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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, A/C.4/334) (*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.*

**HEARING OF PETITIONERS (*continued*)**

1. The CHAIRMAN said that all the petitioners present in New York had been heard and asked the members of the Committee if they wished to ask the petitioners any questions.

2. Mrs. MONTEJO (Costa Rica) asked Miss Asamany whether, in the South of Togoland under British administration, women enjoyed the same political rights as men, and whether, in the North, women had been able to take part in the plebiscite like the men, and, if not, why not.

3. Miss ASAMANY (Togoland Congress) said that since women in the South had reached the same level of education as men, they had been able to take a real part in the plebiscite. The same had not been true of the North where, according to custom, they had been guided in their actions by the men.

4. Mr. ROLZ BENNETT (Guatemala), noting that, according to most of the petitioners, the constitutional situation in the Gold Coast would have repercussions on the political future of Togoland, asked whether a definitive agreement had been reached on the constitutional proposals in the Gold Coast.

5. Mr. ANTOR (Togoland Congress) said that Togoland had never been consulted in constitutional matters. The first arrangements made had concerned administrative measures. Togoland had not been represented on the Committee which had studied the question of the Gold Coast Constitution in 1949. Later, a draft constitution had been drawn up by the Government party and only the Legislative Assembly of the Gold Coast had studied it. The regional councils had been consulted separately, but Togoland did not have its own council and in those in which it participated, its representatives were in the minority. During the discussion of constitutional problems, therefore, Togoland had never been consulted as a separate entity.

6. Mr. AMETOWOBLA (Togoland Congress) added that not a single Togolander had been invited to represent Togoland when the Opposition had been drawing up its counter-proposals.

7. Mr. ODAME (Togoland Congress) explained that on the occasion of the general elections, the federalist view had been favoured in the Northern Territories and in Togoland, while the Colony had been in favour of a unitary system of government. Hence, the opposition parties were united in demanding a federal constitution. But the present Government was against that course. It was accordingly obvious that there was no agreement on the future constitution of the Gold Coast.

8. Mr. ASARE (Convention People's Party) said that the constitutional question went back to 1951, when the post of prime minister had been created. The Gold Coast Government had requested that the Constitution should be amended to allow for the proclamation of the independence of the Gold Coast. A British expert had been consulted, a meeting had been held near Accra, and had been attended by four representatives of the Trans-Volta/Togoland Council, three of them Togolanders. Constitutional proposals had been submitted. But, in face of agitation by the opposition parties, which wanted a federal constitution, the Secretary of State for the Colonies had decided that further elections were needed. They had been organized on 17 July 1956. The Togoland Congress and the other opposition parties now held only thirty-two seats, while the Convention People's Party held seventy-two.

9. The Government had wanted to consult the regional councils, particularly the Trans-Volta/Togoland Council (upon which Togoland was represented) and a compromise had been reached. Constitutional proposals had then been submitted to the Gold Coast Legislative Assembly, and the opposition had had ample opportunity to take part in the debates. On 14 November 1956, by 70 votes to 25, the Legislative Assembly had decided in favour of a unitary system and had authorized the Government to enact a constitution drawn up on the basis of the proposals already mentioned. The question was therefore settled.

10. Mr. ANTOR (Togoland Congress) said that from the historical point of view the Gold Coast and Togoland were separate entities which had emerged into public life at different points in time. The Colony had been participating in public life since 1916, while Ashanti and Togoland had not been represented in the Legislative Assembly until recently. A round-table conference should therefore be arranged at which all the parties might come to an agreement on a constitution. It was interesting to note that thirteen out of the twenty-one representatives of Ashanti, and fifteen representatives of the Northern Territories were in favour of the federal system. Only the representatives of the Colony, who feared that their region could not stand alone if separated, had voted in favour of a unitary system.

11. Furthermore the local councils should have been renewed, but the Government had refused to hold any more elections in 1954 and 1956. In view of such absolutist tendencies, the population naturally preferred the federal system. When the vote had been taken in the Assembly, all the opposition parties had voted against a unitary system; only the Convention People's Party had voted for it.

12. Mr. ASARE (Convention People's Party) wanted to explain that Togoland had a regional council, the Trans-Volta/Togoland Council, the president of which was a Togolander. Furthermore, there had been elections to the local council in many places; the Gold Coast Government had thought that, to avoid confusion, the elections should not take place at the same time as the general elections or the plebiscite. The general elections had proceeded without incident and had given rise to no complaints.

13. Mr. ROLZ BENNETT (Guatemala) inquired whether a date had been set for the completion of a constitution based on the proposals appearing in the latest White Book,<sup>1</sup> and whether the way in which powers would be handed over to the regional councils had been determined.

14. Mr. ASARE (Convention People's Party) could not answer the first question. He confirmed the fact that the regional councils were to be given certain powers and that they would have certain responsibilities. They would be given more later, when they had become accustomed to their new functions.

15. Mr. ROLZ BENNETT (Guatemala) deduced from Mr. Asare's reply that the precise manner in which powers were to be conferred had not yet been settled. Also, he would like to know what measures the Parliament of the United Kingdom was intending to take in connexion with the plan for constitutional development.

16. Mr. MACLAY (United Kingdom) said that his delegation would reserve the right to deal with those questions at a later meeting.

17. Mr. ASARE (Convention People's Party) said that the United Kingdom Parliament would pass an act finally proclaiming the sovereignty and independence of the Gold Coast.

18. Mr. ROLZ BENNETT (Guatemala) pointed out that there were three kinds of measures to be considered: the United Kingdom would have to pro-

claim the independence of the Gold Coast and Togoland under British administration; the United Nations would have to take a decision on the results of the plebiscite and the final termination of the Trusteeship Agreement; finally, the Gold Coast Government for its part would have to decide how and when it would take the necessary constitutional measures.

19. Mr. ASARE (Convention People's Party) said that after the general elections, the Legislative Assembly had adopted a resolution which had been transmitted to the United Kingdom Parliament through the Secretary of State for the Colonies. That was all it had so far done.

20. Mr. ROLZ BENNETT (Guatemala) asked whether the regional assemblies would act in a purely advisory capacity or whether they would also be able to take decisions.

21. Mr. ASARE (Convention People's Party) said that the regional assemblies would have very wide powers and that they would be able to advise the Government on questions of national interest, and in particular those which specially concerned their region, but that they would have no power to legislate.

22. Mr. ANTOR (Togoland Congress) pointed out that under the proposals, the regional assemblies were to have subsidiary legislative powers, a certain degree of executive power through committees and some powers in financial matters. He wished to know what the legislative powers were.

23. Mr. ASARE (Convention People's Party) replied that the regional assemblies would have power to make regulations.

24. Mr. HASAN (Pakistan) asked what importance should be attributed to language differences between North and South.

25. Mr. ANTOR (Togoland Congress) explained that all inhabitants of the South understood Ewe; going northward other dialects were encountered, of which Twi was the most important.

26. Mr. HASAN (Pakistan) asked whether there were marked differences in culture or customs.

27. Mr. OLYMPIO (All-Ewe Conference) said that between the Mono and Volta rivers there were various Ewe groups all of whom spoke the same language and had the same customs and religion; they had gradually absorbed the few other tribal groups which had formed pockets among them.

28. Mr. DE LOJENDIO (Spain) thought that the Committee should avail itself of the presence of the petitioners to ask them for information on various matters relating to the Territory, such as the languages that had been used in the plebiscite and the language that would be spoken in the future assemblies; such information would be very useful to the new Member States.

29. The CHAIRMAN noted that the Trusteeship Council and the Fourth Committee had long been concerned with the linguistic problem, which arose in all the Trust Territories.

30. Mr. ESPINOSA y PRIETO (United Nations Plebiscite Commissioner) pointed out that his report (A/3173 and Add.1) and the annexes in particular, contained information regarding the languages used during the plebiscite. The plebiscite itself had been

<sup>1</sup> Gold Coast, *The Government's Revised Constitutional Proposals for Gold Coast Independence*, Accra, Government Printer.

conducted in English but all the preliminary instructions had been given out in the four principal dialects.

31. Mr. RIVAS (Venezuela) noted that the map prepared by 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, annex IV) had had a division in the central part named Buem-Krachi. On the map which he had now before him, there was an Akan-Krachi ward. He wished to know whether there had been a geographical redistribution.

32. Mr. ASARE (Convention People's Party) explained that Buem-Krachi was an administrative district which comprised two electoral wards: Akan-Krachi and Buem.

33. Mr. ANTOR (Togoland Congress) said that the administrative division between the North and South dated from 1922 and there had been no readjustment since then.

34. Mr. RIVAS (Venezuela) wondered whether such a geographical distribution would influence the results of the plebiscite: if Akan-Krachi was regarded as part of the South, the percentage of votes for or against union with the Gold Coast would be considerably affected.

35. He then drew the Committee's attention to paragraph 122 of the Plebiscite Commissioner's report (A/3173 and Add.1) in which the Commissioner said that it would be difficult to understand the situation in the Territory without a clear idea of the political development of the Gold Coast. That comment seemed to him to be very wise. In point of fact, although Chapter XI of the Charter did not allow the United Nations to receive political information on Non-Self-Governing Territories such as the Gold Coast, Chapter XII and XIII on the other hand made the Trust Territories the responsibility of the General Assembly. Consequently, in order to carry out its duty toward Togoland, the Assembly must have more detailed information regarding the political development of the Gold Coast. He wished to know whether it was enough for the Government of the Gold Coast to adopt a constitution for it to become valid for Togoland, without further action from any quarter.

36. Mr. ANTOR (Togoland Congress) said that the Togolandians were and would undoubtedly remain a minority, but that did not mean that a constitution adopted by the Gold Coast would be approved by Togoland under British administration.

37. Mr. ASARE (Convention People's Party) noted that if the Legislative Assembly adopted a constitution for an independent Gold Coast, the constitution would not necessarily come into force immediately as a result: in point of fact the declaration of independence was not unilateral, since the resolution must still be approved by the Parliament of the United Kingdom. Togoland under British administration was still a Trust Territory and it therefore lay with the United Nations to make the decision.

38. Mr. RIVAS (Venezuela) took it, from the petitioners' statements, that in their opinion the constitution adopted by the Gold Coast would be subject to negotiations and that the text might be amended as a result of those negotiations.

39. Mr. KUMAH (Convention People's Party) did not think that if the Legislative Assembly, in which

Togoland was represented, adopted a constitution by resolution, the United Kingdom Parliament would modify the text.

40. Mr. ANTOR (Togoland Congress) thought that even if Togolandians remained a minority in the Legislative Assembly, it was obvious that the constitution should be the subject of negotiations.

41. Mr. RIVAS (Venezuela) asked whether the separatist movement was a threat to the future of the country.

42. Mr. ODAME (Togoland Congress) thought that the separatist movement was important: the Ashanti, for example, wanted to have their own flag and armed forces.

43. Mr. AMETOWOBLA (Togoland Congress) recalled that one of the leaders of the Opposition had stated in the Legislative Assembly that unless an agreement was reached on the constitution, the inhabitants of the Northern Territories and Ashanti would demand autonomy.

44. Mr. ASARE (Convention People's Party) did not think there was any constitutional crisis. The members of the Assembly were obviously not all of the same opinion, but the Opposition had taken a full part in the debates on the constitution and in the voting.

45. Mr. RIVAS (Venezuela) asked what the position of the Togoland Congress was in regard to the constitution.

46. Mr. ANTOR (Togoland Congress) said that the fundamental aim of his party was the unification of the two Togolands. It would provisionally accept federation with the Gold Coast, on condition that it did not rule out all possibility of unification.

47. In reply to a question from Mr. RIVAS (Venezuela) Mr. ANTOR (Togoland Congress) noted that culturally and traditionally the district of Akan-Krachi was linked with the southern part of the Territory.

48. Mr. HASAN (Pakistan) wished to know how Togoland under British administration could make known its wishes in regard to its future constitution. He also wished to know how those wishes would be respected. He wondered what the legal responsibility of the United Nations was in that connexion. A Trust Territory must not have imposed upon it a constitution which its inhabitants rejected.

49. The CHAIRMAN said that that was one of the questions which would be discussed during the general debate.

50. Mr. BOZOVIC (Yugoslavia) asked how many representatives the Northern Territories had in the Legislative Assembly.

51. Mr. ASARE (Convention People's Party) said that the Northern Territories and twenty-six representatives. However, it was difficult to say how many of them in fact represented the northern part of Togoland, because the electoral wards generally included part of Togoland and part of the Gold Coast. Only two wards were wholly inside Togoland territory.

52. Mr. BOZOVIC (Yugoslavia) wanted to know the position of those representatives in regard to the draft constitution.

53. Mr. ASARE (Convention People's Party) said that in one of the two wards which were completely

inside Togoland territory, the people had elected a member of the Convention People's Party. He was not able to reply immediately on the position of the other representatives.

54. Mr. BOZOVIC (Yugoslavia) noted that on the Trans-Volta/Togoland Council, Togoland and the Gold Coast each had twenty-one members, but that the number of votes varied with the individuals. He would like some explanation of that point.

55. Mr. KUMAH (Convention People's Party) explained that in all important matters, each member of the Trans-Volta/Togoland Council cast a number of votes corresponding to the population of his ward.

56. Mr. BOZOVIC (Yugoslavia) thought that the question of the future constitution of the Trust Territory raised a number of delicate problems. It would be advisable, therefore, for the Administering

Authority to supply the Committee with official information.

57. Mr. VELANDO (Peru) wanted to know whether the various parts of the North and South had had an opportunity of expressing their views freely during the electoral campaign. That was the only means of ascertaining whether the inhabitants of the North had known what exactly they were voting about.

58. Mr. KUMAH (Convention People's Party) explained that the parties had had complete freedom to state their programmes.

59. Mr. ASARE (Convention People's Party) thought that in both North and South the voters had had an opportunity of following the electoral campaign and voting with a full knowledge of the facts.

The meeting rose at 5.50 p. m.