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PETITIONS CONCERNING THE TRUST TERRITORY OF
TOGOLAND UNDER BRITISH ADMINISTRATION

Working paper prepared by the Secretariat

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I. Petition from Mr. Kwasi Ampim (T/PET.6/346)

1. In a memorandum dated 26 August 1955 and addressed to the Visiting Mission, Mr. Kwasi Ampim and other signatories of the Besiaku Royal Family of Kpandu Gabi bring up again the dispute over the paramount stool (or chieftainship) of Kpandu Division, which they previously brought to the attention of the Trusteeship Council in 1952 in T/PET.6/320.
2. In their previous petition they claimed that Mr. D. Y. Nyavor was the rightful claimant to the chiefdom of Kpandu, that he had been endorsed by the Akpini State Council, by an independent body of arbitrators and by a Commission of Inquiry, but that the Government had refused to accept these decisions. In its observations, the Administering Authority declared that the Division was split between two rival claimants, of whom the petitioners' candidate had the support of the majority of the chiefs and the other that of the majority of the people. It was up to the chiefs and people to agree upon one or the other of the existing candidates or upon a third candidate.
3. By its resolution 788 (XII) the Council expressed the hope that the parties concerned would attempt to resolve the question at the earliest possible date to the benefit of all persons concerned.
4. The petitioners now complain that the Government agent evaded all their attempts for a peaceful settlement of the dispute, and that a third candidate was elected and installed in an irregular manner and without the consent of the Royal Family. He has not been installed on the sacred stool which remains the possession of the Royal Family.
5. The petitioners claim, moreover, that the nine sub-chiefs of the Gbodome Subdivision were not present at the installation of the new chief, who is supported therefore only by the six sub-chiefs of the other two Subdivisions.
6. They maintain that the installation of the new chief was pushed through by the Administering Authority and by the "C.P.P. Gold Coast Government" to further "their course of integration".
7. In its observations (T/OBS.6/17), the Administering Authority denies that the Government agent at Kpandu refused to settle the Kpandu Stool dispute peacefully and by agreement, in order to favour the claims of a Convention People's

Party candidate. This allegation is the reverse of the truth. The Government agent then at Kpandu made every effort to persuade the parties to agree to settle it peacefully; and despite Mr. Ampim's opposition they eventually did so, in a manner which cut across party lines.

8. As regards the petitioner's claim that the new Chief - Dagadu V - was improperly elected and installed as a chief, the Administering Authority states that this is a matter falling within the purview of the State Councils (Colony and Southern Togoland) Ordinance, 1952. Section two of that Ordinance contains a definition of the phrase "matter of a constitutional nature" which includes a dispute relating to "the nomination, election or installation of any person as a Chief or the claim of any person to be elected or installed as a Chief". Section 5 of this Ordinance provides for the hearing of such disputes. Mr. Ampim's attention has frequently been drawn to this. His failure to take action in the proper manner can only be construed as an admission that he would be unlikely to succeed.

9. As regards the petitioners' claim that the Chief has the support of only six out of 16 sub-chiefs in the Kpandu Division, the Administering Authority declares that in fact there are fifteen sub-chiefs in the Division. Only five of them do not support the Divisional Chief. There is greater unity now in the Division than has been for many years and in the Stool family. Mr. Ampim speaks only for a section of one of the three clans of the Stool family, the rest of whom support the Divisional Chief.

II. Petition from Mr. Kofi Tsama (T/PET.6/347)

1. By letter dated 31 August 1955 addressed to the Visiting Mission, Mr. Kofi Tsama claims that a pamphlet entitled "Togo As At 31st July, 1955", written in the Ewe language with an attached English summary, and published by the NANA O Movement, was seized from the press by the Assistant Superintendent of Police at Hohoe. He states that the pamphlet was written to educate the public about the political status of Togoland, with particular reference to the handing over of control of the Civil Service from the Administering Authority to the Civil

Service Commission of the Gold Coast. (An explanation of the position in this respect appears in paragraph 68 of the special report of the 1955 Visiting Mission - T/1206).

2. Mr. Tsama states that he was brought for questioning to the Police Commissioner at Ho, who informed him that he was in possession of a seditious document.

Explaining that the pamphlet, of which he was the author, contained no seditious matter, Mr. Tsama gave the Commissioner the English summary. Mr. Tsama quotes the Commissioner as stating: "If that had been all the subject matter of the pamphlet there would be no trouble about it for me". Mr. Tsama was then held in custody overnight, on 27 July 1955 and then released on bail.

3. The petitioner understands that the news was broadcast from the Gold Coast Station on 30 July 1955, that as from 31 July 1955, administrative power in Togoland would be vested in the Governor alone. If this announcement had been made on 15 February 1955, when the Governor announced the transfer of administrative power to the Gold Coast, there would have been no need for his pamphlet. The petitioner states, in paragraph 7 of his petition, that the Administering Authority tries to keep the inhabitants of the Trust Territory completely ignorant about their political status. He seeks an inquiry into the matter raised in his petition.

4. In its observations (T/OBS.6/15, section 1), the Administering Authority explains that Mr. Tsama Kofi's pamphlet, copies of which were removed from a press in Hohoe, contains fifty-one printed pages, of which the first thirty-seven are in the Ewe language and the last thirteen contain the summary in English enclosed with the petitioner's communication to the Visiting Mission. The first thirty-seven pages contain a number of extremely misleading statements not reproduced in the summary, some of which, in the opinion of the Attorney-General, are seditious.

5. The Administering Authority states that the question of the prosecution for sedition of Mr. Tsama Kofi has been under consideration, but it is not now intended to institute such a prosecution. The Administration is unwilling, at least for the present, to return to him the copies of the pamphlets removed from the press in Hohoe.

6. The Administering Authority describes as completely untrue the statement in the communication to the effect that the United Kingdom tries to keep the inhabitant of the Trust Territory ignorant of their political status.

III. Petition from Mr. Gilbert Kpeglo (T/PET/6/348)

1. In an undated letter addressed to the 1955 Visiting Mission, Mr. Kpeglo, who describes himself as a General Merchant living at Kete-Krachi, states that he was an independent candidate in the elections of 15 June 1954 to the Legislative Assembly for the Akan-Krachi electoral district.
2. He complains that the administrative arrangements for the election were highly unsatisfactory and that the Government agent and the Senior Executive Officer, who were in charge, were very partial. Besides this, there were undue influence and general intimidation and corrupt practices. For instance, a new polling station was opened without any information being passed on to him. His agents were refused identification cards by the Government agent, which would have enabled them to be present at the polling stations to detect malpractices.
3. In its observations (T/OBS.6/14), the Administering Authority describes his allegations that the Government agent and his Senior Executive Officer were "very partial" as being without foundation. Most of his other allegations were the subject of an election petition which was dismissed by the Divisional Court constituted by three judges.
4. More particularly, the petitioner complains that his emblem for the purposes of the election was changed by the Government agent ten days before the general elections and that it was physically impossible for him to make advertisements to his supporters. The electoral district is large.
5. In support of this, he submits copies of:
 - (a) a letter dated 22 May 1954 from the Returning Officer acknowledging receipt of his nomination form and allocating to him the independent symbol of an elephant in blue on a white background and the colour blue.
 - (b) a letter dated 4 June 1954 from the Returning Officer referring to the previous letter and allocating to him the independent symbol of a white butterfly on an orange background and the colour white.
6. The petitioner states that eight days before the election he submitted a bill for his expenses for the change of emblem. The claim was as follows:

Cost of printing 6,000 copies of Blue Elephant	£15
Travelling allowances/expenses of 12 agents at 6/8 d. per day	£60
Total	<hr/> £75

All attempts to recover this amount from the Government have proved abortive and he asks the United Nations to investigate and to authorize the payment without further delay.

7. On this complaint the Administering Authority explains that nothing further was heard until after the election in which Mr. Kpeglo polled so few votes that he forfeited his deposit. He then submitted a bill for £75 to the assistant Government agent being the costs involved in printing and publishing the blue elephant symbol. This the Administration has been unable to accept on the grounds:

- (a) that the selection of the blue elephant was made by Mr. Kpeglo himself;
- (b) the bill bears no relation to the actual cost involved in publishing the symbol throughout the district; and
- (c) Mr. Kpeglo was supplied with a large number of copies of the new symbol free of charge to replace the blue elephant symbol.

IV. Petition from Mrs. Clementine Adzoa Dumoga (T/PET.6/349)

1. In a letter dated 27 August 1955 addressed to the 1955 Visiting Mission, Mrs. Clementine Adzoa Dumoga complains that before the coming of the 1949 Visiting Mission, her husband, a headteacher and at that time General Secretary of the Togoland Union, was given three transfers in eighteen months to make his work difficult.

2. She further complains that in July 1955 her husband was sentenced to three months' imprisonment in a dispute with his sister in order to keep him from public activities during the visit of the 1955 Visiting Mission. He appealed against this illegal imprisonment, but it took seven days before he was released. On the orders of the Assistant Director of Education, her husband was not paid for those seven days.

3. She considers that the Convention Peoples' Party plotted to imprison her husband as well as Mr. Tsama Kofi (see Section II above). In order to prevent such ill-treatment of Togoland Nationalists, she asks the United Nations to grant independence and reunification.

4. In its observations (T/OBS.6/15, section 2), the Administering Authority states that the petitioner's husband, Mr. Kofi Dumoga is a teacher in the Evangelical Presbyterian Church. It gives details of three transfers which he received between January 1948 and January 1950. Two of these were promotions, but the third was a demotion, which he had incurred because of irregularities in his accounts. He resigned, but has since been reinstated and is once more a headteacher.
5. The Administering Authority further states that in July this year Mr. Dumoga was sentenced to three months' imprisonment by the East Yingor Native Court for breach of an injunction against trespass in a land case. He appealed against the decision and the appeal was heard by the District Appeal Court in October. The Appeal Court rejected Mr. Dumoga's plea that he trespassed because the matter had been settled by arbitration but it reduced sentence of imprisonment to a fine which Mr. Dumoga paid. During the period when he was imprisoned he was not paid salary. This is in accordance with the normal practice and Mr. Dumoga himself has not appealed against the decision.
6. The Administering Authority denies that there has been persecution of Mr. Dumoga for his political beliefs by Government Officers, by the Native Courts of Mr. Dumoga's area or by his employers.

V. Petition from Mr. Simon Ahiakpor (T/PET.6/350)

1. The petitioner, who is an ex-serviceman, in a letter dated 29 August 1955 addressed to the 1955 Visiting Mission, complains that he personally and Togoland ex-servicemen in general are being discriminated against by the Gold Coast Government.
2. The Administering Authority prefaces its observations (T/OBS.6/15, section 3) with the statement that Mr. Ahiakpor served nearly three years in the army including in the Burma campaign. He was discharged as a tested blacksmith with an exemplary record of conduct.
3. The precise complaints and the related observations of the Administering Authority are given under the following headings:

(a) Application to join Gold Coast Services

Complaint: In 1946, when he was discharged, he applied to join the Preventive Police, but was turned down. Since then, thousands of ex-servicemen have been engaged in that service, but there has been no vacancy for him because he is a Togolander. In 1954, he applied to join the Gold Coast Police, but was turned down. No Togoland ex-servicemen have been given jobs.

Observations: Mr. Ahiakpor submitted an application to join the Preventive Service in April 1946 at a time when there were no vacancies. His application contained only one of the details required to enable his qualifications to be assessed and his name was not kept on a list. The total strength of this service is only 385, of which, as a matter of interest, some 77 are from Togoland.- No trace can be found of any application by Mr. Ahiakpor to join the police but if a copy of the reply annexed to the petition can be provided the matter will be looked into further.

(b) Loss of discharge book

Complaint: When his discharge book was lost in a fire, it was replaced by a torn and worn-out one, while Gold Coast soldiers who lose their books get fresh and fine ones.

Observation: It was decided in 1951 that losses had been so serious that it would not in future be possible to replace discharge books lost. Instead a simpler form of record of service was introduced for replacement purposes and one of these was issued to Mr. Ahiakpor in 1952, on his applying for a replacement of his discharge book.

(c) Military pay and allotment

Complaint: At one time his wife went to Togoland under French administration and stayed six months with her mother, who was sick. When she went to collect her allotment on her return, the Paymaster refused to pay it. Besides, no ex-serviceman from Togoland has received any back-pay.

Observations: His service allotment of his wife was stopped for some months during the war when his wife left for Togoland under French Trusteeship and remained there since there was no way by which the allotment could be paid in that Territory. The allotment unpaid was refunded to Mr. Ahiakpor's credit and included

in the balance paid to him on discharge. The reference to "back pay" is not understood as all sums owing to servicemen are paid to them on discharge.

(d) Interview with the Visiting Mission

Complaint: The Government agent at Ho refused to sign an authorization for the Togoland Ex-Servicemen's Union to see the Visiting Mission.

Observations: No Government agent's authorization was required to interview the Visiting Mission since decisions as to whom it would see were taken by the Mission itself. The Government agent, Ho, did not in any way prevent any person from seeing the Mission. No application from Mr. Ahiakpor for an interview with the Visiting Mission can be traced by the Government agent at Ho. A deputation from the Ex-Servicemen's Union did interview the Mission in Ho. Its leader has no knowledge of Mr. Ahiakpor.

VI. Petition from Chiefs, Elders and People of Akporsor (T/PET.6/351)

1. The petitioners, who claim to be Chiefs and elders of the Akposso (Akporsor) people in Togoland under British administration, complain that the Akposso State has been divided under the Mandate and under Trusteeship into two parts, of which approximately one fifth lies in Togoland under British administration.
2. They claim that since the Paramount Chief of the Akposso State lives in Togoland under French administration no official recognition is given by the British administration to the traditional ruler of the Akpossos in that Territory, although vast areas of what is now wrongly called Buem Akan belongs to them. Consequently the leaders of the few Akans in the area, who are officially recognized by the Administrator, illegally attempt to assume authority over the Akposso lands.
3. They go on to state that at heavy cost they took one land dispute as far as the Privy Council in London and won it. They complain however that the intentions of the British Government and of the Gold Coast Government to attach them to the neighbouring Buem State, to whom the Akan leaders are subject. They cannot accept integration in a self-governing Gold Coast since this will separate them from their traditional tribal leaders in Togoland under French administration.

4. They complain that British administrators and Akan leaders are combining to evict them from their lands. In particular, under the Forests (Kabo River Forest Reserve Tempere Section) Order, 1954, all the forests belonging to the Akpossos, including their old and new cocoa plantations and farms of all kinds have been seized by the Gold Coast Government and turned into forest land. Certain rights of farming are recognized in a schedule to the Order, but not to natives of Akposso.
5. The petitioners call on the United Nations to save them from that inhumane treatment and to take prompt action.
6. In its observations (T/OBS.6/16), the Administering Authority agrees that the international boundary cuts across the Akposso lands and that the boundary between the tribal boundary between the Akpossos and the Akan section of Buem State has long been in dispute. One of the petitioners, Mr. Thomas Agbo^{1/} was the representative of the Paramount Chief of Akposso in a dispute with the Paramount Chief of Buem over land at Menousu, which in 1937 was decided in favour of the Akpossos by the Privy Council. Fired by his own success, he instituted a number of other land cases and arrogated to himself the title of Chief of Memousu. He was not supported in either of these actions by the Paramount Chief and a new chief of Menousu was chosen by the Menou people and duly recognized by all concerned, including the Administration.
7. The Administering Authority explains further that Mr. Agbo has continued to ferment trouble between Buems and Akpossos and has formed an association of malcontents known as the British Akposso Youth Association. The signatories to the petition are members of this association and the customary titles they give themselves are of their own fashioning.
8. The Administering Authority states that nevertheless relations between Buems and the vast majority of the Akpossos living near by have been cordial in recent years. The Chief of Akposso Menou is regarded as owing allegiance to the Paramount Chief of Akposso and not the Paramount Chief of Buem State nor are the Menou lands considered to be part of Buem State. Akpossos living in areas of

^{1/} Mr. Thomas Agbo has been the author of several communications to the Trusteeship Council. See in this connexion T/C.2/L.227, para. 61.

Buem State, where their claims have not been established, are regarded as forming part of the stranger community and like all strangers are expected to respect and recognize the Buem chiefs, but not to serve them.

9. The Administering Authority describes the allegation that Akpossos are being evicted from their lands by Government officers as being without any foundation. The petitioners refer to the Kabo Forest Reserve as an example of eviction. This Reserve has been established to prevent the deforestation of the Kabo hills. When the Reserve was settled the Akpossos had the same rights as anyone else to establish their claims to portions of the land concerned before the Reserve Settlement Commissioner in open court. If they failed to establish their claims it can only be assumed that they were not the rightful land owners. In any case the use of this Reserve to illustrate the attempt by the Government to "evict the Akpossos from their lands" is a poor argument for the farming restrictions which are applied to the Akposso farmers are similarly applied to the Buems and to any other land owners who may farm in the Reserve.
