



Friday, 18 January 1957,
 at 10.50 a.m.

New York

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 (*continued*)

Draft report of the Fourth Committee: Part II. The future of Togoland under French administration ... 267

Agenda item 34:

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (*continued*)

(a) Information on educational conditions (*continued*)

(b) Information on other conditions (*continued*)

General debate (*continued*) 269

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 and Add.1, A/C.4/340 and Add.1, A/C.4/341, A/C.4/L.457) (*continued*)

**DRAFT REPORT OF THE FOURTH COMMITTEE: PART II.
 THE FUTURE OF TOGOLAND UNDER FRENCH ADMINISTRATION (A/C.4/L.457)**

1. Mr. SOWARD (Canada), Rapporteur, presenting the draft report (A/C.4/L.457), said that in accordance with the usual practice it confined itself to a statement of facts. He drew attention to the statement in paragraph 15, which had been included in accordance with the request made by the representative of Guatemala at the 599th meeting.

2. Mr. TAZHIBAEV (Union of Soviet Socialist Republics) took exception to the drafting of paragraph 22. He would prefer the paragraph to read: "The text of the draft resolution adopted by the Committee is reproduced hereunder."

3. He would also like a reference to be included to the fact that the Soviet delegation had explained its vote on the question.

4. Mr. SOWARD (Canada), Rapporteur, accepted those suggestions.

5. Miss BROOKS (Liberia) felt that since the Committee had decided at its 599th meeting to delete the words "the Autonomous Republic of Togoland" from the draft resolution, it would not be correct to use that title in the report.

Page

6. Mr. SOWARD (Canada), Rapporteur, said that as far as France and Togoland were concerned the Autonomous Republic had been established by the Statute and he considered that the description given by the French delegation itself should be used in a factual report.

7. Mr. PACHACHI (Iraq), referring to paragraph 11, recalled that at the 589th meeting he had made it clear that his delegation could not recognize the invitation to the United Nations as coming from the Republic of Togoland, since the person who had presented the invitation had done so in the name of the French Republic. The paragraph as it stood implied that the French Government had merely associated itself with the invitation, a point of view that could not be accepted by the delegation of Iraq. Mr. Apedo-Amah could not address the Fourth Committee on behalf of Togoland, which was not a Member of the United Nations.

8. Mr. SOWARD (Canada), Rapporteur, said he had simply summarized the factual statements made. He thought the point made by the representative of Iraq was covered by the wording of the draft resolution that had been adopted.

9. Mr. PACHACHI (Iraq) requested that if the report were not altered in accordance with his suggestion his observations on the subject should be included.

10. Mr. SOWARD (Canada), Rapporteur, said that that would be done.

11. Mr. TAZHIBAEV (Union of Soviet Socialist Republics) said that, in addition to paragraph 11, paragraphs 6 and 7 included references to the Autonomous Republic of Togoland and were therefore not acceptable to his delegation. During the discussion of the draft resolution a number of delegations had expressed the wish that any reference to the Government of the Autonomous Republic of Togoland should be avoided, and the Committee had decided to delete those words. In order that the report might be unanimously adopted those words should be deleted wherever they occurred.

12. Mr. BARGUES (France) maintained that it would be incorrect to delete any mention of the Autonomous Republic of Togoland from the report since, in consequence of the enactment of a law approved by the Government and people of Togoland, the Autonomous Republic of Togoland did in fact exist. Moreover, Mr. Apedo-Amah was the Minister of Finance of the Autonomous Republic and could not be called by any other title. It was quite clear from paragraph 11 of the report that he had spoken as a member of the French delegation because Togoland had no official relationship with the United Nations.

13. He would vote in favour of the report as it stood and against the proposed alterations.

14. Mr. ROLZ BENNETT (Guatemala) suggested that the second sentence in paragraph 6 might be amended to read: "Statements were also made by two other members of the French delegation, Mr. Georges Apedo-Amah, introduced as the Minister of Finance of the Autonomous Republic of Togoland..."

15. He thought paragraph 7 could be left as it stood, since the words in question appeared between quotation marks.

16. Paragraph 11 might be amended to read: "At the same meeting Mr. Apedo-Amah, a member of the French delegation, introduced as the Minister of Finance of the Autonomous Republic of Togoland, informed the Committee that the Government of Togoland would be happy to welcome a United Nations information mission..."

17. Mr. GERIG (United States of America) felt that an important point of principle was involved. As he understood it, the report was merely a description of what had taken place. The references in paragraphs 6, 7 and 11 were to statements made by the French delegation; they did not in any way commit the other members of the Committee. The Committee had no authority to change statements made by members of delegations. In his view the report should be left as it stood.

18. Mr. TAZHIBAIEV (Union of Soviet Socialist Republics) agreed that the question was one of principle. He wished to make it quite clear that he was not criticizing the report or impugning the good faith or ability of the Rapporteur. Nevertheless he felt that the draft report contained phrases which might create an undesirable precedent. He could not see that there was any need to mention members of delegations by name or to describe their functions; all that was needed was a statement that the representative of a country had spoken.

19. Mr. RIVAS (Venezuela) supported the proposal made by the representative of Guatemala. If that proposal were not acceptable the formula "the French delegation" could perhaps be used. For example, paragraph 11 might begin: "The French delegation informed the Committee that the Government of the Autonomous Republic of Togoland..."

20. Mr. PACHACHI (Iraq), replying to the United States representative, emphasized that he had not intended to suggest that the report should not reflect what had taken place in the Committee. He had merely asked for the addition of a sentence stating his position, which would make the report more comprehensive.

21. As far as his delegation was concerned the basic issue was that it could not accept the statement in paragraph 11 that the French Government associated itself with the invitation, since the invitation had come from the French Government.

22. Mr. DE LOJENDIO (Spain) pointed out that it was clearly stated in paragraph 20 of the report that the Committee had rejected the words "the Autonomous Republic of Togoland"; the General Assembly could not therefore suppose that the Fourth Committee had prejudged the position. He would accordingly be able to vote in favour of the report as it stood.

23. Mr. BARGUES (France), referring to the USSR representative's suggestion that there was no need to mention members of delegations by name, pointed out that when representatives of Trust Territories were included in the delegations of the Administering Au-

thorities concerned their names and functions were always given. That had been done in the case of the Mayor of Saipan, who had been a member of the United States delegation during the discussion on the Trust Territory of the Pacific Islands at the Sixteenth session of the Trusteeship Council; and of the Minister of Finance of the Gold Coast, who had been a member of the United Kingdom delegation during the Committee's recent discussion of Togoland under British administration.

24. In reply to the representative of Iraq, he observed that a Rapporteur's report was supposed simply to give an objective account of what had taken place; whether or not the words used by Mr. Gaston Defferre were agreeable to other delegations, it would be improper to omit them from the report.

25. Mr. BOZOVIC (Yugoslavia) stressed that the French delegation was entitled to press for the maintenance of paragraph 11 as it stood and that any other delegation was equally entitled to have its views included in the report.

26. He agreed with the representative of Iraq regarding the reference to the invitation to the United Nations.

27. Mr. TAZHIBAIEV (Union of Soviet Socialist Republics) said that in view of the opinions that had been expressed he would not press for a vote on paragraph 7. Nor would he press for a vote on paragraph 6, if the proposal made by the representative of Guatemala were accepted.

28. With regard to paragraph 11, his proposal was that the words "and Minister of Finance of the Autonomous Republic of Togoland" and also the words "of the Autonomous Republic" appearing after "the Government" should be deleted from the first sentence.

29. Mr. BARGUES (France) was unable to accept the USSR proposal.

30. The CHAIRMAN put to the vote the proposal made by the representative of Guatemala that the words "introduced as" should be added to paragraph 6 before the words "Minister of Finance of the Autonomous Republic of Togoland".

The proposal was adopted by 34 votes to 18, with 6 abstentions.

31. Mr. TAZHIBAIEV (Union of Soviet Socialist Republics) suggested that the same wording should be used in paragraph 11.

32. Mr. ROLZ BENNETT (Guatemala) pointed out that his proposal had referred to paragraph 11 as well as paragraph 6.

The proposal was adopted by 32 votes to 16, with 9 abstentions.

33. Mr. TAZHIBAIEV (Union of Soviet Socialist Republics) proposed that the words "of the Autonomous Republic" should be deleted.

The proposal was not adopted, 22 votes being cast in favour and 22 against, with 12 abstentions.

34. Mr. TAZHIBAIEV (Union of Soviet Socialist Republics) requested that after paragraph 11 a sentence should be inserted to the effect that the USSR delegation had stated that the United Nations mission had been invited by France as the Administering Authority of the Trust Territory of Togoland under French administration.

35. Mr. BARGUES (France) requested that a paragraph should be included to the effect that the French

delegation had stated that it comprised among its members representatives of the Autonomous Republic of Togoland and in particular Mr. Apedo-Amah, Minister of Finance of that Republic.

36. The CHAIRMAN said that that would be done.

The report as a whole, as amended, was adopted without objection.

AGENDA ITEM 34

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (A/3105 to A/3109, A/3110 and Corr.1, A/3111 and Add.1 and 2, A/3112 and Add.1 and 2, A/3113 and Corr.1, A/3114 and Corr.1 and Add.1, A/3115, A/3127) (continued):

(a) Information on educational conditions (A/3165 and Corr.1 and Add.1 and 2) (continued);

(b) Information on other conditions (continued)

GENERAL DEBATE (continued)

37. Mr. PACHACHI (Iraq), speaking on a point of order, said that although the French representative had stated at the 600th meeting that his Government had decided not to include information on Tunisia and Morocco in its reports on Non-Self-Governing Territories, out of courtesy to those countries, it had in fact been the Iraqi representative who had first stated in the Committee on Information from Non-Self-Governing Territories that he would not discuss information relating to those countries. The French delegation had then associated itself with the Iraqi position.

38. Mr. BARGUES (France) said his remarks had not been intended to detract from the credit due to the Iraqi representative for his initiative.

39. Mr. MESTIRI (Tunisia) said that his delegation was grateful to the Iraqi representative for the concern he had shown that no reflection should be cast on Tunisia's newly acquired sovereignty.

40. Mr. LOIZIDES (Greece) said that it was clear from the terms of reference of the Committee on Information from Non-Self-Governing Territories that it had been expected to examine the summaries and analyses of information transmitted under Article 73 e of the Charter in the light of the purposes of the United Nations, which included the promotion of respect for the principles of equal rights, the self-determination of peoples, and human rights and fundamental freedoms. It was equally clear that the Committee had been expected to examine the information on education in Non-Self-Governing Territories in the spirit of Article 73 of the Charter, according to which Members of the United Nations administering such territories assumed an obligation to promote educational advancement in those Territories with due respect for the religious concepts, the culture, the traditions and the national and political aspirations of the people concerned. That was the objective which the Committee should have kept in view in examining the information on education. In the light of those considerations, his delegation had not found the report of the Committee satisfactory.

41. The Committee seemed to have been aware of its high mission, for it agreed that the people them-

selves must decide what form of education they required and also that teaching must be closely linked to the local indigenous life and culture. It had, however, been handicapped in fulfilling its mission in two important respects: firstly, it had been required to examine the problem of education on the basis of the information transmitted by the administering Powers, and, secondly, it had been barred by its terms of reference from making recommendations with respect to individual Territories. The information transmitted by the administering Powers had been confined to general and technical matters such as the number of pupils and teachers, the education of women, technical education, school buildings, sums spent on education and so on. To transmit such information alone was wholly out of keeping with the spirit of Articles 1, 55 and 73 of the Charter, for it was impossible to judge from it what were the ideals and aims towards which such education was directed. There appeared to be an exception in the case of the Territories administered by the United States, for the Committee had noted the recognition in those Territories of the principle that education should be a reflection of democratic self-government, with control vested in representatives of the local population.

42. In the spirit of Articles 1, 55 and 73 of the Charter and according to article 26 of the Universal Declaration of Human Rights, education should be free and parents should have the prior right to choose the kind of education to be given to their children. He wondered where in the Non-Self-Governing Territories education was free, where the inhabitants and their local communities were free to have their own schools, and where the parents of the pupils or their democratically elected representatives had the right to decide on the school curriculum.

43. He was well acquainted with the situation in one Non-Self-Governing Territory—Cyprus. Before 1923, when Cyprus had not yet been declared a British colony, the schools had been in the hands of the inhabitants and they alone had decided on the education of their children. That situation had begun to change after 1923, when the United Kingdom had decided to give Cyprus the status of a Crown Colony. British interference with Greek education in the island in 1923 and 1929 had been one of the main reasons for the national uprising of 1931. The Colonial Government of Cyprus had openly held Greek education to be the factor responsible for the Greek community's national and political aspirations, and had passed new laws in an endeavour to change the character of the education totally. The Director of the Education Department had officially declared that the schools must educate their pupils to become good and loyal subjects of the British Empire; to that end every reminder of Greek traditions was to be eliminated from the schools. In that spirit, the education laws of 1933 and 1935 had transferred full control of elementary education to the Colonial Government. The inhabitants had been, and still were, forbidden to maintain any elementary schools of their own. The Greek Pankyprian Teachers' Training School had been abolished and replaced by the government-controlled Teachers' Training College. Since the purpose of that college had been to train Greek, Turkish and English teachers together, and along British lines rather than according to local traditions, the result had been deplorable.

44. The Government appointed, paid and dismissed teachers; more important, it prescribed the curriculum

of the elementary schools. Greek history was no longer a separate subject but was taught only in connexion with the general history of the Balkans. For many years the word "Greek" had been officially avoided in connexion with the schools of the Greek Cypriot population; laws and official documents referred instead to "Non-Moslem" schools and "Non-Moslem" teachers. On the other hand, great attention had been paid in the elementary schools to British history, the British national anthem, British songs and British dances.

45. The Colonial Government had met with more difficulty in attempting to subjugate secondary education in Cyprus. In 1935 it had made financial assistance to Greek secondary schools from Cyprus budget funds dependent on acceptance of the Government's conditions. Moreover, it had prohibited the existence of any secondary school without governmental permission, and had made it necessary for every secondary school teacher to have a government licence, to obtain which the teachers had been required to sign a solemn declaration that he would not take part in politics and that he would try to make the Cypriot pupils good and loyal subjects of the British Empire. Most of the Greek Cypriot secondary schools had preferred to do without financial assistance from Cyprus budget funds rather than submit their curriculum to the control of the Colonial Government.

46. The Colonial Government's last effort to gain control of secondary education had been the creation in 1952 of a new kind of secondary school in which the Governor appointed and dismissed the teachers and prescribed the curriculum. The plan had not succeeded, however, and, despite all handicaps, the Greek secondary schools had made good progress, increasing in number and more than tripling their attendance in the past ten years.

47. With regard to higher education, the Colonial Government's efforts were to lead students to London rather than Athens. Moreover, since 1935 it had been practically impossible for Cypriots to study law in Greece, since no one could practise as an advocate in Cyprus unless he was a barrister-at-law of a British bar.

48. In short, the history of education in Cyprus was the history of a dreadful struggle between the Greek people of Cyprus, trying to preserve their national consciousness and their Greek traditions, and British colonialism, endeavouring to extinguish both.

49. In the light of those facts, it was astonishing to read in the report transmitted to the United Nations by the United Kingdom that the information supplied in the 1954 report remained in general unchanged, while another official British document, "Colonial Reports, Cyprus, 1955" stated that by the end of 1955 there had been a widespread disruption of education in Cyprus, that two large schools had been closed, and that there had been demonstrations and strikes in twenty-four of the thirty-two purely Greek Cypriot secondary schools.

50. Unfortunately, the disruption of education was much worse than could be gathered from that information. During the school year beginning 1 September 1955, 376 of the 510 Greek elementary schools had been closed down by the security forces, 50,000 of the 60,000 elementary schools pupils had been deprived of education, and 1,110 of the 1,330 Greek teachers in those schools had lost their employment.

51. During the same school year the eight largest Greek secondary schools had been closed down and struck from the register, while the remaining twenty-four had been provisionally closed down, either by the security forces or by decision of the school board because of the severe measures taken against students by the British authorities. Of a total of 16,000 students, 14,500 had been affected by that action. Nine teachers had been arrested, five had had their teaching licences revoked, and 135 teachers from Greece had been obliged to leave Cyprus because their residence permits had not been extended.

52. The undemocratic colonial constitution which had recently been offered to Cyprus by the British Colonial Office was no substitute for self-determination, and Cypriot students considered it a fresh insult.

53. As regards other Non-Self-Governing Territories, the Administering Members did not appear to have realized the full import of the obligations they had assumed under the Charter with regard to these Territories. Perhaps this misunderstanding resulted from the use of the word "declaration" in the title of Chapter XI of the Charter. In his book, *The Law of the United Nations*,¹ Professor Kelsen questioned the use of that word on the grounds that it seemed to imply a unilateral pledge rather than a binding obligation the persistent violation of which might lead to application of the sanctions provided for in Article 6. A Government which had subscribed to the United Nations Charter must recognize that sovereignty over the Non-Self-Governing Territories rested with the peoples of those Territories themselves and not with the administering Powers, who in assuming the obligations set forth in Article 73, had restricted themselves to an administrative role.

54. It was the duty of the General Assembly, and particularly the Fourth Committee, to ensure that the principles of the Charter were applied to the millions of people in the Non-Self-Governing Territories who were treated as second-class human beings. If those basic principles were compromised and political expediency was allowed to dictate an inconsistent policy whereby such rights as that of self-determination were sometimes protected and at other times ignored, the peoples of the Non-Self-Governing Territories would lose faith in the United Nations and take matters into their own hands. The reservations that had been made with regard to specific Territories at the opening of the current discussion had shown how unwise it was to leave such questions unsettled. It was regrettable that the Charter did not provide for the acceptance of petitions from the Non-Self-Governing Territories and the sending of visiting missions, as in the case of the Trust Territories. It was encouraging to observe, however, that the great body of public opinion throughout the world, even in countries which administered Non-Self-Governing Territories, regarded colonialism as outmoded. In the United Kingdom, for example, the Press, the Opposition in both Houses of Parliament and the bulk of the people deserved a grateful tribute for their objective attitude with regard to Cyprus.

55. With regard to economic and social conditions in the Non-Self-Governing Territories, he would only state that it was not enough for the United Nations to concern itself with improving those conditions, for, in the words of Pericles, prosperity lay only in freedom

¹ Hans Kelsen, *The Law of the United Nations* (London, Stevens, 1950).

and freedom lay only in bravery. The United Nations must assist subject peoples in their struggle for freedom so that they would not have to make the sacrifices which their bravery would otherwise inevitably demand.

56. Mr. GIDDEN (United Kingdom) said that the Greek representative's statement constituted such an extraordinary perversion of fact that he would have to examine it in detail before replying. For the moment he would merely point out that the Greek Government bore a heavy responsibility for the reverses which the progress of education in Cyprus had suffered, since it had made the youth of that island the target of its inflammatory propaganda broadcasts.

57. Mr. FOROUGHI (Iran) expressed appreciation of the thorough and comprehensive account of education in the Non-Self-Governing Territories prepared by the Sub-Committee. Great significance should be attached to the basic cultural values of the peoples concerned, as stipulated in General Assembly resolution 743 (VIII). While peoples could benefit by borrowing and adapting certain aspects of each other's civilizations, the world was the richer for a diversity of cultures, and the nations responsible for guiding the progress of the Non-Self-Governing Territories should scrupulously respect that principle.

58. The eradication of illiteracy, which was dealt with in paragraph 26 of the report on education (A/3127, part two), should be followed by the provision of facilities for adults to improve themselves educationally and culturally in their leisure time. Thus education could

serve to make manpower more productive and to accelerate the progress and increase the happiness of the inhabitants of the Territories. The situation described in paragraph 38 existed among young people from his own country, who, when going abroad to study, showed a tendency to favour professions which would bring them financial rewards and social standing. The remedy for that attitude lay in social action and reform. One way of attracting students would be to offer higher salaries in the professions which were now largely shunned; scholarships would be another. Educational planning should go hand in hand with social planning so that there would be enough qualified personnel to cover the needs in every field.

59. The stress laid on the absence of racial discrimination in education was particularly important, and the administering Powers would do well to study the recommendations in paragraph 62. The recommendation in paragraph 65 that a higher percentage of the territorial budgets should be spent on education was particularly to be endorsed.

60. In conclusion, he wished to bring to the attention of the Committee the fact that the University of Teheran had established two scholarships for students from Non-Self-Governing Territories.

61. His delegation would vote in favour of the draft resolution submitted in annex II to the report (A/3127, part one).

The meeting rose at 12.50 p.m.