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THE FUTURE OF THE TRUST TERRITORY OF TOGOLAND UNDER  
FRENCH ADMINISTRATION

Draft report of the Trusteeship Council to the General Assembly

/to be issued as an addendum to part II of the special report  
of the Trusteeship Council to the eleventh session of the  
General Assembly (A/3169)/

A. Introduction

1. In its special report (A/3169), the Trusteeship Council reported on its consideration of the question of the future of Togoland under French administration at its seventeenth and eighteenth sessions (see A/3169, paras. 17-35).
2. By letter dated 17 November 1956 (T/1288), the representative of France on the Trusteeship Council requested, on instructions of his Government, that a special session of the Trusteeship Council be held, at a date as close as possible to 15 December 1956, to consider a communication of the Government of the French Republic concerning the referendum which had taken place in the Trust Territory on 28 October 1955.
3. The sixth special session of the Trusteeship Council was convened in accordance with rule 3 of the rules of procedure, and the Council held five meetings from 10 to 18 December 1956 (746th to 750th meetings).

B. Memorandum by the Administering Authority

4. By letter dated 6 December 1956, the French delegation transmitted to the Trusteeship Council, through the Secretary-General, a memorandum by the Government of the French Republic concerning the future of the Trust Territory (T/1290), the text of which is annexed to the present report (annex I).

5. In this memorandum, the Administering Authority recalled its previous memorandum of 30 July 1956 on this subject (T/1274),<sup>1/</sup> in which it had proposed to hold a referendum under United Nations supervision on the new Statute of Togoland which was being prepared by the Administering Authority in co-operation with the Togolandese. It recalled further that owing to an equally divided vote, the Trusteeship Council had been unable to adopt a draft resolution under which it would have decided, while reserving the final position of the United Nations as to the terms of the referendum and its stand with regard to future United Nations action, to appoint a mission of observers to observe the referendum and report to the Council.

6. The French Government, as Administering Authority, had been unable to agree to delay the democratic procedure of population consultation which had been demanded by the representatives of the population concerned in Parliament and in the Territorial Assembly, and, consequently, the referendum which had been planned, within the limits of its competence, by the Administering Authority took place on the scheduled date (28 October 1956) despite the absence of international observers, for which absence France was not responsible. It made up for the lack of observers by entrusting the organization and direction of the referendum to a Conseiller d'Etat, appointed as Referendum Administrator (Bélegré général au referendum) and a staff of judicial officers from administrative organs or the courts, independent of the Executive, or officers of the overseas administration, selected to ensure impartiality, from outside the Territory.

7. The Administering Authority stated that the referendum was carried out by universal adult suffrage, and balloting took place in an atmosphere of complete calm. Out of a total of 438,175 electors registered, 335,778 votes were cast, of which 313,458 (or 71.51 per cent of the total registered electorate) were in favour of the Statute of Togoland and the termination of the Trusteeship System, and 22,320 (5.07 per cent) in favour of the continuance of the Trusteeship System.

8. The text of the Statute of Togoland (Decree 56-84 of 24 August 1956), establishing the autonomous Republic of Togoland, was annexed to the memorandum of the Administering Authority.

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<sup>1/</sup> Also reproduced as annex to document A/3169.

9. The Administering Authority concluded that on the basis of their freely expressed wishes, the people of Togoland were overwhelmingly in favour of accepting political autonomy and ending the Trusteeship System; by this unequivocal choice they had implicitly rejected any other solution with regard to their immediate future.

10. Drawing the logical conclusions from the referendum, the Legislative Assembly of Togoland had, by its wish (vœu) of 2 November 1956, urged the Administering Authority to inform the United Nations of the result of the referendum, on the occasion of the eleventh session of the General Assembly.

11. In the light of the popular vote of 28 October last and the said wish of the Legislative Assembly, the Government of the French Republic considered that it was now impossible to allow the autonomous Republic of Togoland to remain any longer under the Trusteeship System.

12. The French Government considered that the only solution that was fair to the inhabitants of Togoland was for the Trusteeship Council and the General Assembly of the United Nations to take into consideration the deep-seated aspirations thus made manifest and to request the Administering Authority to take the necessary steps to terminate the Trusteeship Agreement of 13 December 1946, and, in particular, to abolish the machinery which gives it provisional control over the decisions of the autonomous Republic of Togoland under articles 39, 40, 41 and 44 of the Republic's Statute.

#### C. Report of the Referendum Administrator

13. On 8 December 1956, the French delegation transmitted to the members of the Trusteeship Council the report of M. Guy Périet de Féral, Conseiller d'Etat, Referendum Administrator in Togoland, on the popular consultation of 28 October 1956 (T/1292) (annex II). This document contains information on the organization and on the holding of the referendum. At the request of the French delegation, a photo-offset copy of the special issue of 3 November 1956 of the Journal officiel du Territoire du Togo was also transmitted to the members of the Trusteeship Council (T/1294).

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D. Consideration by the Trusteeship Council

14. At its 747th meeting, the Trusteeship Council heard statements by M. George Apedo-Amah, Minister of Finance of Togoland and M. Guy Périér de Féral, Referendum Administrator in Togoland, who were both members of the French delegation to the Trusteeship Council. A summary of their statements as they appear in the official records of the Trusteeship Council (T/SR.747) is annexed to the present report (annex III).

15. At the 747th and 748th meetings, questions were put to the representative of France by members of the Council.

16. At the 748th meeting on 14 December 1956, the Representative of Guatemala proposed that the Council should transmit to the General Assembly, in an addendum to its special report (A/3169) the memorandum of the Administering Authority (T/1290), the report of the Referendum Administrator in Togoland (T/1292) and the list of petitions and communications relating to the question of the future of the Trust Territory of Togoland under French administration (T/1291 and Add.1). At its 749th meeting, on 17 December 1956, the Council adopted this proposal by a roll-call vote of 8 to 6. The voting was as follows:

In favour: Burma, China, Guatemala, Haiti, India, Syria, Union of Soviet Socialist Republics, United States of America

Against: Australia, Belgium, France, Italy, New Zealand, United Kingdom of Great Britain and Northern Ireland.

Annex I

Memorandum by the Administering Authority of 6 December 1956 (T/1290).

Annex II

Report of the Referendum Administrator in Togoland on the popular consultation of 28 October 1956 (T/1292).

Annex III

Summary of statements made at the 747th meeting of the Trusteeship Council, on 12 December 1956, by MM. Georges Apedo-Amah, Minister of Finance of Togoland and Guy Pérler de Féral, Referendum Administrator, members of the French delegation to the Trusteeship Council (as they appear in the official records of the Trusteeship Council, document T/SR.747).

Annex IV

List of petitions and communications relating to the question of the future of the Trust Territory of Togoland under French administration (T/1291 and Add.1).

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