



C O N T E N T S

	<i>Page</i>
The Ewe and Togoland unification problem: special report of the Trusteeship Council (<i>continued</i>).....	405

Chairman: Mr. Santiago PEREZ PEREZ (Venezuela).

The Ewe and Togoland unification problem: special report of the Trusteeship Council (A/2424, A/C.4/L.308, A/C.4/L.309/Rev.1, A/C.4/L.310/Rev.1, A/C.4/L.311, A/C.4/L.312, A/C.4/L.313, A/C.4/L.314, A/C.4/L.315, A/C.4/L.316, A/C.4/L.317) (*continued*)

[Item 31]*

At the invitation of the Chairman, Mr. Antor, Mr. Odame, and Mr. Armattoe, representatives of the Joint Togoland Congress, Mr. Olympio, representative of the All-Ewe Conference, and Mr. Brenner, representative of the Parti togolais du progrès, took seats at the Committee table.

1. Mr. DONS MOELLER (Denmark) said that at the previous meeting the Danish delegation had introduced an amendment (A/C.4/L.315) to the draft resolution contained in document A/C.4/L.309. The sponsors of the draft resolution had now accepted that amendment and incorporated it in a revised version of the resolution (A/C.4/L.309/Rev.1). Accordingly the Danish delegation had pleasure in withdrawing its amendment.

2. Mr. MATHIESON (United Kingdom) said that his delegation was very concerned about the trend of opinion that had developed with regard to the revised draft resolution contained in document A/C.4/L.310/Rev.1. It therefore wished to submit an amendment (A/C.4/L.317) to that resolution in connexion with paragraph 3 of the operative part. The amendment took the form of a sub-amendment to the Colombian amendment (A/C.4/L.316) proposing to delete that paragraph. Its purpose was to offer an alternative form for operative paragraph 3 which would accord with the intentions of the United Kingdom Government and allay some of the anxiety that had been expressed in the Committee.

3. At the previous meeting the United Kingdom delegation had explained that it regarded operative paragraph 3 of the revised draft resolution contained in document A/C.4/L.310/Rev.1 as unacceptable. In its present form the paragraph decided, in effect, in advance of any approach to the General Assembly by the United Kingdom, that any ultimate solution of the question by means of the integration of Togoland under

British administration with the Gold Coast, with the consequent termination of the Trusteeship Agreement, would be contrary to the purposes and principles of the International Trusteeship System. The United Kingdom did not agree that that was so, and had therefore proposed an alternative text for the paragraph. The adoption of the alternative text would assure the General Assembly's right and competence to consider any proposal regarding the termination of the Trusteeship Agreement and to make its decision at the appropriate time in the light of the circumstances then prevailing. The United Kingdom had never denied that the General Assembly possessed that competence and that right. Moreover, the adoption of the United Kingdom amendment would mean that the General Assembly expected the Government of the United Kingdom to seek its prior approval, which the Government of the United Kingdom was ready to do. The amendment was intended to meet the genuine anxiety expressed by various members of the Committee and at the same time to avoid prejudging a question of great importance to the United Kingdom and to West Africa.

4. Mr. DE HOLTE CASTELLO (Colombia) said that the Colombian delegation accepted the United Kingdom amendment (A/C.4/L.317) to the amendment which it had proposed (A/C.4/L.316).

5. Mr. RYCKMANS (Belgium) said that operative paragraph 3 of the revised draft resolution contained in document A/C.4/L.310/Rev.1 was not accurate in assuming that the integration of Togoland under British administration with the Gold Coast would necessarily be contrary to the International Trusteeship System. However, the Government of the United Kingdom would be infringing the terms of the Trusteeship Agreement if it sought to transfer authority over the Trust Territory to an independent Gold Coast, and that act would require an alteration in the terms of the Agreement. The Belgian delegation was therefore in favour of deleting the original paragraph 3 and inserting the more accurately worded amendment proposed by the United Kingdom. However, it considered that the phrase "as a satisfactory termination of the Trusteeship Agreement" in the United Kingdom amendment (A/C.4/L.317) was not strictly necessary and might be deleted in order to win greater support from the Committee.

6. Mr. MATHIESON (United Kingdom) said that if that phrase were deleted, some of the force of the amendment would be lost. British Togoland was already integrated with the Gold Coast under article 5 (a) of the Trusteeship Agreement. Therefore, the hypothesis of the amendment was a proposal by the United Kingdom to terminate the Trusteeship Agreement through the final integration of Togoland under British administration with a self-governing or independent Gold Coast, thereby changing the international status of the Territory. Nevertheless, if the Committee wished to delete the phrase, the United Kingdom would agree.

* Indicates the item number on the agenda of the General Assembly.

7. Mr. INGLES (Philippines) said that he had not been able to discuss the newly-introduced United Kingdom amendment (A/C.4/L.317) with all the co-sponsors of the revised draft resolution contained in document A/C.4/L.310/Rev.1, but that those whom he had approached agreed that they could not accept it. The amendment was based on an assumption that the integration of Togoland under British administration with the Gold Coast could be a satisfactory termination of the Trusteeship Agreement. That assumption was erroneous and dangerous. The co-sponsors of the draft resolution believed that such integration before the Trust Territory had received its independence or self-government would be illegal and contrary to the provisions of the Charter.

8. He disagreed with the arguments advanced by the Belgian representative. A change of Administering Authority would not be contrary to the terms of the Charter. However, the proposal was to change, not the Administering Authority, but the international status, and that could not be sanctioned by any alteration of the Trusteeship Agreement. According to the Charter, the international status of a Trust Territory could only be changed by the attainment of self-government or independence. Thus the Trusteeship Agreement could only terminate on attainment of independence, not on integration with the Gold Coast. The sponsors of the revised draft resolution could not accept the underlying idea of the amendment, which would open the door to violation of the principles of the Charter.

9. He also disputed the assumption of the representative of the United Kingdom that Togoland under British administration was already integrated with the Gold Coast. According to the Trusteeship Agreement, the Trust Territory was administered as an integral part of the Gold Coast. Full integration was not permitted either by the Trusteeship or by the Charter.

10. Mrs. MENON (India) said that her delegation was opposed to the United Kingdom amendment (A/C.4/L.317), the result of which would be to encourage precisely what the Committee was seeking to avoid. All the petitioners who had appeared before the Committee opposed the integration of Togoland under British administration with the Gold Coast. She reminded the United Kingdom representative of the terms of article 3 of the Trusteeship Agreement regarding the basic objectives of the Trusteeship System. The amendment assumed that the integration of Togoland under British administration with the Gold Coast was the only correct way of realizing the objectives of the Trusteeship System; the Indian delegation could not agree to that assumption. The Committee was discussing the unification of Togoland, and the adoption of the United Kingdom amendment would rule out any possibility of that unification.

11. Mr. MENDOZA (Guatemala) said that his delegation could not support the United Kingdom amendment (A/C.4/L.317) as it stood. However, it suggested, in order to bring about a compromise, that the United Kingdom should consider the possibility of adding the words "after both Territories have attained self-government or independence", in place of the phrase objected to by the Belgian representative. If the deletion and the additional phrase were accepted, the Guatemalan delegation would be able to vote in favour of the paragraph as a whole.

12. Mr. RYCKMANS (Belgium) said that the representatives of the Philippines and Guatemala had not fully understood his suggestion. He considered that the United Kingdom amendment (A/C.4/L.317) as he proposed to amend it ought to be acceptable to them. If the Government of the United Kingdom totally renounced responsibility for the Gold Coast, the administration of Togoland under British administration as an integral part of the Gold Coast would be impossible and the Government of the United Kingdom would be compelled to propose some change in the Trusteeship Agreement. The General Assembly would be required to discover what would best serve the interests of the inhabitants of Togoland under British administration, and, since it could obviously not force the United Kingdom to retain responsibility for the Gold Coast, its only course would be to agree to a change of the terms of the Trusteeship Agreement whereby trusteeship would be transferred to the Government of the Gold Coast or the United Kingdom would be required to administer the Trust Territory as a separate entity outside the Gold Coast. The deletion of the phrase in question would show that if the Gold Coast became independent before the Trust Territory of Togoland under British administration became independent, it would be necessary to alter the terms of the Trusteeship Agreement, and the General Assembly would be required to take a decision in the light of the interests of the inhabitants of the Territory.

13. Mr. ALLOUNI (Syria) said that his delegation, which was one of the sponsors of the revised draft resolution contained in document A/C.4/L.310/Rev.1, was unable to agree to the United Kingdom amendment (A/C.4/L.317). By accepting the new theory of integration the United Kingdom proposal would, if adopted, make the General Assembly comply with the wish of the Administering Authority to change the Trusteeship Agreement so as to allow a Trust Territory to be integrated with a colony before the objectives of the Trusteeship System had been achieved.

14. Mrs. BOLTON (United States of America) regretted that the sponsors of the revised draft resolution contained in document A/C.4/L.310/Rev.1 were unable to accept the United Kingdom suggestion (A/C.4/L.317), which was an accurate statement of the position, whereas the original operative paragraph 3 was not. The United States delegation would be able to vote for the revised draft resolution only if the amendment proposed by the United Kingdom were accepted. The retention or rejection of the Belgian suggestion would not affect United States support for the United Kingdom amendment.

15. Mr. CALLE Y CALLE (Peru) noted, in connexion with the Guatemalan representative's suggestion, that the United Kingdom amendment already made the integration of the Trust Territory of Togoland under British administration with the Gold Coast depend upon the attainment of self-government by the Trust Territory, for it invoked the principles and purposes of the International Trusteeship System, which implied the attainment of self-government or independence by the inhabitants of the Trust Territory.

16. Mr. S. S. LIU (China) said that he would abstain from voting on the United Kingdom amendment (A/C.4/L.317) because he could not agree with its major assumption: that integration with the Gold Coast could be accepted as a satisfactory termination of the Trusteeship Agreement. The amendment of which his delega-

tion was a co-sponsor (A/C.4/L.312) was based on the premise that such integration would be contrary to the Trusteeship Agreement. It clearly implied that the conversion of an administrative union into a political union was not consistent with the Trusteeship Agreement, which would therefore have to be revised. The word "revision" covered complete abrogation of the Trusteeship Agreement. He therefore felt that his amendment was consistent with the point of view advanced by the Philippines representative.

17. Mrs. MENON (India) said that the Belgian representative had suggested two alternatives for Togoland under British administration. He had overlooked a third alternative chosen by the people themselves, namely independence. The people of Togoland wished to be allowed to stand on their own feet; if there were no integration with the Gold Coast and the Trusteeship Agreement were abrogated by the United Kingdom, their wish would be fulfilled.

18. Mr. BOZOVIC (Yugoslavia) said that he would vote against the United Kingdom amendment (A/C.4/L.317), which failed to recognize that both Togolands, and not only Togoland under British administration, were involved. The two Territories had originally formed a single unit and had the right to be re-unified. Furthermore, there was no reason why the attainment of self-government or independence by the Gold Coast should raise the question of integration. When the Gold Coast became independent, the "integral part" clause of the Trusteeship Agreement would no longer be appropriate, because the United Kingdom Government would have no further control over the Gold Coast. It should therefore administer the Trust Territory separately until the people of the two Togolands could express their opinion on their country's future.

19. An additional objection to the United Kingdom amendment was that by adopting it the General Assembly would merely be giving its approval to a *fait accompli*. The United Kingdom representative had just openly admitted, for the first time, that Togoland under British administration was already an integral part of the Gold Coast. Incidentally, that admission cast doubt on the objectivity of the Standing Committee on Administrative Unions, which had said that Togoland under British administration was not an integral part of the Gold Coast. If the Guatemalan amendment was accepted as a compromise, he would vote for it.

20. Mr. INGLES (Philippines) fully understood the Belgian representative's argument, but felt that it had one important flaw: the Belgian representative recognized the right of the people in the Gold Coast to independence, but did not concede that Togoland under British administration could be self-governing or independent; he envisaged only trusteeship, with either the United Kingdom or the Gold Coast as the Administering Authority.

21. The Chinese representative had said rightly that the conversion of an administrative union to a political union was not authorized by the Charter. The joint Chilean-Chinese amendment (A/C.4/L.312) as it stood might, however, be interpreted to mean that a political union could be authorized by revision of the Trusteeship Agreement.

22. Mr. L. S. BOKHARI (Pakistan) asked what objection the United Kingdom Government would have, if the Gold Coast became independent, to administering Togoland under British administration as a separate en-

tity. He wondered whether the United Kingdom amendment implied that, when the people of the Gold Coast voted on their future, the people of the Trust Territory would simultaneously vote on whether or not they wished to be integrated into the Gold Coast, or whether voting in the Trust Territory would be postponed until it had been authorized by the General Assembly.

23. Mr. MATHIESON (United Kingdom) hoped that nothing he had said had given the impression that his Government was opposed in principle to the self-government or independence, as a separate entity, of Togoland under British administration. That was certainly one possibility, but had obvious disadvantages: for example, the Trust Territory was small and had no access to the sea. Moreover, the information at the disposal of his Government showed that a great majority of the people in the north and a substantial majority in the south wanted integration with the Gold Coast. The Indian representative had said that any solution other than complete independence would be against the wishes of the petitioners. The wishes of petitioners who did not appear before the Committee should also, however, be considered. Numerous petitions had been received from the Trust Territory directly contradicting the views expressed by the petitioners who had appeared before the Committee. In particular, the petition from the Buem-Krachi District Council (T/Pet.6/L.31) answered several of the points raised by Mr. Odame at the previous meeting.

24. In answer to the Pakistan representative's second question, he pointed out that the ultimate decision on the independence of the Gold Coast had not yet been taken. The Gold Coast Government had made certain proposals which had been debated and approved by the Legislative Assembly, in which the people of Togoland under British administration were represented. The proposals were still under consideration by the United Kingdom Government, and discussions were continuing with the people of the Gold Coast. Anything which affected the final future of the people of the Trust Territory would be decided in the light of their freely expressed wishes and in accordance with the terms of the Charter.

25. While he appreciated the spirit of compromise in which the Guatemalan representative had submitted his amendment, he could not accept that amendment, since the net result would be to carry out the intention of operative paragraph 3 in its original form. The words "after both Territories have achieved self-government or independence" enshrined a misunderstanding which had also been voiced by the representatives of India and the Philippines. They had said that any solution which did not result in independence or self-government for Togoland under British administration would not be in keeping with the Charter, and the Indian representative had referred to article 3 of the Trusteeship Agreement. The United Kingdom Government had that article in mind. Article 76 of the Charter referred to the inhabitants of the Trust Territories rather than to the Territories themselves. His Government had never excluded the possible termination of the Trusteeship Agreement through the attainment of self-government or independence by the inhabitants of Togoland under British administration as equal citizens of a self-governing or independent Gold Coast. His Government would propose that its trusteeship should be terminated by final and complete integration into a self-governing or independent Gold Coast only if that were demanded by the people of the Trust Territory. He would prefer to main-

tain his amendment (A/C.4/L.317) as it stood, and he asked the Committee to support it.

26. Mr. L. S. BOKHARI (Pakistan) asked whether he would be right in assuming, first, that the United Kingdom representative was not in a position to give an immediate undertaking that voting in the Trust Territory would not take place without the prior consent of the United Nations and, secondly, that the United Nations would not supervise or be present during the voting.

27. Mr. MATHIESON (United Kingdom) replied that both assumptions were incorrect.

28. The CHAIRMAN said that, if there were no objections, he would call on Mr. Antor and Mr. Armattoe, representatives of the Joint Togoland Congress, for brief explanations.

29. Mr. ANTOR (Joint Togoland Congress) reminded the Committee that at the time when the Trusteeship Agreement had been drawn up the Gold Coast was still a colony. The petition to which the United Kingdom representative had referred had been drawn up by a statutory body established by the Government and not truly representing the indigenous inhabitants of the Territory. He had already drawn attention to the Government's plans to influence the composition and voting of the local district and regional councils. He asked the Committee to bear those facts in mind.

30. Mr. ARMATTOE (Joint Togoland Congress) pointed out that, whereas his party had appeared before the Committee for seven years, no petitioners had as yet appeared to support integration with the Gold Coast. It was incredible that the Belgian representative should concede the right of the people of the Gold Coast to self-government while denying that right to the neighbouring people in the Trust Territory. The Administering Authority was trying to influence and coerce the people to decide in favour of the solution it advocated. His party represented the ordinary inhabitants of the Trust Territory, who hoped that their views would be considered by the General Assembly.

31. The CHAIRMAN put to the vote the amendment to operative paragraph 5 of the seven-Power draft resolution (A/C.4/L.308), submitted by the delegations of Egypt and Iraq (A/C.4/L.314).

The amendment was adopted by 52 votes to none.

32. The CHAIRMAN put to the vote the amendment to operative paragraph 10 of the seven-Power draft resolution (A/C.4/L.308), submitted by the New Zealand delegation (A/C.4/L.313).

The amendment was rejected by 22 votes to 19, with 9 abstentions.

33. At the request of Mr. WINIEWICZ (Poland), the CHAIRMAN put to the vote separately operative paragraph 4 of the seven-Power draft resolution (A/C.4/L.308).

Operative paragraph 4 was adopted by 47 votes to none, with 5 abstentions.

34. At the request of Mr. ABOU-AFIA (Egypt), the CHAIRMAN put to the vote, apart from the other paragraphs, operative paragraphs 5 and 6 of the seven-Power draft resolution.

Operative paragraph 5, as amended, and operative paragraph 6 were adopted by 49 votes to none, with one abstention.

35. Mr. RYCKMANS (Belgium) explained that he had abstained because he did not see how people could be "assisted" freely to explain their views.

36. At the request of Mr. SCOTT (New Zealand), the CHAIRMAN put to the vote, separately and in parts, operative paragraph 7 of the seven-Power draft resolution.

The first part of operative paragraph 7, down to the words "the two Trust Territories" was adopted by 52 votes to none.

The second part of operative paragraph 7 was adopted by 45 votes to none, with 7 abstentions.

Operative paragraph 7 as a whole was adopted by 46 votes to none, with 6 abstentions.

37. The CHAIRMAN put to the vote the seven-Power draft resolution (A/C.4/L.308) as a whole, as amended.

The draft resolution as a whole, as amended, was adopted by 44 votes to none, with 8 abstentions.

38. Mrs. BOLTON (United States of America) explained that she had abstained from voting because she was unable to support the draft resolution with the inclusion of operative paragraph 10 as it stood.

39. At the request of Mr. KUCHKAROV (Union of Soviet Socialist Republics), the CHAIRMAN put to the vote separately the second paragraph of the preamble of the revised draft resolution proposed by Brazil, Cuba, India, Indonesia, the Philippines and Syria (A/C.4/L.309/Rev.1).

The second paragraph of the preamble was adopted by 48 votes to none, with 5 abstentions.

40. The CHAIRMAN put to the vote the revised draft resolution (A/C.4/L.309/Rev.1) as a whole.

The revised draft resolution as a whole was adopted by 48 votes to one, with 3 abstentions.

41. At the request of Mr. SHTOKALO (Ukrainian Soviet Socialist Republic), the CHAIRMAN put to the vote, paragraph by paragraph, the revised draft resolution proposed by Brazil, India, Indonesia, Liberia, the Philippines and Syria (A/C.4/L.310/Rev.1).

The first paragraph of the preamble was adopted by 39 votes to 5, with 9 abstentions.

The second paragraph of the preamble was adopted by 41 votes to 5, with 6 abstentions.

The third paragraph of the preamble was adopted by 39 votes to 5, with 7 abstentions.

The fourth paragraph of the preamble was adopted by 40 votes to 5, with 8 abstentions.

The amendment proposed by Chile and China (A/C.4/L.312) to paragraph 1 of the operative part was rejected by 29 votes to 19, with one abstention.

Paragraph 1 of the operative part was adopted by 31 votes to 7, with 14 abstentions.

Paragraph 2 of the operative part was adopted by 32 votes to one, with 21 abstentions.

42. At the request of Mr. MATHIESON (United Kingdom), the CHAIRMAN put to the vote by roll call the United Kingdom amendment (A/C.4/L.317) to the amendment submitted by Colombia (A/C.4/L.316) to the revised draft resolution (A/C.4/L.310/Rev.1).

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

In favour: Panama, Peru, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern

Ireland, United States of America, Australia, Belgium, Canada, Colombia, Denmark, France, Netherlands, New Zealand, Norway.

Against: Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Brazil, Burma, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, India, Indonesia, Iran, Lebanon, Liberia, Mexico.

Abstaining: Thailand, Chile, China, Dominican Republic, Greece, Iraq, Israel, Nicaragua.

The amendment was rejected by 30 votes to 15, with 8 abstentions.

43. Mr. KADRY (Iraq) explained that he had abstained from voting because, although he agreed with the Peruvian representative that the United Kingdom text was not inconsistent with the principles and purposes of the Trusteeship System, certain remarks made in the debate indicated that it left room for misunderstanding.

Paragraph 3 of the operative part was adopted by 32 votes to 13, with 7 abstentions.

44. At the request of Mr. SHTOKALO (Ukrainian Soviet Socialist Republic), the CHAIRMAN put paragraph 4 of the operative part to the vote in two parts, from the beginning down to the words "freely expressed wishes" and from the words "having particular regard" to the end.

The first part of the paragraph was adopted by 47 votes to none, with 4 abstentions.

The second part of the paragraph was adopted by 38 votes to none, with 15 abstentions.

Paragraph 4 of the operative part as a whole was adopted by 41 votes to none, with 11 abstentions.

Paragraph 5 of the operative part was adopted by 49 votes to one, with 4 abstentions.

45. Mr. RYCKMANS (Belgium) said that he had voted against paragraph 5 because in his opinion there was no need to ask the Trusteeship Council to submit a special report on the question, for it would naturally deal with the question in its ordinary report.

46. At the request of Mr. MATHIESON (United Kingdom), the CHAIRMAN put to the vote by roll call the revised draft resolution (A/C.4/L.310/Rev.1) as a whole.

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

In favour: Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Panama, Philippines, Saudi Arabia, Syria, Thailand, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Argentina, Brazil, Burma, China, Cuba.

Against: France, New Zealand, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Canada.

Abstaining: Denmark, Netherlands, Norway, Peru, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Byelorussian Soviet Socialist Republic, Chile, Colombia, Czechoslovakia.

The revised draft resolution as a whole was adopted by 33 votes to 8, with 12 abstentions.

The meeting rose at 12.50 p.m.