiscite Commissioner on the organization, conduct and results of the plebiscite in the Trust Territory of Togoland under British administration (A/3173 and Add.1),

"1. Takes note of the report of the United Nations Plebiscite Commissioner;

"2. Recalls that the observations and conclusions contained therein provided a sound foundation for its consideration of the future of the Trust Territory of Togoland under British administration;

"3. Expresses its high appreciation of the work carried out by the United Nations Plebiscite Commissioner and by the United Nations staff under his direction."

38. Mr. TAZHIBAEV (Union of Soviet Socialist Republics) asked for an explanation of the meaning of paragraph 2 of the four-Power draft resolution, and suggested that, if the purpose of the resolution was merely to express appreciation of the work of the

Plebiscite Commissioner and his staff, a passage to that effect could be included in the eleven-Power draft resolution (A/C.4/L.435 and Add.1 and 2).

39. Mr. DORSINVILLE (Haiti) said that the word "*Recalls*" at the beginning of paragraph 2 should be replaced by the words "*Further notes*".

40. The purpose of the draft resolution was indeed to express the General Assembly's appreciation of the Plebiscite Commissioner's work. It was the usual practice of the United Nations to adopt a separate resolution for that purpose in such cases.

41. Mr. TAZHIBAEV (Union of Soviet Socialist Republics) said that he still had doubts about paragraph 2 of the draft resolution, since it was not merely the observations and conclusions in the Plebiscite Commissioner's report that provided the foundation for the General Assembly's consideration of the future of the Trust Territory but all the reports and statements which had been submitted to the Assembly and the recommendations of the Trusteeship Council and the Assembly.

42. Mr. RYCKMANS (Belgium) agreed with the Soviet representative that the two draft resolutions should be combined.

43. Mr. BOZOVIC (Yugoslavia) had no objection to a separate resolution expressing the General Assembly's thanks to the Plebiscite Commissioner. Paragraph 2 was, however, out of place in such an expression of appreciation, since it embodied a judgement of substance.

44. Mr. RIVAS (Venezuela) said his delegation favoured a separate resolution of thanks, since it would be obliged to abstain in the vote on the general resolution.

45. He agreed that paragraph 2 of the four-Power draft resolution embodied a judgement; that difficulty could be overcome if the first part of the paragraph was amended to read: "*Recalls* that the report provided a sound foundation for its consideration . . .".

46. The CHAIRMAN said he had been informed that the four sponsors of the draft resolution had agreed to delete paragraph 2 from their text. The revised text would be distributed to members of the Committee as document A/C.4/L.437.

The meeting rose at 4.55 p.m.