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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, A/C.4/L.508/Rev.1, T/
SR.841-847) (continued)**

CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L.508/
REV.1) (continued)

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

1. Mr. SALOMON (Haiti) expressed his appreciation of the co-operative spirit the sponsors of the draft resolution (A/C.4/L.508/Rev.1) had shown in making a number of revisions to their original text (A/C.4/L.508). There was now good reason to hope that an agreement might be reached and the prospect for that was further enhanced by the eleven-Power amendments (A/C.4/L.510), which concerned mainly matters of drafting and procedure.

2. While many arguments had been heard in favour of establishing a commission to exercise supervisory functions in the coming elections in Togoland under French administration instead of appointing a commissioner, few arguments had been advanced in support of the opposite view. The fact that Togoland under French administration was a far larger territory than the former Togoland under British administration and hence much more difficult for a single individual to cover was one of many reasons which pointed to the desirability of entrusting the task to a commission of several members. If, however, convincing arguments were advanced in favour of the other view, his delegation would gladly support it; but it felt that the commissioner should not be appointed but elected, if necessary on the basis of a limited list of candidates to be proposed by the President of the General Assembly.

3. With regard to the amendment proposed to paragraph 5 of the revised draft resolution (A/C.4/L.510, para.4), his delegation favoured the expression "in consultation with . . ." because it felt that the supervisory unit should not have a purely passive role but should be able to assist the Administering Authority when it became necessary to take a decision, as had been the case in the plebiscite in Togoland under British administration.

4. U PAW HTIN (Burma) said that his delegation had joined the sponsors of the amendments because, although it considered the revised text an improvement on the original draft resolution, it still had some misgivings with regard to procedure and form and felt that the amendments would rectify various points in that respect.

5. While his delegation found the preamble of the draft resolution generally acceptable, it felt that the fifth paragraph would be substantially improved by the amendments proposed. Paragraph 1 of the operative part of the draft resolution could not fail to be acceptable to all delegations but it would not be complete unless it commended the conclusions and observations in the report of the United Nations Commission on Togoland under French Administration (A/3677). With regard to paragraphs 2 and 3, while there was cause for satisfaction that new elections were to be held in the Territory earlier than originally intended, his delegation trusted that the new Legislative Assembly would first take stock of its constitutional position in order to ensure that its new institutions were functioning satisfactorily; its second task would be to examine the Statute to determine if any changes were necessary, after which it might wish to express an opinion with regard to the future action deemed desirable in the light of the new developments. Since paragraphs 4 and 5 involved a principle of considerable importance he was glad that the sponsors had accepted the substitution of the word "supervise" for "observe".

6. With regard to the proposal for the appointment of a commissioner, his delegation, although it had a profound admiration for the President of the General Assembly, considered that the principle of election would be more democratic. Moreover it would be unfair to entrust the responsibility for such an onerous task to one man. All stages of the proceedings would have to be supervised and consultation with the Togoland Government and the Administering Authority would be necessary throughout. In view of that fact and the size of the Territory, a three-member commission would be better able to carry out the task.

7. The amendments to paragraphs 7 and 8 were designed to provide the new Legislative Assembly with a wider field of action: it would no longer be confined to a single issue but would be able to put forward any proposals it wished concerning the future of the Territory.

8. Mr. ESKELEND (Denmark), speaking on behalf of the sponsors of the revised draft resolution, said they would accept the two amendments to the fifth paragraph of the preamble (A/C.4/L.510, para.1). The amendment to paragraph 1 of the draft resolution (A/C.4/L.510, para.2), however, could not be accepted in its present form. Since neither the Fourth Committee nor the Trusteeship Council had had an oppor-

tunity to discuss the contents of the Commission's report in detail it would be difficult to commend it at the present juncture to the Administering Authority and the Government of Togoland. He would therefore suggest that the word "commends" might be changed to "transmits".

9. With regard to the amendment to paragraph 4, (A/C.4/L.510, para.3), he felt strongly that the principle of sending a commissioner to supervise the elections should be retained. There were admittedly a number of precedents for the supervision of plebiscites by a commission but Denmark's own experience did not lead it to favour such a course. Moreover, the plebiscites in question had involved the interests of a number of different Powers, who had been represented on the commissions in order to safeguard their interests. In the present case there was only one interest at stake, namely that of the United Nations, which should be above party strife. Moreover, the election of a three-member commission would merely encourage the different political parties to sow discord amongst the members with a view to influencing the election results. It had been pointed out that the Territory was larger than that of Togoland under British administration, but that simply meant that a larger staff of Secretariat members would be required to assist the commissioner in his task. Since the choice of a commissioner to supervise the election plebiscite in Togoland under British administration had proved so fortunate, there seemed no need to resort to a different method in the present case. If, however, a formal amendment on the lines proposed by the representatives of India and Haiti were submitted, he would give it sympathetic consideration.

10. While he considered the amendment proposed to paragraph 5 (A/C.4/L.510, para.4) unnecessary, he would raise no objection to it. He felt, however, that the proposed insertion of the word "organization" in paragraph 6 (A/C.4/L.510, para.5) would create ambiguity and he hoped that the sponsors of the amendments would not press the point. His delegation was not prepared to accept the amendment proposed to paragraph 7 (A/C.4/L.510, para.6) but it might consider the insertion of the words "the new Statute and" before the words "the termination of the Trusteeship Agreement". With regard to paragraph 8, he was prepared to accept the amendment proposed by the representatives of Ecuador and Venezuela (A/C.4/L.509), since it broadened the context of the paragraph, but he could not endorse the eleven-Power amendment (A/C.4/L.510, para.7), because it was already quite obvious that the new Legislative Assembly would be able to discuss any matter it wished; the only decision the United Nations was called upon to make was on the issue of the termination of the Trusteeship Agreement. The representative of Yugoslavia had emphasized that the proposals embodied in the eleven-Power amendment to paragraph 8 were no different in substance from those of the revised draft resolution; since there therefore appeared to be general agreement on the substance of the text a small detail of wording should not be allowed to create an obstacle.

11. Mr. ARAMBURU (Peru) considered that the crucial issue centred round paragraph 4 of the revised draft resolution. He would therefore propose, in a spirit of compromise, an amendment to the eleven-Power amendment (A/C.4/L.510, para.3) to the effect

that the opening words of paragraph 4 should read "Decides to elect a commissioner ...".

12. Mr. ROSSELLI (Uruguay) thanked the sponsors of the draft resolution for their efforts to provide an acceptable solution. The revised draft resolution, however, still needed some modification and clarification, which he felt was provided by the proposed amendments.

13. The amendments to the preamble were no more than clarifications but the amendment to paragraph 4 involved a question of principle for his delegation, which had always maintained that the appointment of a commissioner should be the prerogative of the General Assembly as a whole. The amendments proposed to paragraphs 5 and 6 were the logical outcome of the revisions to paragraphs 3 and 4, whereby the principle of supervision had replaced that of observation. The amendments to paragraphs 7 and 8 did not constitute any modification, their sole purpose being to incorporate in the appropriate part of the resolution substantive statements that had been made during the debate.

14. Mr. SULTANOV (Union of Soviet Socialist Republics) repeated his delegation's view that a Trusteeship Agreement could be terminated only after the attainment of the objectives of the Trusteeship System, namely after a full measure of self-government and independence had been obtained. The General Assembly should accordingly concentrate its efforts on the speedy attainment by Togoland of those objectives. In endeavouring to hasten the termination of the Trusteeship Agreement France was merely trying to escape from its obligations to the United Nations. There was no doubt that even by transferring new powers to the Togoland Legislative Assembly France was not granting Togoland full self-government or independence, since it would retain powers relating to external affairs, defence and currency, which were vitally important aspects of public life. If the General Assembly agreed to terminate the Trusteeship Agreement in those circumstances it would defy the very principles of the United Nations.

15. The revised draft resolution (A/C.4/L.508/Rev.1) was designed to help the French Government to achieve its objective without giving the inhabitants of Togoland the possibility of managing their own affairs; without granting them independence, it provided for a decision by the General Assembly concerning the termination of the trusteeship, based on France's promise to transfer further powers to the Legislative Assembly. His delegation could not, therefore, support the draft resolution in its present form. It had taken note of the statements made by the Administering Authority with regard to the further transfer of powers and the holding of new elections in 1958 and agreed that those concessions might give the people of Togoland a greater opportunity to participate in political affairs. Bearing in mind the statements made by the petitioners, the USSR delegation agreed that the elections should be held under the supervision of the United Nations.

16. The amendments proposed by the eleven Powers improved the draft resolution in that they emphasized not the termination of the Trusteeship Agreement but the need for the attainment of the objectives of the Trusteeship System. Since they made it possible to

formulate appropriate measures, with the setting of a target date for the attainment of independence by the people of Togoland and the eventual termination of the trusteeship, his delegation would vote in favour of the amendments and, if they were adopted, in favour of the draft resolution as amended.

17. Mr. BOZOVIC (Yugoslavia) said that the Danish representative's statement that the Committee had not had time to make a thorough study of the Commission's report was a matter for concern inasmuch as that report was one of the elements constituting the basis for action by the General Assembly. Hence if the report had not been studied thoroughly it would appear that the Committee had no basis for its recommendations.

18. With regard to the eleven-Power amendment to paragraph 4, his delegation was not bound by the precedent that a commissioner rather than a commission had supervised the plebiscite in Togoland under British administration, for it had favoured a commission on that occasion. In reply to the Danish representative's suggestion that the people of the Trust Territory might try to sow dissension among the members of a commission, he would only say that his delegation had sufficient confidence in the Togolandans not to entertain any such fears.

19. If the sponsors of the draft resolution refused to add the word "organization" in paragraph 6, as suggested in the eleven-Power amendments, it would not be clear whether the commission, or commissioner, would be consulted with regard to the revision of the electoral register or would simply be confronted with the fact that it had been revised. In the case of the plebiscite in Togoland under British administration the Commissioner had been consulted at all stages of the operation and had broad powers to take such steps as he deemed necessary to ensure that the plebiscite was conducted in an atmosphere of fairness and freedom. If the fact that there had been only a Commissioner in that case was to serve as a precedent in the present case, then surely the broad powers enjoyed by that Commissioner should likewise be regarded as setting a precedent. The question of the revision of the electoral register was of great importance and he hoped that the sponsors of the draft resolution would make clear what would be the position of the commission or commissioner in that regard.

20. Mr. PERERA (Ceylon) said that in the view of his delegation the principal amendments of substance were those which would affect paragraphs 4, 6 and 8 of the revised draft resolution. Earlier in the discussion he had expressed the view that in principle an election by the General Assembly as a whole was preferable to an appointment by its President. His delegation could not support any procedure whereby the General Assembly would abdicate its right of election. In the case of the plebiscite held in Togoland under British administration the Commissioner had been elected by the General Assembly and no one had questioned the wisdom of that collective choice. The sponsors of the revised draft resolution had agreed that the commissioner would supervise rather than merely observe the elections and that supervisory task could surely be more efficiently carried out by three commissioners than by one. An examination of the material presented in the report of the Commission which had visited the Territory earlier in the year would make it clear that in the case of Togoland

under French administration it would be extremely difficult for one commissioner to exercise satisfactorily the authority with which it was proposed to invest him.

21. The purpose of the amendment to paragraph 8 was not to prevent the General Assembly from reaching a decision at its thirteenth session but simply to give it greater freedom in examining the situation resulting from the elections so that it might the more easily take a decision. It might be argued that in any case no decision would be taken without prior consideration of the entire situation; if that was so, he could see no objection to specifying as much in the draft resolution, for otherwise paragraph 8 might be interpreted to mean that at its thirteenth session the General Assembly would be precluded from examining the situation resulting from the elections and would be under an obligation to reach a decision on the question of terminating the Trusteeship Agreement. His delegation could not be a party to a procedure which would have the effect of imposing a certain course of action on a session of the General Assembly before it had even been convened. No one could foretell what the results of the elections would be or what the future Legislative Assembly would request. Hence it was important that the General Assembly should be free to discuss the situation further in the light of whatever might have taken place in the meantime.

22. After listening to the general debate his delegation could not help fearing that some members of the Committee, in their eagerness to bring about the early termination of the Trusteeship Agreement, were losing sight of the entire purpose of the Trusteeship System. It was clear from Article 76 b of the Charter that it had never been intended that the Trusteeship System should constitute an obstacle to the ultimate attainment by a Trust Territory of full sovereignty. His delegation interpreted that Article to mean that termination of a Trusteeship Agreement must be contingent upon the attainment of self-government or independence by the Territory concerned and could in no way be regarded as a prerequisite for the attainment of one or the other of those objectives. The statements made by the French delegation and the representative of the Togoland Government seemed to suggest that the Trusteeship Agreement must be terminated as early as possible if the objective envisaged in the Charter was to be attained. That was an illogical argument and constituted a travesty of Article 76 b.

23. While the Administering Authority was to be commended for what the Commission described as its broad interpretation of the Statute, the Committee could not afford to be complacent in view of the numerous restrictions which that instrument placed on the Togoland authorities with regard to the penal code, the organization of justice, public freedoms, secondary and higher education and the labour code and of the serious reservations expressed by the Commission in paragraphs 470 and 471 of its report. The views of his delegation were in accord with the statement in paragraph 466 of the report that the trend of events which had been set in motion made inevitable a further broadening of the degree of autonomy achieved by Togoland in its progress towards full self-government. Recognizing that that further broadening of the Territory's autonomy was a process which would

necessarily take time, his delegation thought it would be unwise to commit the General Assembly in advance to any particular course of action with regard to termination of the trusteeship. If the result of the elections was to bring about a further broadening of autonomy, the General Assembly would doubtless be happy to consider that possibility but the United Nations should not, in its eagerness to hasten the attainment of independence by its ward, take any step which might jeopardize the interests of the latter.

24. Mr. OSMAN (Egypt) said that his delegation could not support the draft resolution because even in its revised form it did not reflect a sound interpretation of the concepts underlying the Trusteeship System.

25. If the United Nations was to be called upon to supervise the forthcoming elections in the Territory the task should be entrusted to a commission elected on the basis of equitable geographical distribution. Furthermore, it would be dangerous to try to anticipate the wishes of a Legislative Assembly which had not yet come into existence. In his opinion it would be better to omit any reference to the possibility of the Legislative Assembly asking for the termination of the Trusteeship Agreement, for any such statement in the draft resolution was tantamount to imposing on the Legislative Assembly the course of action which it should take.

26. By the same token his delegation was not entirely satisfied with the amendments but would vote in favour of them because it felt that they were preferable to the corresponding paragraphs in the draft resolution and did not prejudice the attitude which delegations would be expected to take when discussing the matter at the thirteenth session of the General Assembly.

27. Mr. ABIKUSNO (Indonesia) said that he thought the adoption of the amendments would render the draft resolution more acceptable to a majority in the Committee, for they took into account the points which most delegations seemed to feel had an essential bearing on the solution of the problem of Togoland. It had become evident during the general debate that the majority favoured the political evolution of the Territory in the normal democratic manner laid down in Article 76 of the Charter. The insistence of the Administering Authority that the transfer of powers should be contingent upon termination of the Trusteeship Agreement—a position which seemed to be upheld by the sponsors of the draft resolution in their refusal to accept the amendment to paragraph 8—was not calculated to increase the number of delegations who would support the draft resolution.

28. His delegation still held the view that the termination of the Trusteeship Agreement could be considered only after the Territory's political institutions had developed sufficiently to ensure the exercise by the Togoland people of full internal sovereignty. The Legislative Assembly, if endowed with the powers usually exercised by a politically independent body, would logically be the only organ through which the people of the Territory could express their wishes. The elections to that body must therefore be held solely with a view to making it more widely representative and not subject to the understanding that it would follow a particular course of action, as called for in paragraph 2 of the revised draft resolution. Paragraph 3, while preferable to the original version, was subject to criticism on the same grounds.

29. The purpose of the amendment to paragraph 4 was to ensure that the United Nations would not be open to the charge of having abandoned its supervisory powers, for a three-member commission was less likely to be accused of bias than was a single individual. Similarly, the full exercise by the United Nations of its supervisory powers required that such a commission should be consulted with regard to any measure to be taken concerning the election, as provided in the amendment to paragraph 5.

30. Paragraphs 7 and 8 did not dispel the misgivings voiced by the majority of delegations concerning what they regarded as one of the most fundamental aspects of the problem, namely, that the transfer of further powers should not be made contingent upon the termination of the Trusteeship Agreement. It was for that reason that the amendments to those paragraphs had been proposed. The words "to examine the entire situation" introduced in the amendment to paragraph 8 were taken from the terms of reference for the Commission on Togoland laid down in General Assembly resolution 1046 (XI). The adoption of the amendments to paragraphs 7 and 8 would bring the draft resolution into closer conformity with the purposes of Article 76 of the Charter.

31. Mr. JAQUET (France), commenting on the eleven-Power amendments (A/C.4/L.510), expressed his delegation's satisfaction that the amendments to the preamble had been accepted by the sponsors of the draft resolution. He had already informed the Committee more than once that his Government, in agreement with the Government of Togoland, was ready to make a number of transfers of powers and that Togoland would then have complete self-government. One of the objectives of the Trusteeship System would thus have been attained.

32. He had some reservations with regard to the amendment to paragraph 1. The United Nations Commission on Togoland had done admirable work, but the French delegation, like some others, was not in agreement with every point in its report. He would be ready to accept the Danish representative's suggestion that the word "commends" in that amendment should be replaced by "transmits".

33. He could not support the amendment to paragraph 4. The view had been expressed that because of the size of the Territory one commissioner would not be sufficient, but the commissioner would have the assistance of large number of observers and his task would be to direct and guide the work. A three-member commission would have various drawbacks. It would be best to follow the precedent of Togoland under British administration and appoint one commissioner who would be impartial, objective and above all political controversy, with a number of observers who would travel about the Territory. The representative of Denmark, speaking for the sponsors, had been willing to agree that the commissioner should be elected rather than appointed. The French delegation, in a spirit of compromise, would agree to that proposal but could go no further.

34. His delegation could not agree to the amendment to paragraph 7. The people of Togoland should be asked a simple and straightforward question: whether or not they were in favour of the termination of the Trusteeship Agreement. A vaguely worded question would

merely bring forth vague answers which would not give any clear indication of the course of action to be followed. The representative of Denmark had suggested a compromise formula reading: "...wishes which may have been expressed by the Legislative Assembly concerning the new Statute and the termination of the Trusteeship Agreement...". Thus the people of Togoland would be asked a double question—what they thought of the new Statute and whether, if they approved it, they would be willing to agree to the termination of the Trusteeship Agreement. That would be logical, and precise answers to those questions would enable action to be taken.

35. Nor could his delegation vote in favour of the amendment to paragraph 8; again, the proposed wording was too vague. The thirteenth session of the General Assembly should have a precise question before it: whether or not to terminate the Trusteeship Agreement. The present Legislative Assembly of Togoland, which could continue in office until 1960, was being pressed to hold elections in 1958, under United Nations supervision, on the question whether or not the Trusteeship Agreement should be terminated. The United Nations would therefore be under a moral obligation to carry out the wishes expressed by the people of Togoland as soon as possible. The wording of the draft resolution was more precise and was therefore preferable to the French delegation.

36. In a spirit of conciliation he would accept the amendment to paragraph 8 proposed by the delegations of Ecuador and Venezuela (A/C.4/L.509), although he could not see that it was necessary.

37. The French delegation had made great efforts to be conciliatory because it wished for a clear and definite decision to be taken and he appealed to other delegations to make an equal effort in the interests of the people of Togoland, whose future so largely depended on their decision.

38. Mr. JAIPAL (India), replying to the representative of Denmark, said he could not understand the nature of the objection to the insertion of the word "organization" in paragraph 6, since it already appeared in paragraph 5. If the United Nations Commissioner was to be informed of the organization of the elections there seemed no reason why he should not report on it. He would be grateful if the representative of Mexico, who had been United Nations Plebiscite Commissioner in Togoland under British administration, would give the Committee some guidance concerning the definition of the word "organization" in the context of an election or plebiscite.

39. The representative of Yugoslavia had raised an important point involving the scope and extent of United Nations supervision. In the opinion of the Indian delegation there was a serious danger that the United Nations might receive large numbers of complaints or petitions if supervision were excluded from any particular stage of the elections. Furthermore, there was a danger that some political parties might continue to boycott the elections on the ground that there were insufficient guarantees. The main concern now should be to ensure free and fair elections in an atmosphere which would facilitate political activity throughout: either there should be supervision which inspired confidence among all sections of political opinion in the Territory, or there should be no supervision at

all. He would be grateful for some assurance from the Government of Togoland that United Nations supervision would cover all stages of the elections, including revision of the electoral register. In his delegation's opinion that would serve to create the proper atmosphere of confidence and would facilitate the task of the General Assembly at its thirteenth session.

40. He regretted that the sponsors were unable to accept the amendment to paragraph 8. The termination of the Trusteeship Agreement was dependent on the attainment of self-government or independence: if there were no reference to the attainment of one of the objectives of the Trusteeship System the impression might be created that a Trusteeship Agreement could be terminated before one of the two objectives were reached. His delegation therefore considered that the amendment was necessary and if it were rejected would be obliged to vote against the draft resolution as a whole.

41. Mr. ESPINOSA Y PRIETO (Mexico), replying to the representative of India, said that it had often been debated whether a plebiscite was simply the act of depositing ballots in boxes or whether it covered events preceding and following the actual voting. In his own view a plebiscite consisted of the phase of organization, then the voting, and then the subsequent stages, including the counting of the votes. The success of a plebiscite obviously depended on its organization. As Plebiscite Commissioner in Togoland under British administration he had received whole-hearted co-operation from the authorities and he had no doubt that the authorities in Togoland under French administration would be equally co-operative. Moreover, he was certain that the members of the Togoland Government would see to it that the election was as fairly conducted as the plebiscite in Togoland under British administration had been. There should be co-operation between the Administering Authority and the United Nations representatives at every stage, including in particular the drawing up of the electoral register, because it was in that connexion that complaints were most likely to be made.

42. He hoped and believed that the differences between the sponsors of the draft resolution and the sponsors of the amendments would be settled and that the Committee would be able to vote on an agreed text.

43. Mr. PRADO (Ecuador) shared the Mexican representative's views on the desirability of having an agreed text and hoped that a further effort would be made to that end.

44. He hoped that the substitution of the word "transmits" for "commends" would make the amendment to paragraph 1 more acceptable to the sponsors. The important point was that the Administering Authority and the Government of Togoland should take the report into consideration.

45. He was unable to understand the sponsors' objection to the inclusion of the word "organization" in paragraph 6 and hoped it would be possible to reach a compromise.

46. With regard to paragraph 7, he felt that a further exchange of views might result in an agreed text.

47. Mr. ESKEJLUND (Denmark) thought it was doubtful whether the sponsors of the joint draft resolution could go any further to meet the sponsors of the amendments.

48. His delegation was prepared to vote in favour of the Peruvian sub-amendment to the amendment to paragraph 4, whereby it would read: "Decides to elect a commissioner ...".

49. The Indian representative had contended that it was essential to mention in paragraph 8 the two possible ways of ending a trusteeship: namely, self-government or independence. All that had been suggested, however, was that the General Assembly should reach a decision at its thirteenth session, when it knew the wishes of the new Legislative Assembly and Government of Togoland and of the Administering Authority; it was not asked to come to a decision now. It was inconceivable that the General Assembly would act contrary to the terms of Article 76 of the Charter and he could therefore see no need to mention those two alternatives in paragraph 8.

50. The USSR representative was apparently not aware that there were two alternatives under Article 76—self-government or independence; he seemed to feel that the United Nations should take no decision until complete independence had been attained by the people of Togoland. Furthermore, he did not appear to be aware of the statement made by the French representative at the 845th meeting of the Trusteeship Council, held during the Seventh Special Session, to the effect that if the Trusteeship Agreement were terminated and the newly elected Assembly of Togoland expressed the wish to leave the French Union, the French Government and Parliament would have no choice but to take that wish into consideration and embody it in a formal legal instrument.

51. He would point out to the representative of Yugoslavia that when speaking earlier he had suggested the substitution of the word "transmits" for the word "commends" in the eleven-Power amendment to paragraph 1. He thanked the representative of Ecuador for supporting that suggestion and would like to have the opinion of the sponsors of the amendments.

52. With regard to the Yugoslav representative's question concerning the electoral register, he felt confident that since the Togoland Government had issued an invitation to the United Nations to supervise the elections it would be anxious to avoid anything which might invalidate the request it intended to make the following year for the termination of the Trusteeship Agreement. It was the Government of Togoland that was chiefly concerned that the elections should be absolutely irreproachable; that was the best guarantee there could be that it would do its utmost to make them so.

53. Mr. SULTANOV (Union of Soviet Socialist Republics), replying to the representative of Denmark, said that the Soviet delegation was as familiar as he was with the Charter, the aims of trusteeship under the Charter and the procedure of the Trusteeship Council, although its interpretation of the Charter might differ from that of the Danish delegation and might not be to its liking.

54. Mr. GERIG (United States of America) said that in his delegation's view paragraph 8 as amended by the delegations of Ecuador and Venezuela was the key paragraph of the whole resolution. Its adoption would give the General Assembly the assurance that the necessary steps had been taken to enable it to reach a clear decision, in full knowledge of the facts, at its

thirteenth session. As the representative of Denmark had observed, that decision must of course be reached in accordance with Article 76 b and he felt that the Indian point was met by the words "in accordance with the Charter of the United Nations" or, if it were desired to be still more specific, the phrase might be amended to read "in accordance with Article 76 b of the Charter of the United Nations".

55. After listening to the various arguments put forward in favour of a commission or a commissioner, his delegation was convinced that the Peruvian representative's proposal for the election by the General Assembly of a commissioner, who would be assisted by the necessary staff, would provide the most efficient and impartial way of conducting the supervision of the elections.

56. Mr. SMOLDEREN (Belgium) said that his delegation would vote in favour of the revised draft resolution and the amendments accepted by the sponsors, in the light of the following considerations.

57. Firstly, the draft resolution had been accepted in a spirit of conciliation by the Administering Authority concerned, which, though under no obligation in that respect, was nevertheless free to do so, since it alone was responsible for the administration of the Territory.

58. Secondly, the proposed procedure corresponded in the main to the suggestions made by the authorized representatives of the Autonomous Republic of Togoland. Those considerations were the only ones which justified the terms of the draft resolution, which in many respects encroached upon the division of competences between the Administering Authority and the United Nations under the Charter and the Trusteeship Agreement. The Belgian delegation had often stressed that the Administering Authority must necessarily be the arbiter between the political parties in the Territory and, in accordance with article 4 A of the Trusteeship Agreement, would normally organize any election. It was also true that, in accordance with Article 76 b of the Charter, the people of the Territory must be called upon freely to express their wishes concerning their future. That consultation, however, had already taken place and the people of Togoland, in a referendum based on universal suffrage and with every guarantee of impartiality, had decided by a majority of over 70 per cent in favour of the termination of the Trusteeship Agreement.

59. For those reasons his delegation would be unable to vote in favour of the amendments which had not been accepted by the Administering Authority.

60. In conclusion he wished to emphasize that neither the procedure adopted to terminate the Trusteeship Agreement in Togoland under British administration nor the proposed procedure concerning Togoland under French administration could constitute a precedent for the termination of other Trusteeship Agreements. Only the consent of the Administering Authorities concerned conferred any validity on the procedure adopted in those two cases.

61. Mr. JAIPAL (India) observed that the United States representative had been correct in stating that paragraph 8 was the key provision in the revised draft resolution. For that reason his delegation had studied it with the utmost care. Article 12 of the Trusteeship Agreement provided that the terms of that Agreement

should not be altered or amended except as provided in Articles 79, 82, 83 and 85 of the Charter, as the case might be. It was to be noted that there was no reference to Article 76 of the Charter in that very important article of the Trusteeship Agreement. The United States representative's suggestion that a reference to Article 76 b should be inserted in paragraph 8 pointed the way to a satisfactory settlement and would therefore help to allay the anxiety of his delegation on that score.

62. Mr. RAHNEMA (Iran) said that in view of the extent to which the sponsors of the revised draft resolution and the sponsors of the amendments had already succeeded in reaching agreement he would suggest that the meeting should be suspended for a short time to enable them, in consultation with the French delegation, to settle their remaining differences so that the final text might be acceptable to the largest possible majority.

63. Mr. KENNEDY (Ireland), supporting the Iranian representative's suggestion, said that in view of the great efforts made by the French delegation, the representatives of the Togoland Government and the sponsors of the revised draft resolution to reach a position which would be generally acceptable it behoved the Committee as a whole to display a similar spirit of co-operation. The step which the Committee was about to take was a vital one and it was important that the greatest possible degree of harmony should be reached.

The meeting was suspended at 5.30 p.m. and resumed at 5.45 p.m.

64. Mr. ESKELUND (Denmark) said that the sponsors of the eleven-Power amendments (A/C.4/L.510) and those of the revised draft resolution (A/C.4/L.508/Rev.1) had now reached agreement on most points. The main outstanding points were the choice between a commission and a commissioner, in paragraph 4, and the insertion of the word "organization" before the word "conduct" in paragraph 6. With regard to paragraph 7, the word "additional" should be deleted in view of the amendment to the fifth paragraph of the preamble; moreover, the sponsors of the draft resolution had accepted the suggestion he had made earlier that the words "the new Statute and" should be inserted before "the termination of the Trusteeship Agreement". With regard to paragraph 8, the United States representative had a text to put forward.

65. Mr. GERIG (United States of America) said that the sponsors of the joint draft resolution had agreed to introduce the words "in the light of the circumstances then prevailing" after the word "decision" in paragraph 8 and to insert the words "Article 76 b of" before the words "the Charter" at the end of that paragraph.

66. Mr. JAIPAL (India) said it was preferable to introduce the reference to Article 76 b of the Charter before the word "concerning", so that the final phrase of paragraph 8 would read: "to reach a decision in the light of the circumstances then prevailing and in accordance with Article 76 b of the Charter of the United Nations concerning the termination of the Trusteeship Agreement".

67. Mr. JAQUET (France) said he had accepted the text proposed by the United States representative as

a compromise solution but was not prepared to make the further concession of agreeing to the change suggested by the Indian representative.

68. Mr. MAKSIMOVICH (Ukrainian Soviet Socialist Republic) said that in view of the importance of the draft resolution it was important that the Committee should have time to consider the final text in written form. He therefore moved the adjournment of the meeting so that the vote could be taken at the next meeting.

69. The CHAIRMAN, acting in accordance with rule 119 of the rules of procedure, put the motion for adjournment to the vote.

The motion was rejected by 38 votes to 16, with 16 abstentions.

70. Mr. BOZOVIC (Yugoslavia) moved that the meeting should be adjourned until 8.30 p.m.

The motion was rejected by 37 votes to 15, with 21 abstentions.

71. Mr. CHERNUSHCHENKO (Byelorussian Soviet Socialist Republic) invoked rule 121 and moved that the voting should be suspended until the final text of the proposals had been circulated in writing.

The motion was rejected by 47 votes to 3, with 11 abstentions.

72. Mr. MUFTI (Syria) said his delegation had abstained from voting because the motion put to the vote amounted to an attempt to reverse a previous decision.

73. Mr. KADRY (Iraq) said that he had voted in favour of the Yugoslav motion because he felt that the sponsors of the draft resolution and the amendments should have been given time to clarify their positions.

74. The CHAIRMAN put to the vote the preamble of the revised draft resolution (A/C.4/L.508/Rev.1), with the amendments to its fifth paragraph which had been accepted by the sponsors (A/C.4/L.510, para.1).

The preamble of the draft resolution, as amended, was adopted unanimously.

75. Mr. BOZOVIC (Yugoslavia) said that the sponsors of the amendments were prepared to replace the word "commends" by the words "draws the attention" in their amendment to paragraph 1 (A/C.4/L.510, para. 2).

76. Mr. DE LISLE (Canada) accepted that amendment on behalf of the sponsors of the draft resolution.

Paragraph 1 of the draft resolution, as amended, was adopted unanimously.

Paragraph 2 of the draft resolution was adopted by 63 votes to none, with 10 abstentions.

77. Mr. MUFTI (Syria) asked for a separate vote on the phrase "having regard to the responsibilities of the new Legislative Assembly mentioned in the preceding paragraph" in paragraph 3.

That phrase was adopted by 52 votes to none, with 19 abstentions.

Paragraph 3 as a whole was adopted unanimously.

78. The CHAIRMAN put to the vote the Peruvian sub-amendment to the eleven-Power amendment to paragraph 4, to the effect that the words "Decides to elect

a commission of three members" should be replaced by the words "Decides to elect a commissioner".

At the request of the Colombian representative, a vote was taken by roll-call.

Denmark, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Denmark, Dominican Republic, El Salvador, Ethiopia, Finland, France, Haiti, Honduras, Iceland, India, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Luxembourg, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Portugal, Spain, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Brazil, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Cuba.

Against: Ecuador, Egypt, Guatemala, Hungary, Morocco, Poland, Romania, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia.

Abstaining: Ghana, Greece, Indonesia, Iran, Jordan, Malaya (Federation of), Mexico, Pakistan, Sudan, Yemen, Afghanistan, Burma, Ceylon.

The Peruvian sub-amendment was adopted by 48 votes to 15, with 13 abstentions.

79. The CHAIRMAN put to the vote paragraph 4 as thus amended.

At the request of the representative of Ecuador a vote was taken by roll-call.

Honduras, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Honduras, Iceland, India, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Luxembourg, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Portugal, Spain, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Brazil, Cambodia, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Haiti.

Against: Hungary, Morocco, Syria.

Abstaining: Indonesia, Jordan, Malaya (Federation of), Mexico, Pakistan, Poland, Romania, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Egypt, Ghana, Greece, Guatemala.

Paragraph 4, as amended, was adopted by 51 votes to 3, with 22 abstentions.

80. The CHAIRMAN put to the vote paragraph 5, as amended by the eleven-Power amendment (A/C.4/L.510, para.4), which had been accepted by the sponsors of the draft resolution.

Paragraph 5, as amended, was adopted unanimously.

81. The CHAIRMAN put to the vote the eleven-Power amendment (A/C.4/L.510, para.5) proposing the inser-

tion of the word "organization" before the word "conduct" in paragraph 6.

The amendment was adopted by 39 votes to 15, with 16 abstentions.

Paragraph 6 as amended, was adopted unanimously.

82. The CHAIRMAN put to the vote the eleven-Power amendment to paragraph 7 (A/C.4/L.510, para.6).

At the request of the Syrian representative a vote was taken by roll-call.

The Byelorussian Soviet Socialist Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Byelorussian Soviet Socialist Republic, Ceylon, Czechoslovakia, Egypt, Ethiopia, Ghana, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iraq, Jordan, Malaya (Federation of), Mexico, Morocco, Nepal, Pakistan, Philippines, Poland, Romania, Sudan, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma.

Against: Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Finland, France, Honduras, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Portugal, Spain, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Argentina, Australia, Austria, Belgium, Brazil.

Abstaining: Cambodia, China, Ecuador, El Salvador, Iran, Japan, Lebanon, Liberia, Tunisia, Venezuela.

The amendment was not adopted, 33 votes being cast in favour and 33 against, with 10 abstentions.

83. The CHAIRMAN put to the vote paragraph 7 of the draft resolution, as revised by its sponsors.

Paragraph 7, as revised, was adopted by 44 votes to 10, with 18 abstentions.

84. Mr. GERIG (United States of America) proposed a sub-amendment to the eleven-Power amendment to paragraph 8. The phrase proposed in that amendment to follow the words "so as to enable it" should be replaced by the following: "if so requested by the new Togoland Legislative Assembly and the Administering Authority, to reach a decision, in the light of the circumstances then prevailing, concerning the termination of the Trusteeship Agreement in accordance with Article 76 b of the Charter of the United Nations".

85. Mr. OSMAN (Egypt) said that the United States amendment was in fact an amendment to the revised draft resolution contained in document A/C.4/L.508/Rev.1 and not a sub-amendment to the eleven-Power amendment to paragraph 8; it should therefore not be voted upon before the eleven-Power amendment.

At the request of the Burmese representative a vote was taken by roll-call on the United States sub-amendment.

Finland, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Finland, France, Honduras, Iceland, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Portugal, Spain, Sweden,

Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador.

Against: Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia.

Abstaining: Ghana, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Jordan, Malaya (Federation of), Mexico, Morocco, Nepal, Pakistan, Sudan, Syria, Tunisia, Uruguay, Yemen, Yugoslavia, Afghanistan, Burma, Cambodia, Ceylon, Costa Rica, Egypt, Ethiopia.

The United States sub-amendment was adopted by 40 votes to 9, with 27 abstentions.

Paragraph 8, as amended, was adopted by 40 votes to 9, with 23 abstentions.

86. The CHAIRMAN put to the vote the draft resolution as a whole, as amended.

At the request of the Colombian representative a vote was taken by roll-call.

Bolivia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Brazil, Cambodia, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Luxembourg, Malaya (Federation of), Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Portugal, Spain, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium.

Abstaining: Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Egypt, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Iraq, Jordan, Morocco, Nepal, Pakistan, Poland, Romania, Sudan, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Albania.

The draft resolution as a whole, as amended, was adopted by 50 votes to none, with 26 abstentions.

The meeting rose at 7.50 p.m.