



Thursday, 7 November 1957,  
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**Chairman:** Mr. Thanat KHOMAN (Thailand).

**AGENDA ITEM 35**

**Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (A/3601 and Corr.1 and Add.1, A/3602, A/3603, A/3604, A/3605, A/3606/Rev.1, A/3607, A/3608, A/3609, A/3647 and Corr.1, A/C.4/360) (continued):**  
 (c) General questions relating to the transmission and examination of information (A/C.4/357/Rev.1, A/C.4/359 and Add.1, A/C.4/L.504/Rev.2)

**GENERAL DEBATE AND CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L.504/REV.2) (concluded)**

1. Mr. QUIROS (El Salvador) said that, at the previous meeting, he had voted in favour of the draft resolution in document A/C.4/L.504/Rev.2 because the study which it proposed would undoubtedly be of value to the Committee. He wished to point out that in voting in favour of the draft resolution he had not had any particular State in mind. His approval was without prejudice to his delegation's position in respect of the results of the proposed study or of the attitude adopted by any State on the subject of the Secretary-General's communication.

2. His only concern was that an objective study should be obtained. He would have been glad to support the Venezuelan amendment to the effect that three of the six members of the proposed committee should be elected from among the Administering Members (A/C.4/L.506), had that amendment been maintained.

3. Mr. SULTANOV (Union of Soviet Socialist Republics) said that the failure of some Member States to fulfil their obligations under the Charter was so

clear it did not require any special study. The Soviet delegation considered it indisputable that Spain and Portugal were under an obligation to transmit information on the Non-Self-Governing Territories which they administered. Wishing however to meet the desires expressed by a number of delegations at the eleventh session,<sup>1/</sup> the Soviet Union had voted at that session in favour of the draft resolution providing for the establishment of an *ad hoc* committee to consider the replies of new Members. It had thought that the Administering Members would co-operate with that committee and that it could submit positive recommendations to the twelfth session on the transmission of information about a number of territories.

4. It had to be acknowledged at the present session that Spain and Portugal had not wanted to take account of the provisions of the Charter and the views expressed at the eleventh session of the General Assembly by a majority of its members. The Soviet delegation had already drawn the attention of the members of the Committee to those facts and had expressed its attitude towards the violation by Portugal and Spain of their obligations under the Charter in its speech during the general debate (675th meeting). Many delegations had pointed out that it was necessary to make a special study of the question of the transmission of information by the Administering Members to the United Nations under Article 73 e. Guided by the same motives which had determined the positive vote of the Soviet delegation at the previous session, he had found it possible to vote in favour of the draft resolution adopted by the Committee at the present session (A/C.4/L.504/Rev.2).

5. Mr. EL-DABI (Sudan) said that he had voted in favour of the draft resolution because it recognized the competence of the General Assembly to study the information concerning Non-Self-Governing Territories. Certain speakers had charged that the draft resolution was tendentious, but that could scarcely be the case when it had been endorsed by forty-three States representing several hundred million people. The fact was that those who voiced such criticism were unwilling that the populations of the Territories should be granted the rights to which they were entitled under the Charter.

6. Mr. ZIKRIA (Afghanistan) pointed out that a majority of the members of the Committee had voted in favour of the draft resolution. Those who had opposed it had described it as unnecessary and had said, furthermore, that it contravened the reservation in Article 73 e of the Charter with respect to constitutional considerations and did not respect the sovereignty of the States concerned.

<sup>1/</sup> See Official Records of the General Assembly, Eleventh Session, Fourth Committee, 615th to 623rd meetings; and Plenary Meetings 656th and 657th meetings.

7. There was reason to fear the consequences of that point of view, which questioned not only the principle that the interests of the dependent peoples were paramount but also the reason for Chapter XI of the Charter. It was useless to affirm the existence of certain rights without establishing the principles whereby those who were entitled to those rights were to be determined. Chapter XI undoubtedly implied the existence of standards which should guide the Administering Members in enumerating the territories for which the obligation existed to transmit information.

8. The United Nations had contributed greatly to the advancement of some territories but its task was not yet completed. The enumeration of the Non-Self-Governing Territories was therefore a matter of great importance. The draft resolution was in keeping with both the letter and the spirit of the Charter and its sole object was to remove the obstacles the United Nations encountered in its work.

9. Mr. NSOULI (Lebanon) said that he had voted in favour of the draft resolution in the hope that the study for which it provided would be entirely objective. If the committee of six members proved to be biased and if it directed its efforts towards one particular country, the Lebanese delegation would be obliged to reserve its position.

10. Mr. BENSON (Secretariat) said that the Secretary-General would inform the Fifth Committee of the financial implications of the draft resolution. As the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories had pointed out at the 643rd meeting, in connexion with the committee that had been proposed at the eleventh session, there was no need to make provision for travel or subsistence expenses, since the new body was to consist of representatives of Governments. With respect to the drafting and translation of the documents, the Secretariat would endeavour to keep within the limit of the funds allotted for the financial year as a whole.

#### 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)**

##### OPENING STATEMENTS

11. Mr. KING (Liberia), speaking as Chairman of the United Nations Commission on Togoland under French Administration, said that he would give a brief account of the way in which the Commission had carried out its work and of the conclusions it had reached.

12. The Commission's task had been to ascertain the entire situation in the Territory resulting from the practical application of the new Statute, and the conditions under which it was being applied. In order to prepare the ground for that task, the Commission had held extensive discussions with the French Government and the Government of Togoland on the interpretation and application of the Statute as revised by the Decree of 22 March 1957. It had collected very detailed information, which was set out in chapter II of the report (A/3677), and had noted that the revised Statute differed in several important respects from the Statute which had been put before the Fourth Committee at the previous session (A/3169/Add.1, annex I, appendix).

13. The Commission's observations regarding the practical application of the Statute, set out in chapter III, and regarding the conditions under which it was being applied, to be found in chapter IV, were based on information supplied by the Togoland Government and to a greater extent on the Commission's own findings. During its month's stay in the Territory, the Commission had visited every district and had had contact with all shades of Togoland opinion. Chapter III contained an analysis of existing political institutions, a description of the Togoland Government's plans for the Africanization of the senior posts in the civil service and an analysis of the economic position and public finances of Togoland, or more exactly, of the economic base for self-government or independence. Chapter IV of the report dealt with the programmes of the rival political parties and the atmosphere in which their activities were carried on.

14. The Commission had included in chapter V of its report the observations and suggestions which it was called upon to make under its terms of reference. He first read paragraph 466 of the report, in which the Commission had summarized its views regarding the Statute and its application: thanks to the fact that the Statute had been broadly interpreted and liberally applied, Togoland possessed a large measure of internal autonomy despite restrictions resulting from the fact that the Administering Authority continued to reserve certain powers. The Statute had been modified in such a way that a further broadening of the degree of autonomy seemed inevitable and that full autonomy would finally be achieved. In that connexion he was pleased to note the statement made by the representative of France at the Seventh Special session of the Trusteeship Council (841st meeting) to the effect that a substantial transfer of powers to the Government of Togoland was at present contemplated.

15. The aim of the Commission had not been to define the nature of the constitutional link between France and Togoland; the Commission had none the less stressed that the Territory's future political evolution should be in accordance with the wishes of the people of Togoland. Consequently the Commission had considered that the provisions of the Statute dealing with the internal organization of Togoland should be capable of modification by Togoland itself, and that the subjects reserved to France should form part of a separate agreement between the two Governments; that agreement would include a procedure for the modification or termination of the Statute. He noted from the statement of the representative of France in the Trusteeship Council that the French Government had given consideration to those two suggestions made by the Commission.

16. With regard to the political situation, the holding of elections and the question of public freedoms, all of which were closely linked, the Commission had noted that while political consciousness was highly developed, the relationship between opposing political parties was marked by a certain bitterness and that in consequence the political situation was somewhat tense. The Commission had had the impression that in many areas opposition parties did not enjoy the same measure of freedom of assembly and expression as did the pro-Government parties. In its suggestions on those questions the Commission had had in mind

the idea that elections to the Legislative Assembly on the basis of universal suffrage might contribute towards a more favourable political atmosphere.

17. In the part of its report dealing with the economic and social situation, the Commission had made no suggestions. It had recognized the past achievements of the Administering Authority, summarized the plans of the Togoland Government for further developments with the economic, financial and technical assistance of France, and paid a well-deserved tribute to the excellent social relations existing between Frenchmen and Togoland.

18. The Commission had noted that certain practical difficulties might arise in the operation of the Trusteeship System if the Trusteeship Agreement were not terminated; it was the Commission's opinion that when that time came the people of the Territory would have to be consulted by appropriate means concerning the Territory's future status; such consultation could not be undertaken without the full agreement of the other party to the Trusteeship Agreement, the United Nations.

19. In conclusion, he said that the members of the Commission wished to express their gratification at the favourable reception the Trusteeship Council had given their report. He hoped that the report would contribute to promoting an atmosphere favourable to the discussion of so important a question.

20. Mr. AJAVON (France), President of the Legislative Assembly of Togoland, thanked the French Government for having offered a place in its delegation to the representatives of the Togoland authorities in order that they should be able to set forth their views concerning the future of Togoland.

21. He congratulated the members of the United Nations Commission on Togoland on their report which, although not immune to criticism, had conveyed to the United Nations an idea of the political, social and economic conditions in Togoland as they resulted from the application of the Statute of the Territory. The Commission had not failed to emphasize the liberalism with which the Statute was being applied and the General Assembly should now be convinced of the reality of the existence of a Government and Legislative Assembly of Togoland.

22. Discussing in the first place the economic and budgetary conditions in the Territory, he said that, as in all under-developed agricultural countries in the process of social evolution, the needs exceeded the resources. For the current fiscal year receipts were estimated at 1,700 million francs CFA, 70 per cent of which was allocated to salaries and allowances for officials. The operation of the country's institutions and the financing of social development were expected to account for expenditure of 2,300 million francs. A French Government grant had covered the deficit. So much still had to be done in the economic and social fields that Togoland would need France's economic and financial aid for several more years. The Government of Togoland realized that political independence without economic independence would be illusory and that premature independence could be harmful to the social structure of a country and detrimental to its development. Schools and clinics had to be built in Togoland, a system of water supply had to be provided, wells had to be drilled and agriculture had to be developed. Such development was an

essential pre-condition of higher levels of living for the farmer class, which formed 95 per cent of the population of Togoland. The important activities undertaken with the help of the Fonds d'investissement pour le développement économique et social (FIDES) should not suffer an interruption. Independence, if attained too suddenly, would interrupt, at least for a while, the work already begun.

23. One of the country's social problems was that of the employment of the élite trained in French universities. In a few years' time, all the posts held in Togoland by Europeans would be filled by Togoland. The time would come when it would not be possible to provide employment in the country for all the students who graduated. If they were not to fall victim to idleness and restlessness, they would have to be given the opportunity of finding employment in the French territories of Africa.

24. Those were the considerations which guided the policy of the leaders of the Republic of Togoland towards France and towards the French Union, to which Togoland was linked by a common culture and by common interests. The leaders of Togoland had never excluded the country's independence from their political objectives; they considered that the Territory's ultimate goal was independence within the nascent French commonwealth. The Togoland were not at the moment asking for the country's independence but merely for self-government.

25. He described the genesis of the Togoland Statute. The policy of emancipation for dependent peoples, which had been defended in the United Nations, had been the leaven of the present evolution. France had perceived that the time had come to entrust to the Togoland the complete management of their own affairs, in conformity with the Trusteeship Agreement and, it should be noted, with the preamble of the French Constitution. France had tried out a new political experiment, and its success proved that the Negro people in Africa had become thoroughly capable of taking over control of their country's destinies. In 1954, on the initiative of Mr. Grunitsky, Deputy of Togoland in the French National Assembly, a group consisting of Togoland and French members of Parliament had undertaken a study of institutional reforms which had received tangible expression in the Act of 16 April 1955 enlarging the powers of the Territorial Assembly. In June 1955, the Parti togolais du progrès had held a Congress attended by the Union des chefs et des populations du Nord-Togo; the Congress had adopted a motion requesting the French Government to draft a statute which would allow Togoland to obtain full control of its own internal affairs. The Territorial Assembly had adopted that motion, and the Togoland members of Parliament had thereupon entered into negotiations with the French Government in consequence of which the future Statute of Togoland had been drafted in broad outline; the text had been submitted to the Territorial Assembly in August 1956 and adopted with substantial amendments. Certain difficulties in the operation of the instrument having become apparent after a few months, fresh negotiations had been conducted between the Prime Minister and the President of the Legislative Assembly on the one hand and the French Government on the other. As a consequence the Legislative Assembly had asked for the amendments which were embodied in the Decree of 22 March 1957.

26. The Statute was not perfect but it gave Togoland true self-government, and its application often went beyond certain provisions of the text itself. The Togoland authorities, in concert with the French Government, had been at pains to move forward gradually in order to avoid too abrupt a dislocation of the Territory's social and economic structure. After one year's apprenticeship in government, the Togoland authorities were convinced that the time had come to complete the self-government of Togoland and to claim from the French Government the transfer of the residual powers still vested in the latter. In the course of negotiations between the Prime Minister of Togoland and the President of the Togoland Legislative Assembly, on the one hand, and the French Government, on the other, it had been agreed that, on the termination of trusteeship, the Legislative Assembly would have the power to legislate in all fields with the exception of diplomatic matters and the currency, and that in particular it would be free to amend the Statute so far as Togoland affairs proper were concerned. The French Government, however, was not prepared to complete Togoland's self-government in that way until the United Nations had relieved it of the responsibilities of trusteeship.

27. It was difficult to define self-government, but a legislative assembly, a responsible executive and a judiciary constituted in his opinion the only essential attributes of self-government. The Togoland authorities would be content with a small military establishment, sufficient to protect the country. Furthermore, at least for the time being, Togoland could not think of issuing its own currency, which might well have no international value; hence, Togoland would agree to remain in the franc areas. The French Government would certainly not oppose autonomy in diplomatic matters when the country's financial circumstances were such as to justify Togoland's claim to autonomy in that respect.

28. The Togoland authorities had been criticized for not holding new elections for the Legislative Assembly at the time of the entry into force of the Statute. He pointed out that the Legislative Assembly, one of the most decisive factors in the evolution, had in a sense received a vote of popular approval as a result of the referendum of 28 October 1956, which had been organized on the basis of universal adult suffrage; that fact had been recognized by the United Nations General Assembly itself when it had noted that the population of Togoland, consulted by referendum, had expressed itself by a substantial majority in favour of the reforms introduced by the Decree setting forth the Statute of Togoland (General Assembly resolution 1046(XI)). Besides, elections to the Territorial Assembly had been held in advance in 1955, when the first institutional reforms had come into force. Those elections had been held on the basis of a considerably

enlarged electorate. In the connexion, he recalled how, between 1946 and 1956, the electorate had increased by successive stages from 7,963 to 437,459 registered voters. Another reason why new elections to the Togoland Legislative Assembly had not been held at the time of the entry into force of the Statute was that, after the election of a representative to the French National Assembly in January 1956 and the referendum in October 1956 on the Statute, it had been thought that yet another poll would cause an undesirable upheaval in the country.

29. Togoland was a young country which wished to live and thrive in peace. In the matter of democracy, it had proved that it had no more lessons to learn from anyone. However, as a conciliatory gesture and because it was anxious for the termination of trusteeship at the earliest possible opportunity so that the country could at last enjoy the plenitude of self-government, the Government of Togoland would be prepared to hold elections for the Legislative Assembly before the end of 1958, if the following inter-related conditions were fulfilled: firstly, consideration and acceptance by the Legislative Assembly of the modified Statute granting full and complete self-government to Togoland; secondly, new elections for the Legislative Assembly on the basis of universal adult suffrage; thirdly, application of the modified Statute; and finally, automatic termination of international trusteeship when the new Assembly met for the first time.

30. Mr. KHAN (Pakistan) and Mr. ESKE LUND (Denmark) requested that an English translation of Mr. Ajavon's speech should be circulated to the Committee.

31. Mr. PRADO (Ecuador), Mrs. FLOURET (Argentina) and Mr. ABAUNZA MARENCO (Nicaragua) requested that a Spanish translation of the speech should be circulated.

32. Following an exchange of views in which Mr. THORP (New Zealand), Mr. COHEN (Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories), Mr. CARPIO (Philippines), Mr. KOSCZIUSKO-MORIZET (France) and Mr. ESKE LUND (Denmark) took part, the CHAIRMAN proposed, in response to the request of the Committee, that the statements of Mr. King and of Mr. Ajavon should be circulated in the three working languages.

It was so decided.<sup>2/</sup>

The meeting rose at 12.10 p.m.

<sup>2/</sup> The complete texts of the statements made by Mr. King and by Mr. Ajavon were subsequently circulated as documents A/C.4/369 and A/C.4/370, respectively.