



CONTENTS

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 (<i>continued</i>)	
General debate on the future of Togoland under British administration (<i>continued</i>)	47

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, A/C.4/334, 336, 337) (*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 (*continued*)**

1. Mr. ABIKUSNO (Indonesia) associated his delegation with the congratulations addressed by previous speakers to the Chairman, Vice-Chairman and Rapporteur on their election, and paid a tribute to the United Nations Plebiscite Commissioner for the excellent and impartial manner in which he had performed his task.
2. The prospect that the Gold Coast would become independent and the Trusteeship Agreement for Togoland under British administration be terminated in the near future gave cause for rejoicing, but the Committee should ensure that the settlement arrived at did not lead to the division of a previously united people. His delegation would support any workmanlike solution to the problem of unifying the peoples concerned.
3. The Committee could not arrive at any decision on the matter except on the basis of all the facts. In appraising those facts, it should be guided by two considerations: firstly, that the wishes of the people concerned must be respected in accordance with Article 76 b of the Charter, and secondly, that the people of

Togoland under British administration must be able to enjoy true sovereignty in their own affairs.

4. With regard to the first point, it was plain that the people were politically and economically less advanced in the Northern Section of Togoland under British administration than in the Southern Section; that the former wished to remain under Gold Coast administration; that the prospect of independence had aggravated the cleavage of opinion between North and South; and that the North was more responsive than the South to the Gold Coast Government's policy.

5. That policy appeared to be guided solely by the political interests of the present Gold Coast Government, as revealed by the comment in paragraph 23 of the Plebiscite Commissioner's report (A/3173 and Add.1) that both the Administering Authority and the Gold Coast Government had expressed their preference for the integration of Togoland under British administration with the Gold Coast. The situation had a direct bearing on the Togoland's prospects for representation in the legislative and executive organs of the future State of Ghana. There did not appear to be many Togoland or Gold Coast people in responsible positions in the present Gold Coast Administration, and in his delegation's view the constitutional reforms of 1954 had not reduced the Governor's discretionary powers, which would presumably be transferred to the Government of Ghana when the new State was formed. The opposition to those reforms which was already manifest suggested that they might be incompatible with the people's interests; he drew the Committee's attention to paragraph 132 of the Plebiscite Commissioner's report, which referred to the constitutional crisis created in the Gold Coast by the National Liberation Movement, and to paragraph 154, which stated that the Movement's proposals for a federal form of government had brought it more closely together with a movement in Togoland.

6. With those indications of the people's aspirations in mind, the Committee had then to consider how the Togoland's internal sovereignty was to be guaranteed. The emergence of Togoland under British administration into independence would take place in stages, and presumably would not be complete until the Trust Territory was fully integrated with the Gold Coast. The first question which arose was what kind of independence would be granted and whether both parties would have an equal share of independence. The second question was whether the United Nations was morally justified in endorsing the permanent separation of the peoples of the two Trust Territories of Togoland, in the face of a continuing desire for their unification. The third question concerned the form of government to be instituted after integration was completed. It was to be hoped that no settlement entailing the forcible incorporation into a unitary system of a minority desirous of federation would be imposed by the Administering Authority, for in the case of the

Trust Territory the responsibility lay with the United Nations.

7. His remarks should not, however, be construed as hostile to the attainment of independence by either the Trust Territory or the Gold Coast. His delegation merely wished to establish the principle that the political liberty granted to new nations should be enduring and to ensure that the Committee would take its decision in full awareness of the fact that, once the two Trust Territories of Togoland were separated, the State of Ghana would never consent to their reunification, and the Administering Authority for the Trust Territory of Togoland under French administration would be reluctant to endorse any process in that Territory that was not in its own interest. In the conviction that simultaneous plebiscites should have been held in both Trust Territories, his delegation had abstained when the General Assembly had adopted resolution 944 (X). Despite the majority vote which had been cast for integration with the Gold Coast in the plebiscite held in Togoland under British administration, the Committee should hesitate before deciding to ignore the conflicting desire of a large minority. The petitioners' replies to questions had revealed only that some doubts were still entertained regarding the validity of the Trusteeship Council's recommendation in its resolution 1496 (XVIII), and that the desire for Togoland unification was still very much alive. Adoption of the recommendation would be tantamount to declaring that desire of part of the population to be illegal; furthermore, the General Assembly's decision would not affect only Togoland under British administration, for it would set a precedent in relation to other dependent territories in Africa.

8. In conclusion, his delegation wished to emphasize that it would prefer to see each of the three Territories—namely, the two Togolands and the Gold Coast—granted their independence separately, the Gold Coast and Togoland under British administration receiving their independence first, so that the latter could then decide for itself whether or not to associate itself with any other community.

9. Mr. ESPINOSA y PRIETO (United Nations Plebiscite Commissioner) pointed out that the passage which the Indonesian representative had quoted from paragraph 23 of his report was in fact a quotation from the special report of the United Nations Visiting Mission to the Trust Territories of Togoland under British Administration and Togoland under French Administration, 1955 (T/1206 and Add.1, para. 111).

10. Mrs. SHELTON (Cuba) said that Cuba had always supported, and would always support, any resolution proposed in the General Assembly whose purpose was to enable the inhabitants of Trust Territories to choose their own form of government.

11. She wished to congratulate the Plebiscite Commissioner and his staff on their excellent work. The report of the Plebiscite Commissioner gave a detailed account of how the plebiscite had been conducted; chapters IV and VIII were especially interesting because they made it clear that all the political parties had been able to act freely throughout the plebiscite and that it had been conducted in a thoroughly democratic manner.

12. Now that the plebiscite had been held, it was the duty of the Assembly to assess its results and take the appropriate action. The statements made by the

petitioners had been a very valuable factor in helping the Committee to reach a decision. She hoped that in taking that decision the Committee would show the same spirit of understanding and good will it had demonstrated in the past, and that at its next session the General Assembly would see among its Members the representatives of an independent Gold Coast and Togoland under British administration.

13. Mr. RYCKMANS (Belgium) said that the Belgian delegation had abstained in the vote on General Assembly resolution 944 (X) because it had felt that the question to be put to the people of Togoland under British administration had been badly framed. In its opinion, only one question should have been asked, namely, "Do you wish to become a citizen of an independent Gold Coast?" The second question asked in the plebiscite made separation from the Gold Coast the only alternative to integration, whereas a third possible solution, namely maintenance of the *status quo*, which meant administration of the Territory as an integral part of the Gold Coast but under the continued protection of the Trusteeship System, had not been one of the choices offered to the inhabitants. Apart from that point, his delegation had no quarrel with the conduct of the plebiscite. It had been fair and honest, and congratulations were due to the Plebiscite Commissioner and his staff.

14. During the Committee's discussion interesting questions of constitutional law had been raised by several delegations, while the representative of the USSR had raised the question, which was perhaps more linguistic than substantial, whether the term used to describe the proposed joining of the Gold Coast and Togoland under British administration should be "annexation" or "unification". Discussion on terms seemed to Mr. Ryckmans rather academic. What had been proposed to the electors was citizenship of an independent State, with the rights and duties of other citizens. However, in his opinion, a better word was "fusion", which connoted, correctly in the present case, the voluntary union of two territories which were equal in rights. The Venezuelan representative had asked in what form the granting of independence to the Gold Coast would take place and how the constitution for the new State would be established. The United Kingdom representative had replied that the granting of independence would be effected by an Act of the United Kingdom Parliament and that amendments to the present Constitution designed to meet the requirements of independence would be introduced by the United Kingdom on the basis of the proposals made by the Gold Coast Government. That procedure seemed to him completely satisfactory; the United Kingdom could not act on any other basis, as those proposals had been made by a Government responsible to a freely elected Parliament.

15. The question of guaranteeing the rights of the inhabitants of Togoland under British administration after the union of the Territory with the Gold Coast had also been raised. In his opinion, however, no special guarantees were necessary, for the people of the Trust Territory would become citizens of the Gold Coast when the two territories were united and would then have exactly the same rights as all the other citizens of the Gold Coast.

16. The only question that remained for the Committee to decide was whether the population of Togo-

land under British administration should be considered as a unit. Members of the United Nations were committed to support of the principle of self-determination of peoples; the problem was whether the inhabitants of a particular region of Togoland were to be regarded as a people or merely a minority of the total population, which would have to accede to the will of the majority. In view of the previous record of the Administering Authority, which had always fulfilled its obligations fully and fairly, his delegation was inclined to follow

its suggestions in the matter and hence to support the union of the Trust Territory with the Gold Coast.

17. Mr. TAZHIBAEV (Union of Soviet Socialist Republics) said he could not agree that there was very little difference between the terms "annexation" and "unification". He still maintained that there was a very real political difference between the concepts expressed by the two terms.

The meeting rose at 11.50 a.m.