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Chairman: Mr. Thanat KHOMAN (Thailand).

AGENDA ITEM 37

**The future of Togoland under French administration:
 report of the Trusteeship Council (A/3676 and Corr.1,
 A/3677, A/C.4/367, T/SR.841-847) (continued)**

HEARING OF PETITIONERS (continued)

At the invitation of the Chairman, Mr. Anani Ignacio Santos, representative of the Mouvement de la jeunesse togolaise (Juvento), Mr. Alexandre John Ohin and Mr. André Akakpo, representatives of the Mouvement populaire togolais, and Mr. Sylvanus Olympio, representative of the All-Ewe Conference, took places at the Committee table.

1. Mr. AJAVON (France), President of the Togoland Legislative Assembly, deplored the note of emotion which Mr. Santos had introduced into the debate at the previous meeting. Mr. Santos' failure to become a senator in 1952 was perhaps one of the reasons for his present opposition, but personal interests should give way to the national interest, and the democratic process might bring to power those who were at present in the opposition.

2. He regretted that instead of making a critical analysis of the Statute or suggesting a constructive solution, Mr. Santos had merely drawn attention to the fact that the Togoland ministers had had to borrow money for building purposes, which was an indication of their poverty. In any country it was easy for the opposition to criticize the incapacity and extravagance of those in power.

3. Despite Mr. Santos' assertions to the contrary, the Togolandese were not under the control of any master, French or otherwise. Although Mr. Santos claimed to be speaking for the majority of the Togoland people, his status as spokesman of his party in the Fourth Committee was, as document A/C.4/354/Add.3 showed challenged even within the party itself. Lastly, his appeal for unification should have been made in Togoland rather than before the United Nations.

4. Mr. AKAKPO (Mouvement populaire togolais) said that he must again protest against any premature termination of trusteeship and against the referendum of 28 October 1956. No nationalist party had taken part in the referendum, which had been neither organized nor supervised by the United Nations and had been marked by fraud and gerrymandering. As he had pointed

out to the Committee (585th meeting) at the Assembly's eleventh session, the present Statute did not grant Togoland sufficient autonomy and only independence would justify a request for the termination of trusteeship.

5. The Decree of 22 March 1957 amending the Statute had resulted in little or no increase in autonomy. The right to dissolve the Assembly and the protection of the enjoyment of public freedoms had been transferred from the High Commissioner to the Togoland Government but on the other hand a supplementary police force under the authority of the High Commissioner had been foisted on the Territory. The objectives of Article 76 of the Charter and of the Trusteeship Agreement were far from having been attained. Many powers the exercise of which was the essence of true sovereignty still belonged to central organs of the French Republic, as could be seen from articles 26 and 27 of the Statute; according to article 39, the Minister of Overseas France and the High Commissioner still had the right of veto over the Assembly and the Council of Ministers. Togoland still could not freely determine its domestic policies or its policy with regard to France and as it still participated, through representatives, in the functioning of the central organs of the French Republic, the danger of integration remained. The achievement of the goals of trusteeship was thus threatened, and the double citizenship of Togolandese was a further obstacle in that respect.

6. In the circumstances, the termination of trusteeship would be premature and disastrous, and was therefore opposed by the people of Togoland until such time as the country attained independence. Trusteeship was, in the eyes of the Togoland people, a safeguard which would enable it to attain its independence more easily and to secure the transfer of the powers in regard to the affairs of Togoland which France still held under the Statute.

7. The application of the Statute had not improved the position with regard to political freedom and freedom of assembly and expression. The members of the Government and the Togoland Legislative Assembly, who had not been elected by universal suffrage, were setting up a virtually dictatorial system in the Territory. When the United Nations Commission on Togoland under French Administration had arrived in the Territory, the Togoland Government, acting in concert with the French Government, had brought police from neighbouring territories to intimidate the people. As the Mouvement populaire togolais had reported to the United Nations Commission, the new Statute was being applied undemocratically. Elections for a new Legislative Assembly on the basis of universal suffrage had not been held in the manner provided by the Statute and recommended by the General Assembly in its resolution 1046 (XI), although such elections had

been held in other territories under French administration before the application of the *loi-cadre*. The municipal elections which should have been held on 28 October 1956, and which had been held in other territories, had been postponed indefinitely, suggesting that the Administering Authority was anxious to ensure that the Parti togolais du progrès did not lose its majority and to prevent the people from expressing their wishes. The Lomé municipal council had resigned in protest against the present situation. It was still extremely difficult to organize political meetings outside the capital, as the local chiefs received instructions from the authorities to prevent the nationalist parties from organizing meetings. Two conferences which the Comité de l'Unité togolaise had proposed to organize in March 1957 had been banned by the Togoland Government on the grounds that Agou and Palimé, where the meetings were to have been held, were near Western Togoland, where disturbances had taken place. Members of the Parti togolais du progrès had interfered with a similar conference at Atakpamé in March 1957, and the conference had subsequently been prohibited by the commandant de cercle.

8. The entire population of Togoland was anxious to attain independence and was turning to the United Nations. The entire population hoped that the United Nations would supervise the elections to ensure that a new Assembly was properly elected on the basis of universal suffrage. Because of the fraud and gerrymandering to which they were constantly exposed, the opposition parties had completely lost confidence in the impartiality of the Administering Authority.

9. The Mouvement populaire togolais therefore requested the continuation of United Nations trusteeship in Togoland until the Territory attained full independence, and hoped that the election of a new Assembly on the basis of universal suffrage would be conducted under United Nations supervision. The United Nations bore a very heavy responsibility, for the future and freedom of other Trust Territories would depend upon the solution of the Togoland problem.

10. Mr. OLYMPIO (All-Ewe Conference) briefly recalled the history of the Togoland question. For three-quarters of a century, the people of Togoland had been buffeted about by the ambition, the conflicts, the bargaining and the political philosophies of the European Powers. In one generation, the Togoland had seen several changes of administering Powers and political systems. Now that Ghana had become politically independent, it was time for the French to put an end to their dominion over the Togoland people.

11. The people of Togoland were aware of the benefits their European masters had brought them: markets for their crops, manufactured goods, opportunities for personal advancement, hospitals and schools—advantages for which the Togoland people had however helped to pay through taxation.

12. In the political field, the experience had sometimes been frustrating. The people had been subjected to two different administrations and separated by a purely arbitrary dividing line. One of the European Powers had put an end to its domination and had left one third of the Togoland people free and independent as citizens of Ghana. The other Power, which had talked about liberty and equality at the time, was still in Togoland and two-thirds of the people were still waiting to be given their freedom. In 1947, the Togo-

landers had tried to persuade the United Kingdom and France to unite the two countries under a single administration, even if it was a colonial administration, but the two colonial Powers had not been willing to do so. The Togoland had then decided to try to achieve independence separately, so that they might later restore the unity of their people. That could only be done when Togoland under French administration had, like Ghana, achieved freedom and independence.

13. So far France had offered Togoland only a substitute for independence. The All-Ewe Conference had refused to participate in the 1955 elections because the electoral lists had been largely faked and the opposition parties had been denied freedom of speech and assembly. The elections had produced a Territorial Assembly which was merely the mouthpiece of the French citizens. At that point France had proposed the new Statute, which the Assembly had approved in a matter of minutes. The Statute undeniably represented a step forward in itself, but the Assembly which had taken upon itself to apply that Statute was in no way representative of the people. What was more, the Statute had been presented as self-government and as sufficient grounds for the termination of the trusteeship.

14. The United Nations had refused to accept that view and at the invitation of France had sent a Commission to examine the situation on the spot. The Commission, to which the Togoland had been deeply grateful, had now issued its report (A/3677). From that report it was abundantly clear that Togoland had not yet attained self-government and that the United Nations had been quite right in recommending that new elections should be held. Trusteeship could not be terminated before Togoland was fully independent. There could be no question of bargaining, with promises of elections, over such an important decision.

15. Moreover, political freedom should be re-established and all political parties should be enabled to exercise freely their rights of speech, assembly and movement. The present political institutions of Togoland were a caricature of democracy. The Commission had noted in paragraph 428 of its report that the meetings of the opposition were held in private locations, some distance away from the centre of the town or village, while the rallies of pro-Government parties were usually held in central public streets or places. The opposition parties could not obtain a hearing in the north of Togoland without exposing themselves to the sternest repressive measures. The Commission had had an opportunity of witnessing such measures during its stay in the country. In Mango, for instance, a gang of armed men in the pay of the traditional chief had picked a quarrel with a group of persons belonging to the opposition; one member of the opposition had been killed and four wounded. At Lama-Kara, a French official seeking to arrest two young men who had organized a rally of nationalist elements had ordered his militiamen to fire into a crowd which was hostile to the arrest. Eighteen men had been killed and fifty others wounded, while several hundred more had been imprisoned as a result of the incident. A detailed account of the incident could be found in document T/COM.7/L.51. The Administering Authority might retort that the French Government was no longer responsible for the internal security of the country, but he would reply that the Trusteeship Agreement was still in force.

16. As the Commission had pointed out in paragraph 475 of its report, the organization of further elections would contribute towards the creation of a more favourable political atmosphere, in which the support of the entire population of Togoland would be thrown behind the new political institutions.

17. The representative of France had suggested at the seventh special session of the Trusteeship Council (841st meeting) that if the General Assembly were to agree to termination of the Trusteeship Agreement, his Government would be willing to transfer to Togoland the administration of justice and the system of public freedoms. But he noted that France was still reserving many powers to itself. It had been argued that the referendum of 1956 had shown that the Togolandese were seeking not independence, but autonomy within the French Union. Unfortunately there was nothing in the Commission's report to corroborate that assumption. Even the pro-French Parti togolais du progrès had stated that the last stage of the development of all nations was independence (A/3677, annex II, sec. I).

18. Comparisons had been made between the institutions of Ghana and those of the Autonomous Republic. For instance, Mr. Ajavon considered that the Statute of Togoland was in many respects superior to the Constitution of Ghana. He himself would gladly accept for Togoland the same degree of independence as was enjoyed by Ghana and would like to see it a Member of the United Nations. The people of Togoland could appear before the United Nations as petitioners or as representatives of France, but that was not what they sought. All parties, including the pro-Government parties, were asking for membership in the United Nations. For that to be possible, Togoland would have to be a sovereign and independent State. He was glad to note that even his political opponents seemed to be coming round to that way of thinking.

19. It was natural for any people to aspire to independence. Togoland had become for France a sort of pilot project, an experiment to determine whether an African people could be satisfied with internal autonomy. The experiment had failed because it had never corresponded to the will of the people of Togoland. That could hardly have been otherwise in a Territory placed between the new State of Ghana and the self-governing states of Nigeria. Was it conceivable that the Togolandese should settle for anything less than independence when their blood brothers and neighbours had attained it? All kinds of trickery had been used to make it seem that that was the wish of the population. Fortunately the Trusteeship Council had not been deceived; it had expressed repeated doubts about the freedom existing in Togoland.

20. A year earlier France had said that the Territory had renounced all ideas of independence and would be satisfied with the Statute. Mr. Ajavon now said (695th meeting) that Togoland wanted independence but could not afford it. He admitted that 70 per cent of the Territory's revenues were being absorbed by the salaries of Government officials. The Government, he said, did not have enough jobs to offer to all the élite and many Togolandese were leaving the country to look for work elsewhere. Perhaps he had in mind those who had been driven out of the Territory for political reasons or who had left because they had been disgusted with corruption. He had also contended that Togoland needed France

because it needed money. It was unbelievable that a representative of France should issue such a crude ultimatum.

21. Mr. Ajavon had announced that the French Government had agreed to transfer to the Togoland authorities all the competences reserved to France except foreign affairs and finances. The announcement was surprising as no one, not even the Prime Minister of Togoland, had ever hinted at it before. Any further details on the subject would be most welcome.

22. Mr. Ajavon offered a time-table that could only be described as fantastic. He agreed to elections to elect a new Legislative Assembly but insisted that any changes in the Statute should be approved by the present Assembly, thus defeating the very purpose of the elections. Moreover, Mr. Ajavon proposed that the new Assembly should, at its very first meeting, proclaim the termination of trusteeship. It was impossible for a moment to believe that the United Nations would agree to the termination of trusteeship before Togoland achieved full self-government and was free to become independent.

23. Both he and his supporters hoped for a solution which would satisfy the aspirations of the people of Togoland, France's desire not to lose its rightful position in West Africa, and the requirements of the Charter. They were therefore prepared to accept the solution proposed by the Commission which almost exactly coincided with the solution they had suggested to the Committee during the eleventh session.

24. To begin with, all attempts to terminate the Trusteeship Agreement on the basis of the present Statute or of vague promises should cease. The best attitude for all concerned would be to take the new Statute for what it was, to try to make it work, and to help it to evolve into something better until such time as Togoland achieved self-government. There were a number of good things in the Statute, which was a step towards the attainment of self-government. However, the very first thing to do was to hold new, completely free elections in order to constitute the Legislative Assembly on a democratic basis. The present Assembly was not truly representative because it had not been elected by universal suffrage and represented only a single party. It was logical when a new constitution and new institutions were introduced also to have new elections. However, the elections should be held in an atmosphere of complete freedom and each stage should be supervised by the United Nations in order to permit the people of Togoland to cast their ballots without intimidation. The United Nations should examine the electoral laws to see whether they were suited to conditions in the Territory, insist on a general amnesty so that the members of the opposition arrested in recent years on political charges might exercise their electoral rights, see that the electoral lists were prepared honestly, and supervise the distribution of voting cards, the arrangements for political campaigning, the voting, the counting of ballots and the procedure for appeals.

25. It had been rumoured that the authorities might agree to such supervised elections provided the General Assembly undertook in advance to terminate the Trusteeship Agreement regardless of the outcome of the elections and whatever the future constitutional development of Togoland might be. It was inconceivable

that the General Assembly would agree to such a bargain. Under the Charter, the protection of the Trusteeship System was extended to Togoland until it was ready for self-government or independence. The people of Togoland could not be expected to sacrifice that protection for the sake of free elections, to which they were entitled in any case.

26. Once the new elections were held and a truly representative Assembly constituted, the people of Togoland would be faced with two major tasks. Firstly, they would have to ensure that their present institutions really worked. By "present institutions" he meant not only the Legislative Assembly and the Council of Ministers, but also the district and municipal councils, which had not yet been elected. Local administration in Togoland today was merely a façade. The district councils were composed of well-meaning but inadequately trained persons and, as a result, the whole burden of responsibility and of taking decisions fell upon the French district administrators. It was surely time to make a rule that civil servants could not be members of the Legislative Assembly unless they resigned from their Government jobs. At present, more than half the members of the Assembly held Government positions as well.

27. Secondly, the new Assembly, or a commission of inquiry established by it, should examine the Statute thoroughly and make recommendations with a view to amending it so as to make of it a constitution which would allow the people of Togoland to achieve independence by whatever means they chose. Many provisions of the Statute could only be retained on a provisional basis. For example, why should Togoland be called a Republic when it had not become a sovereign State? Another idea which could only be accepted on a provisional basis was that the people of Togoland should continue to be represented in the French Parliament and have a citizenship tantamount to French citizenship. In order to put an end to that requirement, most, if not all, the subjects reserved to the organs of the French Republic must be transferred to the Togoland Parliament.

28. He believed that steps of that kind would create a new spirit of freedom and responsibility in Togoland and earn France a new and great respect among the African peoples. However, such steps would have to be taken under the Trusteeship System to ensure for Togoland the continued protection of the guarantees which all the nations, including France, had granted it under the Charter. Togoland, which would certainly have not reached its present stage of development without the friendly guidance and pressure of the United Nations, needed the continued supervision of that Organization in order to achieve the objectives of the Trusteeship System.

29. The CHAIRMAN stated that, as decided at the previous meeting, the petitioners' statements would be made available to members of the Committee in the usual manner.

30. In reply to Mr. LEVISTE (Philippines), Mr. OLYMPIO (All-Ewe Conference) explained that the victims of the incidents he had mentioned had been indigenous inhabitants.

31. Mr. LEVISTE (Philippines) asked whether those responsible for the killings had been indigenous inhabitants or whites, and if they had been prosecuted.

32. Mr. OLYMPIO (All-Ewe Conference) said that the order to fire had been given by the district officer—a white, French official. No action had been taken against the district officer, who was still at his post and whose powers had in fact been broadened.

33. Mr. LEVISTE (Philippines) asked if the constitution of what was referred to as the Republic of Togoland included provisions under which those who opened fire could be prosecuted.

34. Mr. SANTOS (Juvento) observed that the district officer had acted in the exercise of his duties and accordingly could not easily be prosecuted. Legal proceedings had begun, but against the friends of the victims.

35. Mr. AKAKPO (Mouvement populaire togolais) noted that when the victim of a crime was a Togoland nationalist the guilty party was usually not prosecuted. The crime was not even investigated.

36. Mr. KOSCZIUSKO-MORIZET (France) stated that the French delegation did not accept the version of the incidents which had been given to the Committee and would reply to it later.

37. Mr. LEVISTE (Philippines) asked who had been responsible for the electoral frauds mentioned by the petitioners.

38. Mr. OLYMPIO (All-Ewe Conference) said that he had not dealt with that subject in detail, because he thought that he had given ample proof in earlier years of the electoral frauds committed by the Administration. In 1955, he had quoted from an article from a paper edited by missionaries, who could not be accused of bias.

39. Mr. OHIN (Mouvement populaire togolais) said that the article had appeared in the Afrique nouvelle of 21 June 1955 and had been read to the Committee at its 529th meeting, held during the tenth session.

40. Mr. LEVISTE (Philippines) asked how many Togolandans would like the French Administration to stay in Togoland.

41. Mr. SANTOS (Juvento) replied that most, if not all, of the inhabitants wanted independence. That did not mean that all the French should leave: they might remain as businessmen or technical advisers, on the same basis as foreigners in other countries. On the other hand, the Parti togolais du progrès claimed that most Togolandans wanted the French to stay in Togoland as rulers. Free elections were needed to settle the question.

42. Mr. LEVISTE (Philippines) asked whether the Togolandans who wanted the French to stay in Togoland were motivated by self-interest.

43. Mr. SANTOS (Juvento) said that some Togolandans regarded the Statute as a step forward but did not accept it because of its implications. Others had an interest in keeping the French in Togoland while others had no knowledge of the issues because the political parties had not been allowed to explain them to them. In fact, freedom of speech was virtually nonexistent. In the Fourth Committee, the French delegation invited him to explain his views in Togoland, but when he had wanted to go to Atakpamé to report on the debates in the United Nations in March 1957, after returning from New York, the Parti togolais du progrès, which had police backing, had stoned him.

44. Mr. CHAMANDI (Yemen) asked whether the Togoland nationalists were accused of committing acts of violence and whether they had in fact committed such acts, for example, by attacking French officials.

45. Mr. OLYMPIO (All-Ewe Conference) said that in the eyes of the Administering Authority all who de-

manded independence were anti-French subversive elements. The nationalists had not committed acts of violence in the sense that they had not beaten or killed anyone: they were satisfied to travel through the country explaining their views.

The meeting rose at 12.55 p.m.

CIRCULATED TO THE MEMBERS OF THE FOURTH COMMITTEE IN ACCORDANCE
WITH THE REQUEST MADE BY THE COMMITTEE AT ITS 695TH MEETING

Statement made by Mr. André Akakpo, representative of the Mouvement
populaire togolais, at the 696th meeting of the Fourth Committee,
on 8 November 1957 (See A/C.4/SR.696)

On 27 November 1956, at the 556th meeting of the Fourth Committee, I protested on behalf of the Mouvement populaire togolais against any premature termination of United Nations trusteeship over Togoland, which had been requested by the Togoland Territorial Assembly in its motion of 4 July 1955 although the objective set forth in the Charter and the Trusteeship Agreement has not yet been attained. The Territorial Assembly, an artificial product of the Administration, does not represent the opinion of the country. The fact that the country is on the road to the objective set forth in the Charter is not sufficient reason for abandoning United Nations trusteeship.

I also protested against the referendum of 28 October 1956, which was neither organized nor supervised by the United Nations, as was the case in Western Togoland; by the questions it asked that referendum did not allow our country the possibility of attaining independence and the abruptness with which it was sprung upon the people of Togoland gave them no opportunity to understand the meaning and scope of those questions. No nationalist party took part in the referendum. There was a great deal of fraud and gerrymandering.

In my second statement, made at the 585th meeting of the Fourth Committee, on 3 January 1957, I made a brief analysis of the Statute France has granted us and said that it gave us too little autonomy to justify a request for the termination of trusteeship. It was a big step forward, but even so it was only one step in our evolution, since for us the final stage was independence, the objective laid down in Article 76 of the Charter; that and that alone could justify a request for the termination of trusteeship.

Since I made those statements our position has not changed. There has been no development in Togoland politics, or more specifically, in the Statute, which is likely to bring about the slightest modification of our position. We already knew that Decree 56-847 of 24 August 1956 setting up the Statute of Togoland did not give

the Territory sufficient autonomy. Decree 57-359 of 22 March 1957 amending articles 5, 7, 13, 15, 17, 22, 26, 27, 29, 30 and 34 of the Statute has not really increased the degree of autonomy. Only the right to dissolve the Assembly (new article 13) and the protection of the enjoyment of public freedoms (new article 26) have been transferred from the High Commissioner to the Togoland Government. On the other hand, the new Decree foists on the Territory a supplementary police force under the authority of the High Commissioner (new article 30). The degree of autonomy has therefore not increased to any practical extent as a result of the transfer of a large number of new powers. The objective set forth in Article 76 of the Charter and in the Trusteeship Agreement are still far from being attained. A large number of powers, the exercise of which is the essence of true sovereignty, still belong to central organs of the French Republic (articles 26 and 27). The Minister for Overseas France and the High Commissioner still have the right of veto over decisions of the Assembly and of the Council of Ministers (article 40). All the Commandants de Cercle are Europeans and are maintaining their full powers. The French Republic still has the power to accept or reject the wishes of Togoland regarding amendments to the Statute (article 38). This means that Togoland is still not free to determine its domestic policies or its policy with regard to France as it wishes. Togoland is still participating through its representatives in the functioning of the central organs of the French Republic (Parliament, Assembly of the French Union, Economic Council) (article 3) and this participation constitutes a very real danger that Togoland will be integrated into the French Republic. The achievement of the objective of the Trusteeship System is thus severely threatened. The double nationality (article 25) of Togoland is a further and equally great danger standing in the way of the attainment of the objective of the Trusteeship System.

In view of the foregoing situation we are still a long way, a very long way, from the objective set forth in the United Nations Charter and too many dangers still stand in the way of its attainment. In such circumstances the termination of trusteeship would most certainly be premature and disastrous. Once again I emphasize, as I did at the previous session, that we are strongly opposed to the premature termination of the international trusteeship before our country becomes independent. As the people of Togoland have fully understood the situation and the dangers involved, they reject any idea of a premature termination of trusteeship.

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I told the Fourth Committee at its 585th meeting that the United Nations Trusteeship System provides us with a solid protection through which we shall obtain freedom more easily and more certainly and without striking a blow; I also said that if we lose that protection prematurely France will block the road to freedom and will be unwilling to restore to us the innumerable powers which it retains by virtue of the Statute but which are by right our "own affairs". We shall then have no one left to defend us.

We therefore ask for the trusteeship over Togoland to be maintained until we become independent.

We had thought that the application of the new Statute would bring some slight improvement in the way of political freedom and freedom of meeting and of expression, and would do away with some of the persecution in the country. We cannot hide our great disappointment at finding the contrary to be true. The members of the Government and Parliament of Togoland, who were not elected by universal suffrage, fearful of losing the advantages of their present situation, use somewhat doubtful pretexts and reasons for ensuring its continuance. They are even installing a regime which comes close to dictatorship and which is giving rise to a certain tension and uneasiness in the country. For example, when the United Nations Commission on Togoland, under the chairmanship of Mr. King, arrived in the Territory the Government of Togoland, in agreement with the French Government, brought in from Dahomey, the Ivory Coast and Senegal large numbers of police and gendarmes to keep the Togolandese in check. Here is an extract from the statement regarding certain undemocratic acts of the Togoland Government that the Mouvement populaire togolais made to the United Nations Commission which visited Togoland last May.

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"The new Statute

"... Little though it is, what we are granted under the Statute nevertheless represents a great step forward on the path to our independence. But the Statute has not been applied democratically, fairly and honestly; it is being applied under the worst and most undemocratic conditions possible: the new Assembly has not been renewed by universal suffrage, municipal elections have not been held, and so forth.

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"Renewal of the Assembly

"The Assembly was not first renewed by means of elections by universal suffrage as prescribed by the Statute itself and later recommended by the United Nations General Assembly.

"In the Cameroons, French Equatorial Africa, French West Africa and Madagascar, the application of the provisions of the loi-cadre was preceded by elections by universal suffrage. In Togoland the Administering Power merely renewed the old Territorial Assembly, which had been elected by restricted suffrage in disputed elections. Why is Togoland the only exception?

"Municipal elections

"The municipal elections which should have been held since 28 October 1956 have still not been held. In the Cameroons, French West Africa, French Equatorial Africa and Madagascar municipal elections have already been held since 28 October 1956 as prescribed by the Act passed in the French Parliament for the establishment of communes de plein exercice, but in Togoland these elections were first postponed for six months, from 28 October 1956 until 28 April 1957, and then, as that date drew near, were again postponed sine die by the Togoland Government. Why is Togoland again the only exception? It is extraordinary that the Parti togolais du progrès, which claims to be the majority party, should be afraid of elections. As things stand here, it is as though the Administering Authority wants the situation to be such that with the other political parties out of the way the leaders of the Parti togolais du progrès should alone be in power and should alone possess authority and all the physical means needed to stifle the legitimate aspirations of the people. The Municipal Council of the capital has just resigned in protest against this state of affairs.

"Lack of political freedom

"The present system has done little to improve the situation from the point of view of political freedom and freedom of expression and assembly. At Lomé political public rallies can be organized without difficulty. However, as the distance from the capital increases, the nationalists encounter increasing difficulties. The technique employed is the same as before. The Village and Cantonal Chiefs, who are the henchmen of the Administration, i.e. in reality government officials, are secretly ordered by the authorities to prevent the nationalist parties from organizing rallies or meetings in the villages. Outside the chief town of the Territory freedom does not exist, villagers who dare to express their thoughts freely being bullied or whipped by their Chiefs. In this way their will is broken and their personality stifled."

Other undemocratic acts

The Comité de l'Unité togolaise had organized two meetings, at Agou and Palime respectively, on 16 and 17 March 1957, in which the Mouvement populaire togolaise and Juvento were invited to participate. During the night of 15 March,

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a few hours before the departure of our group, we were handed a Decree dated 15 March, signed by the Togoland Government, forbidding us to hold the two meetings. The pretext was that the area of Agou and Palime was close to Western Togoland, where there had been disturbances.

Subsequently the Comite de l'Unité togolaise organized a third meeting to be held at Apakpame on 31 March 1957, in which the Mouvement populaire togolais and Juvento were again invited to participate. We had hardly begun our meeting when a group of men from the Parti togolais du Progrès, the party in power, attacked us. As we considerably outnumbered them, we routed them in a few minutes. When order was restored and we were about to go on with the meeting, the Commandant de cercle arrived and forbade us to continue. He had no valid reason for this action.

A few days ago, on Sunday, 13 October 1957, the Mouvement populaire togolais was holding a meeting at Agnrokope, a village in the cercle of Anecho, in the morning. The village chief appeared, told us that the village belonged to him, prohibited us from continuing the meeting and asked us to disperse. When we refused, the group accompanying him began to sing, dance, gesticulate and create a great uproar in the assembly in order to prevent our continuing the meeting. We asked the Commandant de cercle and the European and indigenous gendarmes who were present to help us. They refused.

In the second village, Akoda, where we were to speak during the afternoon of the same day, we were given a hostile reception by the village chief accompanied by a group of individuals. Everyone was yelling. The chief and his men shouted that the village belonged to them and asked us to return to Lomé. The Commandant de cercle and the gendarmes followed us to Akoda, but there again they would not intervene. The chiefs had received orders to act in that way.

The Parti togolais du Progrès, created and supported entirely by the Administering Authority, placed in power by fraud and trickery in order to serve as the instrument of the Administering Authority to stifle the aspirations of the Togolese people, applies the Statute in undemocratic conditions and further complicates the situation. In these circumstances it is clear that the termination of trusteeship is made even more difficult and even more unacceptable unless independence is granted first.

I have said, Mr. Chairman, that for the population of Togoland the trusteeship can be terminated on one condition only: that we first attain independence. That is the goal of the Charter and an essential condition.

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Independence for Togoland is the expression of the general will and the burning desire of the entire population except for a few scattered elements, particularly some timorous chiefs who have been corrupted by the Administering Authority, by money and other material advantages, to serve as their spokesmen. Togoland aspires to independence. We urge the United Nations and the Administering Authority to give serious consideration to the aspirations of Togoland during the discussions at the present session. The thoughts of the entire country are centered on the United Nations at this moment.

The failure to employ democratic methods in Togoland has resulted in an atmosphere of such political tension that it is essential that new elections to the Assembly should be held, by universal suffrage (Article 6), the present Assembly having been elected on the basis of limited suffrage. We have asked for these elections and we continue to ask for them. The role that the new Assembly is to play in the future of our country seems to us to be vital. Its election is of the greatest importance in our eyes and it therefore calls for complete impartiality and honesty. The frauds and trickery with which popular votes in Togoland are always tainted must be avoided. In Togoland everything is organized to create disorder; fraud and trickery are, so to speak, official; the law no longer grants protection; freedom of expression and of assembly are non-existent, in political affairs corruption is rampant. It will never be possible to obtain an impartial result from a popular consultation unless that consultation is organized and supervised from beginning to end by the United Nations. As constant victims of fraud and trickery, we have lost all confidence in the Administering Authority's impartiality. The entire country therefore calls upon the United Nations to conduct these new elections to the Assembly (registration on the electoral roll, organization and supervision of the voting, etc.). Without the United Nations at these elections, the Assembly will remain unchanged. Fraud and trickery, brutality, lack of freedom, corruption by means of money will be intensified; desires and sordid ambitions will be exploited; everything will be done by those in power to maintain the status quo and to prevent the population from expressing its views.

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Clearly the United Nations is needed at these elections.

To summarize, Mr. Chairman, we ask:

- (1) Independence for Togoland, the objective laid down by the Charter.
- (2) The continuance of United Nations trusteeship for our country until our complete independence.
- (3) Dissolution of the present Assembly and its renewal on the basis of universal suffrage, under the active supervision of the United Nations (preparation of electoral lists, organization and supervision of the voting etc.), as the new Assembly will be of particular importance.

In conclusion, Mr. Chairman, I shall say that the responsibility of the United Nations in the matter of trusteeship is tremendous. This responsibility is not restricted to the affairs of Togoland. There are other countries under trusteeship. The fate and the freedom of the other Trust Territories will depend on the solution of the Togoland problem. In their discussions the Fourth Committee and the General Assembly will have constantly before them the lives of millions of men to whom freedom must be restored.

Thank you, Mr. Chairman.

CIRCULATED TO THE MEMBERS OF THE FOURTH COMMITTEE IN ACCORDANCE
WITH THE REQUEST MADE BY THE COMMITTEE AT ITS 695TH MEETING

Statement made by Mr. Sylvanus Olympio, representative
of the All-Ewe Conference, at the 696th meeting of the
Fourth Committee, on 8 November 1957 (see A/C.4/SR.696)

Mr. Chairman,

I am sincerely gratified to you and the members of the Commission for granting an oral hearing to our party during this discussion of the future of Togoland under French administration.

Mr. Chairman, we feel surrounded again in this distinguished committee by many old and familiar friends and by many honourable delegates to whom, if we cannot claim their friendship, at least we can owe our respect for the sincerity of their interest in our case. This case of ours will be familiar to all of them; but we see also many new faces before us, and perhaps it will be useful if I could very briefly recall the history of the matter.

Our story, in simple terms, is this. We are a people who have been buffeted about, in the last three-quarters of a century, by the ambition, the conflicts, the bargaining, the political philosophies - or should we say civilizing missions? - of the European powers. The experience has been always interesting, sometimes gratifying and sometimes frustrating.

I call it interesting because it does not fall to every small country, and especially one so far from Europe, to see great nations bargaining with each other, making war with each other, and making peace with each other, over our heads. Even in my own lifetime I have seen the Germans leave our place and the English arrive, and then the English leave and the French arrive, and finally Vichy going out and de Gaulle coming in. Nowadays it looks as if the procession may be coming to an end: at least the British have gone for good from the Ghana side of our country. Now we are waiting for the French, who have distinguished themselves for the length of their stay, to make the final move.

I have also called the experience a sometimes gratifying one, because we do not ignore the benefits which our European masters have brought us. Their ideas of civilization have not always seemed as advanced as ours, but by and

large they have been well-intentioned. Perhaps we shall remember them best by the material things which they offered us: the markets for our crops, the manufactured goods which they have sold us, the opportunities for personal advancement, the hospitals and schools they have built for us - and even the taxation system by which we have helped to pay for these things.

I said also that the experience has been a sometimes frustrating one, and here I am thinking particularly about the realm of ideas and political objectives, about freedom and independence for example, which have a stubborn way of proving more important in the long run than anything else.

You must remember that we people of Togoland, and especially we million Ewe people in the south, have never been under only one of these European administrations at any given time. There have always been two at a time: first the English and the Germans, then the English and the French. If there was a real dividing line between the two European Powers, it was a purely arbitrary dividing line between our own people.

This division was always frustrating, for practical reasons, for the people along the frontier. After all, life can be complicated for a man who has his house among the English and his farm among the French. But it was frustrating for all of us to find that the two European Powers, both representing what was supposed to be a common civilization, had such different ideas about our political destiny.

One of these European Powers between which we were split, hardly ever mentioned the words freedom or liberty or equality, and had nothing in writing about such things even in her own constitution - and yet she ended up by walking out and leaving one-third of our people free and independent, as citizens of Ghana.

The other one talked about liberty and equality all the time, especially when we complained about the lack of these things. Her constitution was overflowing with the Rights of Man, even when we felt most desperately in need of those rights. And the louder we asked for freedom, the more we were told about an ancient revolution **for** the sake of freedom, even while the children of that ancient revolution were repressing our own aspirations to be free.

This second European Power is still with us in Togoland, and that is why we are here today. One third of our people are free; two thirds of us are waiting to be given our freedom.

We have waited long and patiently. We tried first of all as far back as 1947, to persuade you and Britain and France to unite us under a single administration, even a colonial administration. But you were unable to achieve that, because Britain and France were not willing to give it a fair trial.

We decided then - and this still takes us back several years - that our only hope was to achieve independence in separate parts, so that we may eventually decide in our own way how to restore the unity of our people. It is not for me to say how far we will ever be able to bring about this unity: all that I am saying is that it can be determined only by ourselves, and then only when we in French Togoland, like our brothers now in Ghana, have achieved our freedom and independence.

We are here to demand once more that independence.

As you know, France has offered us so far only a substitute for independence. I will not repeat again the painful history of our political evolution since 1946, when we were assimilated against our will with the overseas territories of the French Republic. I will not recall again the long years of delay and broken promises and political manoeuvrings which brought us, only in 1955, some minor reforms which had been promised as long ago as 1950.

The most recent history of French Togoland begins in that year of 1955, the year of the minor reforms. Elections were held then to renew the Territorial Assembly. We refused to take part in those elections because the reforms which were made were already out of date; because the electoral lists, already restricted to selected categories of voters, had been largely faked; because our parties were denied freedom of speech and assembly by means well known to anyone who knows French Africa; and because we were sick to death of fraud and deceit.

Nevertheless, and however farcical, those elections were held in 1955. The new Territorial Assembly was set up: an assembly without a single voice of dissent, an assembly possessing only one voice and one mind - that of its leaders, French citizens in the service of France.

In 1955 and 1956, this so-called representative assembly was called upon to pretend to be making up the mind of Togoland about the future. In fact, the mind of Togoland was made up in Paris, in private negotiations between French citizens from Togoland and French citizens from France. A new statute - in the

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form of a decree to be issued by France, mind you - was brought out to Lomé from Paris, and in a matter of a few minutes it was approved by an assembly which had never seen it before and had never been consulted about it.

This was the statute which we have now. We have never denied that it represents a step forward in itself: how can it be otherwise, for it grants to Togoland more powers than we have ever enjoyed before? Given the new election of our Legislative Assembly by universal adult suffrage which the Parliament of France intended us to have, and which the statute itself provides for, it would represent a good step towards self-government. Of course we have never had those elections. The assembly which has taken upon itself to apply the statute, and to pass the laws of our country as far as it has competence, is the very same assembly which was set up by the farcical semi-elections of 1955.

The matter of elections, however, although vitally important, is not the fundamental issue. The real issue is that this new statute has been presented in 1956 to the Togoland people, and to the United Nations, not as a step towards self-government but as self-government itself. On the basis of this statute, and on the basis of a referendum to which the Trusteeship Council refused to send observers, France has asked that trusteeship over Togoland should be terminated.

At your last session, Mr. Chairman, you found it impossible to be convinced that this statute, setting up a so-called "Autonomous Republic" of Togoland but reserving so many powers to France that it is neither autonomous nor a republic, represented sufficient grounds for the termination of trusteeship. You were told by France that you were wrong to take this view, and that an inspection on the spot would convince you that Togoland is already self-governing. So you decided to send a Commission to Togoland to examine the situation on the spot. The Commission's report is now before you; it proves that you were right in believing that Togoland has not yet achieved self-government, that you were right in believing that new powers must be handed over by France, and that you were right in recommending that new elections should be held in order to facilitate the improvement of the Statute.

And so, Mr. Chairman, we are more or less back to where we left off last January.

In a way the present discussion is merely a continuation of the January session during which you decided to send that special fact finding commission

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to Togoland under French administration to investigate the working of our new Statute and to evaluate how far it represents "Self-Government" in the meaning of the Charter. In January last as I have mentioned your Committee felt that it needed more evidence, more facts, before it could safely pronounce on our Statute.

You have now before you the report of your Commission which analyses in a balanced and objective manner the situation as it sees it. Were it not for the fact that our Administering Authority has thought it fit to ignore the essential findings of this report and table once again its request for the immediate termination of the trusteeship agreement on the basis of the present statute with some amendments, your task and ours would have been greatly facilitated.

We believe, Sir, that it is abundantly clear from the report that the time has not yet come to terminate the trusteeship agreements; so many prerequisites have yet to be fulfilled - political freedoms, democratically elected assemblies and final transfer of sovereign competences still retained by our Administering Authority.

Your Commission's report is an outstanding contribution to the solution of our problem. Its members amply deserve your commendations. They have earned the eternal gratitude of our people in their struggle for independence. What remains now is for the General Assembly to lay down ways and means of implementing the recommendations of the Commission.

In our view, it should, in the first place be made clear to all concerned that the trusteeship agreement cannot be terminated before the people of Togoland under French administration have achieved full independence as provided in the Trusteeship Agreement. There cannot be any question of bargaining it off with a promised free and democratic election or a transfer of some of the sovereign competence still in the hands of the Administering Authority.

In the second place political freedom should be re-established and guaranteed in Togoland, enabling all political parties to exercise freely their rights of speech, assembly and movement in all parts of the country without any direct or indirect hindrance by the local Administration. The present political institutions of Togoland are a caricature of democracy based as they are on an autocratic regime which has served so well the colonial regime in the past. The sections of the Commission's report which deal with Local Government,

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pages 116 to 120 and with "The Question of Political Freedom" pages 143 to 148 fully bear out this point.

For example in paragraph 345 of the report dealing with District and Municipal Councils we read:- Quote The draft budget is prepared by the "Commandant de cercle" or Chief Subdivisional Officer or in the case of the Municipalities by the Administrator-Mayor, a position held by the official concerned. Once the budget has been voted, its execution also remains the sole responsibility of the official concerned. According to circumstances, there might or might not be informal conversations between the officials and the members of the Councils on how the works programmes were being implemented. Unquote. In paragraph 428 dealing with political freedoms we read: Quote - In fact the meetings of the opposition were held in private locations, some distance away from the centre of the town or village while official welcomes and the rallies of pro-government parties were usually held in central public streets or places. In Lomé, the Prime Minister held the view that the Commission's attendance at an opposition rally would be inadvisable, principally on the grounds that in a place so close to the frontier public order might be seriously threatened. The Commission prevailed upon the Prime Minister not to insist upon his objections, and in the event no disorder whatsoever occurred." Unquote.

Mr. Chairman, we cannot urge too strongly the restoration and guarantee of political freedoms, as you will agree that it is a necessary prerequisite, a sine qua non condition for a really free and democratic election, which we all believe is indispensable for the proper working of the political institutions in Togoland under French administration. What is the situation today. The whole of the North of the country representing half the population is closed to all political activities of parties other than the pro-administration party. All attempts on the part of political parties, seeking independence, to open up branches in this part of the country for the purpose of recruiting members, or to organise political rallies have met so far with the sternest of repressive measures, such as imprisonment, deportation and shooting down in cold blood. Some of these measures were taken directly by the French officers of the administration or indirectly through the African Chiefs who are Government Agents.

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While the United Nations Mission was in the country last June it had the opportunity of witnessing some of the repressive measures to which I am alluding. In the town of Mangu in the North a group of our party men, who for the past four years have been under constant persecution - some have served prison sentences, others have been deported, yet others have gone into voluntary exile in Ghana - this group sought for an interview with the Mission. When returning from this interview, it met an armed gang from the house of the African Chief of the town; this gang quickly picked quarrel with our men, fired shots into their midst killing one man and wounding four others. The attentions of both the French District Officer and the members of the United Nations Mission present in the town were immediately drawn to the incident.

In Lamakara district a few days later, after the Mission has returned to Lomé from the North, a French District Officer seeking to arrest two young men who organised the rally of the nationalist elements during the Mission's visit ordered his militiamen to fire into a crowd hostile to the arrest of the two men; eighteen men were killed and fifty others were wounded. Thereafter a reign of terror was unleashed in this otherwise peaceful district. The French District Officer who ordered the shooting proceeded to arrest all those whom he thought had something to do however remotely with the organisation of the nationalist rally. Men who could not be arrested and detained in the Lamakara prison such as the African Medical Officer in charge of the district, the African Assistant Medical Officer, the African Veterinary Officer and some lesser Government officials were expelled from the district. The African Chiefs in the district were authorised and they proceeded to arrest and detain without trial in their private prisons men whom they suspected in their cantons of having some sympathy for the nationalist movement. Several hundreds of men have thus been thrown into the Chiefs' jails, where they received daily corporal punishments and did hard labour in the Chiefs' houses or farms. During all this time these unfortunate men were brainwashed and made to understand that the French administration will never give them peace in their homes unless they cease their agitation for independence.

The Comité de l'Unité Togolaise, the political party to which I belong, sent at the time a full and detailed account of the Mangu and Lamakara shootings

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to the United Nations Mission. This can be found in the U.N. Document T/Com.7/L.51.

It may be retorted by the Administering Authority that the French Government is no longer responsible for the internal security of the country and therefore cannot be held responsible for the incidents. To this we reply that Article 31 of the amended Statute provides that "The High Commissioner shall ensure the proper administration of justice and the maintenance of public order." What is more Article 10 of the Trusteeship Agreement specifically provides inter alia: "Quote - The Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly and of petition subject only to the requirements of public order." Unquote. I may add that we believe that the Trusteeship Agreement is still in force and that all its provisions are valid.

In the third place a free and democratic election under the United Nations' control and supervision would usher in a new era for Togoland. It would as the Mission has correctly pointed out in its observations and suggestions: "Contribute towards the creation of a more favourable political atmosphere, in which the support of the entire population of Togoland would be thrown behind the new political institutions created by the Statute." Such an election would bring into existence a Legislative Assembly responsible to its Togolese electors and a Togolese Government responsible to our Legislative Assembly and not as it is the case today to the Ministry of Overseas France in Paris. We would come to an end with fakes and facades in Togoland and grapple with realities, thus building up our country on surer foundation.

We have said a little while ago that there can be no question of ending the Trusteeship Agreement until we have achieved full independence. At the present moment with the revised Statute the central organs of the French Republic still retain the powers of legislation and regulations in the following matters:

1. External affairs and defence
2. Personal and property status of French citizens
3. The penal code, the criminal code, the commercial code and administrative disputes
4. The administration of justice under French law and the organisation of administrative tribunals, provided the Government Commissioner

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on the Administrative Disputes Council shall, in the case of Togoland affairs, be designated by the Prime Minister

5. The system of public freedoms
6. The currency and foreign exchange system, financial assistance, if any, external trade and the general regulation of customs matters.
7. Curricula and examination in secondary and higher public educational establishments.
8. The labour code itself and the laws and regulations relating to mineral resources; nevertheless regulations concerning the application of legislation in these matters shall be the responsibility of the Togoland Council of Ministers or of the Togoland Legislative Assembly according to the allocation of responsibility as determined by the latter.

It has been suggested in the Trusteeship Council by the distinguished representative of France that if the General Assembly were to agree to the termination of the Trusteeship Agreement, the French Government would be willing and ready to transfer its powers of legislation and regulation in (a) Administration of Justice and (b) System of Public Freedoms to the Togoland Government. But surely it is not only the administration of justice and the system of public freedoms in the present set-up in Togoland, which prevent the people of Togoland from achieving and enjoying self-government. The list I gave of powers and competences reserved to the central organs of the French Republic amply proves that the people of Togoland have still a long way to go to reach full self-government. It has been argued that the result of the referendum held by the Administering Authority in October 1956 has shown clearly that the people of Togoland are seeking not independence, but relative autonomy, within the French Union, or indeed, as M. Guy Mollet stated when he was Premier of France, within the French Republic itself. Mr. Chairman, nothing in the report of the fact finding Commission suggests that this assumption is in the least founded. Even the Parti Togolais du Progrès, the most pro-French Government Party in the country has this to say to the Commission. We quote from a speech delivered by the President of the Parti Togolais du Progrès in the course of a hearing granted by the United Nations Commission:

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"We have refused to accept the mirage of an immediate independence in isolation. The last stage of the development of all nations is, of course, independence. But our constitution will be amended to attain that goal in due course, i.e. when the requisite conditions obtain and the necessary means are available." (Page 44 of Annex II of the report.) Thus this pro-government party reported to have polled 70% of the votes in favour of the termination of the trusteeship agreement, also clearly desires "independence" although it fears the responsibility and consequently feels the time has not yet come to ask for it.

No, Sir, independence, full independence is the only status which will satisfy the people of Togoland and indirectly satisfy equally France as it will mean the automatic termination of the trusteeship agreement which France is now clamouring so vehemently.

Attempts have been made in some quarters to compare the constitutions of Ghana and of the "Autonomous Republic" of Togoland. The classical example of this is contained in a speech delivered by Senator Ajavon, French citizen, Senator of the French Republic, and President of our Legislative Assembly at a meeting of the Assembly held on the 6th of June 1957 and in the presence of the Members of the United Nations Commission. The full text of this speech can be found on page 12 of Annex II of the report.

Mr. Ajavon started by declaring that "These are two countries which are very close to one another in their evolution, and social structure, and which have almost simultaneously attained full political maturity." He then went on to compare the institutions such as the legislative assemblies, the executives, the judicatures and to conclude that "it is neither the structure, nor the extent of the powers delegated which differentiate the two constitutions but rather their goals." For Mr. Ajavon the Statute of autonomy of Togoland is in many respects superior to the Constitution of Ghana. "It will be noted" he said "that in Togoland any legislative bill becomes law once it has been sovereignly voted by the Assembly, while in Ghana a bill voted by the Assembly becomes law only after it has received the Governor-General's sanction." He forgot to add however that these sovereignly voted bills of Togoland can only be passed in a very limited field of legislation.

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"As regards the Executive", we are told, while the Prime Minister of Ghana can appoint and dismiss his Ministers, he is under a constitutional obligation to choose them from among the Members of Parliament, and the Cabinet is collectively responsible to Parliament. In Togoland, the Prime Minister is entirely free to choose them within the Assembly or outside it. The Ministers are responsible to him alone." Furthermore in Ghana "matters relating to the career of civil servants and the regulation of the public service do not fall within the Cabinet's competence; they are dealt with by a Public Service Commission whose decisions are carried into effect by the Governor-General." In Togoland "the powers of the Prime Minister extend to the public service, which he supervises as a natural part of governmental machinery."

Again "the judiciary power in Ghana rests with a national service but in Togoland justice under French law is a French service." Yet, it is added "the Government of Ghana, has no more power over the organisation of the judicature than does the Togoland Government, since the supervision of the judiciary service, does not fall within the Ministry's competence. The Attorney-General, appointed by the Governor-General, is entrusted with this function." End of quotation.

This attempt to prove that the constitution of the "Autonomous Republic" of Togoland compares more than favourably with that of Ghana is not an isolated case; it is one of the main features of the publicity campaign of the Administering Power for the Statute.

Mr. Chairman, we all know that Ghana today enjoys the same status of independence in the Commonwealth as for instance Canada, Australia and New Zealand. Our movement in Togoland will gladly accept it, as having achieved its goal, were we to be given the same independence status as Ghana even in a French community so long as this is the freely expressed wish of the population. We say to you, Mr. Chairman, and we say to France, give us the Constitution of Ghana in exchange for the statute of our so-called "autonomous republic" and Togoland will never trouble you again - except to apply, as Ghana did, for membership in the United Nations as an independent sovereign state in our own right.

The truth of the matter is, Mr. Chairman, that the fundamental aspiration which we are laying before you - and now I speak of every man and woman of Togoland,

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whatever his political leanings - is that our country shall one day soon be seated here among you in full and equal membership in the United Nations.

You see Togoland here today in different seats. Some of us appear before you as petitioners, exercising a right which we cherish but which of course falls short of those rights which your own countries enjoy. Other Togolandese sit today in seats of the delegation of France. That is perhaps not a right but a privilege extended to them by our Administering Authority, and that privilege also falls short of our desire to have a seat of our own in this Assembly.

The most significant thing that has happened in the last few months, Mr. Chairman, is that not only the parties which we petitioners represent, but also the parties which support our compatriots who sit over there as Frenchmen, are asking today for full membership in the United Nations. You will see that plainly set out in the report of your Commission which is before you. You will see that the leaders of the Parti Togolais du Progres, the party of the members of the French delegation, have told the Commission that - and I quote - "Togoland wishes to have the privilege and honour of becoming a member, in its own right, of that illustrious organization, the United Nations." (A/3677 Annex II, page 45).

Now, Mr. Chairman, these men must be assumed to be responsible men, and they must know as well as we do that to become, as they say, a member of the United Nations in its own right, a country must be a sovereign and independent State.

So that, if they are sincere in their aspirations, as they must surely be, the problem of the future of French Togoland should have become relatively simple. All of us in Togoland, no matter what our political differences may be, are now in agreement that Togoland should become a sovereign, independent State in order that we may qualify to be a member, in our own right, of the United Nations.

It is gratifying to us to know that our political opponents within the Territory seem to have come around to our way of thinking. It must also be gratifying to your Committee that this is so, because it means that the whole Togoland problem now boils down to the question of just how we can best go about obtaining our sovereignty and our independence.

Mr. Chairman, it can come as no surprise to you that the universal aspiration of the people of Togoland is to secure our sovereignty and our independence.

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Neither we in Togoland, nor you in the many different countries from which you have come, have yet been able to devise a satisfactory substitute for the natural vocation and indeed the natural right of a people to express itself as a national entity. There is no other practical means, of which we, or you, are aware, by which a people - and especially a people in the colonial status in which we were placed - can achieve the feeling of equality, human dignity and self-respect which is the common goal of all mankind: no other way, I say, except the way of national sovereignty and independence.

Some of us, including those Togolandese who sit here today in the seats of the French delegation, have taken a long time to recognize these fundamental facts. If, being perhaps excessively charitable, we can suppose that they have acted in the past only from the highest and purest motives, we might say that they have devoted themselves loyally during these past few years to helping France to try to make a reality out of her dream of a huge France-African community. Togoland became, for them and for France, a sort of pilot project for French Africa - an experiment to determine whether an African people could be satisfied with "internal autonomy" instead of real self-government, with French sovereignty instead of their own, and with a seat in the French delegation instead of a real membership in the United Nations.

The experiment has failed, Mr. Chairman. The pilot project is disintegrating. It has been given the final coup de grace by this new demand of these very same people for full membership in the United Nations - a demand which destroys the whole basis of the experiment since it cannot be granted to Togoland except by the grant of real self-government and of full sovereignty as well.

This experiment failed, Mr. Chairman, for the simple reason that it never corresponded to the will of the people of Togoland. Worse than that, it was even forced upon our people against their will. Every conceivable method was used to make it seem to the outside world that it was the true wish of our people that they should surrender their sovereignty even before they received it, that they should accept limitations on their right to govern themselves, and that we should abandon the protection of trusteeship even before France abandons the right to determine our future.

I do not know of any people in the world, let alone in Africa, and least of all in Togoland, who could be expected to give up these things naturally and of

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their own free will. Just look where we stand in Africa, right between the new State of Ghana and the self-governing States of Nigeria. We are the same people as they are, by kinship, tradition, custom, common interests and all the rest. We shared with them, at the same time as they did, their very first desires to be finished with colonialism and to be set free to manage our own affairs, to improve ourselves, and to decide our own destinies. In these desires they were even confronted, like us, with the same kind of wish on the part of their Colonial Powers that even when they became independent they should not break away altogether with the metropolitan country but remain in some kind of association.

Now it is conceivable that we, their blood brothers, should be satisfied to settle for anything less? Perhaps all of you honourable delegates have spoken or thought of the significance, upon the rest of the world, of the independence of Ghana and British Togoland, and the significance of the coming independence of the huge Federation of Nigeria. Well, think of the significance of these events for us in Togoland. When millions of Africans all around us are demanding and receiving the very freedom that only independence can bring, is it conceivable that we should renounce our own desire for freedom?

Mr. Chairman, it is perhaps because this would have been so unnatural a thing for us to do, that those who tried to impose it upon us went to such extreme lengths. The history of our country in the last six years has been a history of political fakery, repression, intimidation, favouritism, provocation and reprisals, not to mention false promises and false pretences, and secret negotiations in Paris with men who have voluntarily taken French citizenship - all of it designed deliberately to make it seem in the rest of Africa, in France and at the United Nations that Togoland wants something that she does not really want at all. Our governing authorities will deny all this, as they have always denied it in the past. They can go on denying it until doomsday, but they will never disprove it because it is the truth. We know it to be true: we are the witnesses, we are the would-be victims. And the truth has been recognized, even by the United Nations itself. If you examine the records even of the Trusteeship Council over this period you will see that our country, French Togoland, is the only one in the whole of the Trusteeship System with a persistent black mark in this matter of political liberties. We are the only Trust Territory

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about which the Council has expressed repeated doubts, even in its polite diplomatic language, about our freedom; the only Trust Territory where not one, not two, but three successive visiting missions have reported unmistakeable signs of political repression.

It is not too much to say, Mr. Chairman, that efforts have been made to perpetrate on us, and even on the United Nations, a gigantic fraud. We, we have not ~~swallowed~~ it, and neither will you. Perhaps it will be said that the end which France had in mind justified the means of reaching it. Perhaps it will be said that the political objective which they tried to impose on us, this substitute for real self-government and independence, is in our best interests.

But, to say the least, the objective has been a mistaken one, and the methods used to reach it have been a disgrace. They must be given up, once and for all. Our people are not puppets who can be manipulated in one direction or another, and made to speak in voices that are not our own. We have the right to determine our own destiny, and to do it freely and under the protection of these United Nations.

Mr. Chairman, after listening yesterday to the speech of the first representative of France, Dr. Ajavon, we may be forgiven for wondering whether we have yet come to the end of this grand deception.

One year ago the Trusteeship Council and then, this Committee, were asked to believe that the new Statute of Togoland, as it stood, represented full self-government. You were asked to believe that we in Togoland have renounced all ideas of wanting independence, and that the Statute represents the attainment of the objectives of trusteeship as far as we are concerned.

But now Dr. Ajavon asks you to believe something quite different. He says first of all that we want - and even he wants - our independence. But he maintains that Togoland is so poor that we cannot afford independence. He admits that already seventy per cent of our revenues are being absorbed by the salaries and allowances of Government officials (and, may I say, is that not a rather terrible thing to have to admit about your own Government?) He says that his Government does not have enough money to give jobs to all our elites coming home from the universities (although we must ask him, where does he get the idea that their only ambition is to work for the Government?) And he even says that a

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considerable number of Togolese are leaving our country in order to have work elsewhere - although here again we must ask him whether he is including those who have been driven out, transferred for political reasons; or those who are leaving because they are fed up with fakery and corruption and prefer to live in more democratic African countries.

Dr. Ajavon is telling you, and us, in effect, that we need France because we need money - that we cannot dare to ask for independence because, if we do, France will cut us off without a penny. Is this really true? Is he, as the representative of France in this Committee, really speaking for France when he places this ultimatum before us? I cannot believe it. Mr. Chairman, if I were a Frenchman, I would be ashamed to hear such a thing so brutally said.

But let us follow Dr. Ajavon the rest of the way. He has said that we need France's money, and we have to pay it back by not asking for independence. He says we will settle for self-government instead, and that he has arranged with the French Government to give it to us. Last year he and his French colleagues said that we already have self-government - after all, what is an autonomous republic? Today he says that we do not have self-government but we are certainly going to have it next year.

He told us yesterday that he has already agreed with the French Government that justice, the system of public liberties and all the other competences presently reserved to France, except diplomacy and money, will be transferred to the Togoland authorities, and even, that from then on Togoland will be free to make any changes we like in the statute as far as Togoland questions are concerned.

Mr. Chairman, let me be the first to say that, if this is all true, it will be another big step ahead towards our self-government. Imagine it, we will have complete control of our affairs in everything except foreign affairs and currency.

But is this really true? If it is true, Dr. Ajavon has scored a masterpiece of secret negotiation. If it is true, this is the first that Togoland has ever heard of it. Only the other day, the last time our Prime Minister decided to leave Paris for a while and visit Togoland, he announced that, as the representative of France had already said in the Trusteeship Council, a few more

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competences were going to be transferred under certain conditions to Togoland. But he never said, he never even hinted, that we were going to be self-governing in everything but diplomacy and currency. What a surprise will be in store for our Prime Minister, let alone our people!

Mr. Chairman, your distinguished Committee, like ourselves, will be anxious to hear from Dr. Ajavon all the details of this marvellous new act of emancipation. I beg of him, at the first opportunity, to go through the Statute, article by article, in the presence of this Committee, and explain to us all, exactly what changes are to be made. And let me also pay a tribute to Dr. Ajavon himself for the personal sacrifice he will be making because it is quite clear that when we become fully self-governing, there will no longer be any need for Togoland to be represented in the Parliament of France, and that means that Dr. Ajavon must give up his seat in the French Senate.

However, there seems to be a bit of a catch to all this. Dr. Ajavon wants us, too, to pay a price for our self-government. What is this price? It is that we get none of this self-government unless, and until, we give up trusteeship. None of these changes, whether they are as large as Dr. Ajavon says or as small as I suspect, are to take place until the United Nations get out of the way.

Dr. Ajavon offers you and us a timetable which I can only describe as fantastic. Suddenly he agrees to new elections next year to elect a new Legislative Assembly. Yet, before that happens, he insists that the present Assembly, the old discredited one, should be the authority which will approve the changes in the Statute and, in effect, lay down the conditions of our self-government. Surely that defeats the very reason for making new elections.

Then, most remarkable of all, Dr. Ajavon insists that when the elections have been held, and at the very first meeting of the new Assembly, the trusteeship should be automatically terminated. That is his own word - "automatically". I do not believe for one moment that this would be acceptable to your Committee. To terminate the trusteeship, it needs the consent of both parties to the agreement - France and the General Assembly of the United Nations. And I am convinced that you will not, in fact cannot, give your consent until you know that Togoland has attained self-government and is free to become independent.

We try, as always, to be constructive in our attitude towards the future. What is the best thing for you in the United Nations, and for us in Togoland, to do now?

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Last January I made before you some concrete suggestions. Many of you received them warmly - and I particularly recall the encouragement which we were given, at that time and also later on in the Trusteeship Council, by the distinguished delegates of the United States of America.

But our suggestions, though well received, were put into cold storage, at least until your Commission had gone to Togoland and made its report. Now, in reading its report, we have been gratified to find that our suggestions have the full support, in effect, of your Commission. Your Commission envisages a programme of political evolution in full freedom, leading us through fresh elections to the further amendment of our statute, the further transfer of powers, until we achieve genuine self-government and are ready to decide our independence.

Mr. Chairman, we are ready to accept the solution which your Commission has now thrown open. It coincides almost exactly with what we proposed last January - so much so that I would like now, in conclusion, to repeat those suggestions, with your permission.

We are aiming, as I said then, at a solution which would satisfy all three important elements in this present situation - namely, the aspirations of our Togoland people; the desire of France not to lose a rightful and enlightened position in West Africa; and the requirements of the Charter of the United Nations.

Firstly, all talk of trying to terminate our Trusteeship Agreement on the basis of the present statute - or even on the basis of vague promises of the transfer of a few more powers - should be dropped altogether. It seems clear to us that any proposal to terminate the agreement now, or to agree in advance to terminate it under any conditions short of independence, will not gain the support of either the Togoland people or of the General Assembly.

I still believe that the best attitude for all of us, France included, would be to look at the new Statute for what it is, to try to make it work, and to help it to evolve freely into something better, until the time comes when we can all agree that we have reached self-government and are ready to decide our future status. As I told you in January, when we were approached in the Territory and even asked to join the new Government, we made it clear that we could do so only if the Statute can be regarded not as the final end of Trusteeship but as a step towards that end. That condition was not met, and that is the reason why we

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could not take part in the referendum or in the Government itself. But we saw, and we still see, a lot of good things in this Statute, and we are ready to welcome it as a step towards the attainment of our self-government. If the idea of immediately terminating the Trusteeship Agreement can be dropped, and if certain changes can be made, or at least examined, in the Statute, and if we can have certain guarantees of political freedom, we are certainly ready to do all we can to help in the difficult job of making these new institutions really work.

The very first thing to be done, in our opinion, will be to have new and completely free elections to the Legislative Assembly in order to constitute it on a democratic basis and let it start its work on the right foot. The present Assembly is not truly representative; in the first place, it was not elected by universal suffrage, but only by about one half or less of the potential electoral list. In the second place, it represents only a single party, since our parties, which could certainly win many, and even a majority, of seats in the Assembly, felt unable to take part in the last elections which were held in 1955 - more than a whole year, in fact, before the new Statute came into effect and the old Territorial Assembly became the Legislative Assembly. I think it will be agreed that it is logical when a new constitution and new institutions are introduced, to have new elections at the same time.

But these new elections must be held in an atmosphere of complete freedom, without intervention by the Administration, the chiefs or anyone else except for the real and honest purpose of keeping order. Only a clean sweep in this matter of political freedom will be able to break down the atmosphere of fear and intimidation which has been built up for many years and which cannot fail to affect the way in which the ordinary man in the street or in the bush casts his vote.

Now as you know, Mr. Chairman, and as your Commission has confirmed, these new elections have been resisted up to now by our authorities. We know very well for what reasons - political, financial and social. It will not be very easy for all of our so-called representatives to run the risk of being defeated in a genuine election. But in spite of this opposition we have heard rumours even before Dr. Ajavon spoke yesterday that France and her associates in Togoland

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would now be willing to have new elections next year, and even under United Nations supervision. You can imagine how gratified we are if that is true. We have been asking for years for elections to be supervised by the United Nations. Our people have simply lost all confidence in the ability of those who have been administering us to carry out elections that are really free.

Indeed, we want new elections, and indeed we want them to be supervised by the United Nations. Dr. Ajavon said nothing about supervision but there must be supervision: and supervision at every stage. We ask the United Nations to examine the electoral laws and see whether they are suited to our conditions. We ask the United Nations to insist on a general amnesty so that all of our many people who have been arrested in recent years on political charges will have all their electoral rights. We ask the United Nations to see that the existing electoral lists are scrapped and that new electoral lists are made up honestly and under United Nations supervision. We ask the United Nations to supervise the distribution of voting cards, the arrangements for political campaigning, the voting and the counting of the ballots, and the procedures of appeal.

If you give us these things you will give us, for the first time in many years, our first hope for a free and democratic choice of our legislators and our ministers.

Yet we also have some rumours - until Dr. Ajavon spoke we could not believe them to be true - that these supervised elections would be held only on the condition that the General Assembly would agree in advance that, whatever the outcome, and whatever may be our future constitutional development, the Trusteeship Agreement would be terminated. As I have said a little while ago, it is inconceivable that the General Assembly would agree to such a bargain. Your Charter assures us that we shall remain under the protection of Trusteeship until we are ready for self-government or independence. To ask us to sacrifice that right for the sake of free elections, which we are entitled to anyway, is surely out of the question. I am certain that, as the English would say, you will not be willing to buy "a pig in a poke".

We need these elections only as a normal part of our democratic development. We need the United Nations to supervise these elections simply in order to give

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our people confidence that they can vote freely and without fear of intimidation and reprisals. It is true that these elections may well prove decisive. We may elect a legislative assembly that will press at full speed for a new constitution granting us complete independence. But surely you will want to hear about that constitution, and satisfy yourselves about it, before you can think of terminating Trusteeship. We are certain that you will understand the proper order of events, and put these elections in their right perspective, just as your Commission has so ably done.

Once we have had new elections, and once we have an Assembly that is truly representative of the people of our country, we can get down right away to two main items of business. The first task will be to take all the necessary steps to ensure that our present institutions really work - and by present institutions I mean not only the Legislative Assembly and the Council of Ministers but also the district councils and the municipal councils that have not yet been elected. In Togoland today we are suffering from a facade of local self-government, with hardly anything substantial behind it. Our district councils are composed of persons who are well-meaning but not properly trained for the job, and the same is true of our present Assembly. The result is that the whole burden of responsibility and of making decisions falls on the French District Administrators, instead of on the Africans where it really belongs. But we do have many potentially good men, and they must be given the training and the practice in local self-government. Moreover, now that we have a Legislative Assembly, it is surely time to make a rule that civil servants cannot sit on it unless they resign their Government jobs. At present, more than half of the members of our Assembly hold Government positions as well - surely an unheard-of practice in any democratic country.

The second main task will be for the new Assembly, or preferably even a wider conference or commission of inquiry established by it, to examine thoroughly the whole of the Statute as it now stands and make recommendations as to how it should be eventually amended to give us a real self-governing constitution, from which we can go on to independence in one form or another according to the freely expressed wishes of our people. There are many aspects

of the Statute which, if they are retained at all, certainly should be retained only on a provisional basis. For example, why call ourselves a republic when we are not really a republic at all, since the sovereignty does not yet lie in our hands? You cannot make Togoland into a republic by a simple stroke of the pen, merely changing the word "territory" into the word "Republic". Let us develop our institutions and their powers and competence up to the point where we can say that we truly deserve to be called a republic because our sovereignty will then rest in our own hands and we will have a head of State who represents not the French Republic but ourselves.

Likewise, we could only accept on a purely provisional basis the idea that we should continue to be represented in the French Parliament and have citizenship that is tantamount to French citizenship. Our aim should be to progressively eliminate any need to be represented in the French Parliament - in other words to transfer to our own Parliament most, if not all, of the subjects reserved to the organs of the French Republic. You will see from article 26 of the Statute that these subjects include not only the attributes of independence - i.e., defence and external affairs - but also many of the basic requirements of self-government. To be self-governing we must surely be entitled to control, according to our own laws, our own internal security, our national police force, our judiciary, our commerce and trade, our freedoms of association and assembly and speech, our labour system, our secondary and higher educational system - all of these things which are still reserved either to the laws of France or to the executive branch of the French Republic, and often both.

Mr. Chairman, exactly as I said in January, we believe that constructive steps of this kind can put new life and a new spirit of freedom and responsibility into Togoland, and earn France a new and great respect among the African peoples. We are convinced that they should take place under the Trusteeship System, so that we can retain the benefit of the guarantees which all the nations, including France, have given us in the United Nations Charter. Everyone knows that we could not have arrived even at the stage where we are today without the friendly guidance, advice and even pressure of the United Nations. We want to keep that supervision, in order to arrive honourably under it at the objectives of the International Trusteeship System. If you take such a course as I have

suggested, and if France will only agree to co-operate in such a course, I am certain that within a very short time, perhaps only a year, France would be able to come proudly before the General Assembly and invite you, with your unanimous support, to carry out a plebiscite of the people of my country, as your Commission proposes for the last stage in our programme, in order to determine freely our future status.

Thank you, Mr. Chairman.
