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CONTENTS

	Page
Agenda item 37:	
The future of Togoland under French administration:	
report of the Trusteeship Council (continued)	
General debate (concluded) and consideration of	
draft resolutions (continued)	311

Chairman: Mr. Thanat KHOMAN (Thailand).

In the absence of the Chairman, Mr. Božović (Yugoslavia), Vice-Chairman, took the Chair.

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, T/SR.841-
847) (continued)

GENERAL DEBATE (concluded) AND CONSIDERATION OF
 DRAFT RESOLUTIONS (A/C.4/L.508) (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. AJAVON (France), President of the Togoland Legislative Assembly, said that at the previous meeting he had, at the request of the Chairman, refrained from delivering a part of his statement in which he had intended to refer to the imperialist designs of Ghana and the discourteous terms in which the representative of that country had spoken of the Togoland Government. He had re-read the statement made by the representative of Ghana at the 702nd meeting and had found his misgivings fully justified. He read out passages from that statement which in his opinion showed Ghana's ambition to annex Togoland. The representative of Ghana had spoken of the unity of the people of Ghana and Togoland and the artificial nature of the frontier separating them.

2. A merging of Ghana and Togoland, however, through the unification of the Ewe people, would lead to the oppression of the non-Ewe tribes of Togoland. The ultimate aim of the Togoland people was to live independently within the French commonwealth which was now emerging and the members of which would all be able to discuss together, on an equal footing, matters of common interest. Lastly, since the representative of Ghana had made disparaging remarks about the Togoland Government, he would point out that Ghana itself was far from setting an example of democracy.

3. The CHAIRMAN interrupted the speaker to remind

him that he had asked the French delegation to confine itself to the subject under discussion; a remark such as had just been made concerning a Member State of the United Nations could not be considered to come within the scope of the debate.

4. Mr. AJAVON (France), continuing his statement, said that in seeking an association with France the inhabitants of Togoland had neither the impression nor the intention of selling their independence.

5. Mr. AMEGBE (Ghana) said that he was sorry that Mr. Ajavon had seen fit to attack his delegation. The statement of the representative of Ghana had contained nothing disparaging to Togoland nor had it reflected any imperialist designs. If Mr. Ajavon desired Togoland's independence, it was hard to see how he could hold different views from those of Ghana. He therefore objected to Mr. Ajavon's remarks.

6. The CHAIRMAN said that the matter was now closed.

7. Mr. KING (Liberia) said that his Government had accepted the report of the United Nations Commission on Togoland under French Administration (A/3677), which had been signed by its representative, and considered that it afforded the General Assembly a useful basis for the consideration of the question and for the study of the action to be taken with regard to the future of Togoland. The report in no way changed the Liberian Government's carefully considered policy concerning the right of dependent peoples to self-determination.

8. He had been reluctant to offer the Committee his personal opinion on the conditions he had observed in Togoland during the Commission's visit. He had confined his comments to the facts and conclusions appearing in the Commission's report and had not attempted to influence the Fourth Committee by expressing opinions which had not been shown in the unanimously adopted report. He had been convinced that in Togoland, as in every other part of Africa, particularly south of the Sahara, the basic needs of the various populations were identical. Everyone had a right to a minimum of education, well-being, health and freedom. The methods evolved for the solution of problems of illiteracy, poverty, disease and bad administration might be applied in all parts of the world where such problems existed.

9. He had not found the Togolandese of the North, in particular their chiefs or elders, lacking in mental attributes, but like many Africans they suffered from what was known as mental stagnation, because few of them knew how to read. There were, however, plenty of people who knew how to read and nevertheless suffered from mental stagnation.

10. As one of the sponsors of the draft resolution (A/C.4/L.508), he would reply to the questions asked by the representatives of India, Ceylon and the Philippines at the previous meeting.

11. The representative of India had asked what form the consultation between the Administering Authority and the new Legislative Assembly, referred to in paragraph 3, would take: that consultation would take place through the Togoland Government which would be formed as a result of the new elections. The "special responsibilities" to be entrusted to the new Legislative Assembly, to which reference was made in paragraph 4, would primarily concern the approval of the Statute providing for full self-government and the formulation of the proposals for the termination of the trusteeship, as mentioned in paragraph 3.

12. The representatives of India and the Philippines had asked what would be the scope of the observation provided for in paragraph 5: the observation would naturally be based on full information and would presuppose the whole-hearted co-operation of the Administering Authority and the Togoland Government. He was sure that the proposed commissioner and his collaborators would be in a position to observe the conduct of the elections and that the President of the General Assembly could be relied upon to appoint a commissioner capable of carrying out those supervisory functions satisfactorily. The commissioner would have to submit a report to the General Assembly, in accordance with paragraph 6 of the draft resolution. For the report to satisfy the General Assembly, the supervision of the elections would have to be conscientious and thorough. It would, moreover, be to the interest of the Administering Authority and the Togoland Government to ensure that the elections were conducted in a democratic manner, so that the General Assembly might recognize their validity.

13. The Indian representative had suggested that there was some inconsistency between the reference to the termination of the Trusteeship Agreement in paragraphs 7 and 8 and the mention of proposals for the final attainment of the objectives of the Trusteeship System in paragraph 3. That criticism did not seem justified, for in the opinion of the sponsors of the draft resolution the termination of the Trusteeship Agreement should correspond to the attainment of the objectives of the Trusteeship System. Paragraph 3 emphasized the attainment of the objectives in a general manner, while paragraphs 7 and 8 concentrated on the consequent termination of the Trusteeship Agreement.

14. The Philippine representative had criticized the use of the word "Endorses" at the beginning of paragraph 2, saying that that expression would imply that the Assembly was surrendering some of its own authority to the Trusteeship Council. The Liberian delegation, however, did not think that the mere endorsement of an opinion expressed by another person or body could be construed as a surrender of authority. The Philippine representative had also asked what was meant by "action by the General Assembly", as mentioned in paragraph 2. That expression already appeared in Trusteeship Council resolution 1785 (S-VII) and its meaning was clear from the Council's discussions at its seventh special session before the adoption of the resolution. The Liberian delegation felt that the words "consideration and action" could, generally speaking, be used in connexion with any measures the General Assembly might wish to take. Similarly, the words "the final objective of the Trusteeship System" were taken from paragraph 5 of Trusteeship Council resolution 1785 (S-VII). Nor did there seem to be any-

thing inconsistent in the use of the plural in the expression "the objectives of the Trusteeship System" in paragraph 3, because that was a reference to objectives in general. The Philippine representative had also criticized the use of the word "Agrees" at the beginning of paragraph 3: but nobody could deny the General Assembly's right to agree to the procedure suggested in that paragraph if it so desired. As to the origin of the suggestion that the Legislative Assembly should formulate proposals for the final attainment of the objectives of the Trusteeship System, the idea had been conceived by the sponsors of the draft resolution themselves. They had felt that that was a normal democratic procedure.

15. Paragraph 4, which, according to the Philippine representative was not clear, authorized the General Assembly to make the necessary arrangements for supervising the election in consultation with the Administering Authority.

16. The Philippine representative had asked why the draft resolution provided for a commissioner rather than a commission of three members. The sponsors of the draft resolution felt that it would be preferable to entrust the duty of observation to a commissioner, because the task was technical and not political and would require absolute unity of action and an authority which could only be vested in a single person. That was what had been done in the case of the plebiscite in Togoland under British administration. It also seemed that a commissioner appointed by the President of the General Assembly could be relied upon to be as competent and impartial as a commissioner elected by the General Assembly.

17. Finally, the Philippine representative had asked why there was already a reference to the possibility of terminating the Trusteeship Agreement. Mr. Jaquet, the Minister for Overseas France, had dwelt at length on that question during his statement at the preceding meeting. In view of the plans prepared to enable the Togoland people to attain self-government, a request for the termination of the Trusteeship Agreement, as indicated in paragraph 8 of the draft resolution, could well be expected. There could therefore be no harm in stating that if the Togoland Government and the Administering Authority presented such a request, the General Assembly should take a decision on the subject. The draft resolution did not ask the General Assembly to take any particular decision but merely to take a decision if one was necessary.

18. The Yugoslav representative, who had acted as Chairman at the preceding meeting, had pointed out to the Philippine representative at that time that the members of the United Nations Commission on Togoland were not bound to explain the position they had taken during the drafting of the Commission's report. He would therefore only stress that the draft resolution was consistent with the spirit of the Commission's report; the sponsors of the draft resolution obviously could not repeat all the recommendations adopted by the Commission.

19. Mr. JAIPAL (India) thanked the Liberian representative for his clarification of the intentions of the sponsors of the draft resolution. There seemed to be some contradiction between paragraph 3 and paragraphs 7 and 8 but it was apparently one of words rather than of ideas. For the sake of clarity, however, it would be better to use the same words.

20. The Liberian representative had said that the supervision which the United Nations would exercise over the elections in Togoland under French administration would be more or less the same as that which had been provided in Togoland under British administration. If that was the case, it would be easier to take measures similar to those adopted on that occasion and, as a first step, to prepare a draft resolution on the general lines of the resolution adopted in the case of Togoland under British administration.

21. Mr. CARPIO (Philippines), replying to an observation the Liberian representative had made at the preceding meeting, said that when a draft resolution was presented in the Committee, any representative had the right to seek clarifications from the sponsors as to the nature, extent and purposes of the draft. It was in that spirit that, at the previous meeting, he had asked the Liberian representative for certain clarifications. He had asked those questions as representative of the Philippine Government, and in no other capacity. He always spoke, in accordance with rules 25 to 29 of the rules of procedure, as the accredited representative of the Philippine Government. Consequently, any doubt as to his status as representative of his Government could stem only from failure to understand the pertinent rules of procedure. As far as the clarifications he sought from the sponsors of the draft resolution were concerned, the Philippine delegation had not derived much enlightenment from the Liberian representative's explanation.

22. Mr. KING (Liberia) said that he did not think it was proper for a representative to demand explanations from another delegation on the position taken by the Government it represented. That was why he had objected to the question asked by the Philippine representative.

23. Mr. KENNEDY (Ireland) said that his delegation, which was one of the sponsors of the draft resolution, concurred in the explanations given by the Liberian representative in connexion with the questions a number of representatives had asked about the draft resolution.

24. He felt that the Minister for Overseas France had replied to the question asked by the representatives of India and Ceylon about the "special responsibilities" referred to in paragraph 4 when he had explained that, since the new Legislative Assembly would be responsible for the formulation of proposals for the attainment of the objectives of the Trusteeship System, it would consequently have special responsibilities. The point could, of course, be made clearer by including a reference to paragraph 3 in paragraph 4.

25. The reason the draft resolution referred to the termination of the Trusteeship Agreement in paragraphs 7 and 8, whereas in paragraph 3 it spoke of "the formulation of proposals for the final attainment of the objectives of the Trusteeship System" was that the sponsors wished to emphasize that the ultimate goal was the termination of the trusteeship, in accordance with the freely expressed wishes of the Togoland people. The draft resolution did not prejudge the question.

26. He went on to explain the principles which had prompted the wording of the draft resolution and which had led Ireland to become one of its sponsors.

27. The delegations submitting the draft resolution had looked at the question exclusively from the point of view of the Togoland people. It was based upon three factors: the transfer of new powers to the Togoland Government, the election of a new Legislative Assembly in 1958 and the freely expressed wishes of that Assembly, which would be communicated to the Trusteeship Council and then to the General Assembly.

28. He emphasized the intricacies, from the point of view of the Administering Authority, of a procedure for the simultaneous transfer of power and the holding of elections. With regard to the elections, he pointed out that the Legislative Assembly, whose term of office was not due to expire until 1960, could hardly be expected to accept them unless the United Nations gave the new Assembly an opportunity of taking steps to terminate the trusteeship if it so desired. If the Legislative Assembly were not given that opportunity after the elections, the Administering Authority would be placed in a very embarrassing position. With regard to the transfer of new powers, it must be recognized that the Administering Authority would be in a difficult position if the General Assembly could not reach a decision regarding the termination of the Trusteeship Agreement, as provided in paragraph 8 of the draft resolution; indeed, France would no longer be able to carry out the trusteeship because it would have handed over too much power to the Togoland Government, but it would still have the duty of continuing to fulfil its sacred trust. Those considerations illustrated the importance of paragraph 8 and the danger of postponing the decision to a date later than the thirteenth session.

29. Another reason for which the Irish delegation had co-sponsored the original resolution was its conviction that good self-government was a *sine qua non* for subsequent independence. It was sharply conscious of the dangers which the premature granting of independence might entail if the economic situation was unstable. No delegation had sympathized more with the proclamation, at the Asian-African Conference held at Bandung in April 1955, of the right to freedom and independence, which was now acting as a leaven among the Asian and African masses. The spirit of Bandung had taken root in those two continents, just as the ideas of liberty, equality and fraternity had spread across the frontiers of Europe one hundred and fifty years before. The great message of Bandung for an awakening Africa was that the subjection of dependent peoples must yield to a spontaneous co-operation between the Administering Authorities and the people under their charge, so that as soon as those people were ready they could choose their own destiny.

30. Lastly, the Committee should bear in mind the importance of *la présence française*. In that connexion, the report of the Commission which had been to Togoland was a tribute not only to the Togoland people but also to the work of the Administering Authority, which had carried out its sacred trust in a spirit of co-operation and understanding. French influence and culture, which the world would always need, was not a matter of colonial domination or commercial exploitation: it was the intellectual and moral authority earned for their great nation by generations of Frenchmen. The remarkable intellectual and political judgement of the petitioners was a living proof of that influence and recalled that the principles of the Charter were to a large extent based upon French thought and upon the traditional devotion of France to the ideal of liberty.

31. Mr. RAHNEMA (Iran) noted two important principles in the draft resolution: that of the termination of the Trusteeship System in accordance with the freely expressed wishes of the Togoland people, and that of safeguarding that freedom of expression by the presence of a representative of the United Nations. Moreover, those provisions merely translated into fact the generous intentions which the French Government has expressed to the Committee and which proved that France was still attached to the democratic traditions upon which its greatness was based.

32. Nevertheless, the wording of the draft resolution was too obscure and equivocal to lead to the desired end. For example, it was hard to see what was meant by paragraph 2, in which the General Assembly endorsed the "opinion" of the Trusteeship Council. The Syrian representative had rightly pointed out that there had not been any "opinion" by the Trusteeship Council, and the representative of the Philippines had emphasized that the composition of the Trusteeship Council did not allow of its being identified with the General Assembly. There was no reason why the opinions expressed in the Fourth Committee on behalf of a procedure for the early attainment of the final objective of the Trusteeship System should not also be taken into account. It would have been better to say, for example, that the General Assembly noted with satisfaction the resolution of the Trusteeship Council, the report of the Commission and all the statements made in the Fourth Committee.

33. The Philippine representative had done well to question the intelligibility of paragraph 3, which did not indicate clearly what mandate the new Legislative Assembly would receive or the exact scope of its consultations with the Administering Authority—whether there was to be a simple exchange of views or whether the Legislative Assembly would confine itself to accepting the views of the Administering Authority in the event of the latter's not endorsing its proposals. In any case such consultations, no matter how liberal or democratic they might be, were liable to prejudice the independence and authority of the new Assembly. It ought to be possible to find another formula whereby the Assembly elected by the Togoland people could participate in the gradual transfer of powers without compromising its freedom of action.

34. With regard to paragraph 5, the Iranian delegation recognized the prestige and impartiality of the President of the General Assembly but it felt that such an eminent person should be above all possible criticism and that the President should be left to represent the authority of the United Nations within the usual framework of the competence provided for in the rules of procedure, rather than given responsibilities which should normally rest with the General Assembly itself. It would be better to choose a method of election which was more democratic and more in keeping with the spirit of the United Nations. Moreover, it would be better to elect a Commission of three members or a commissioner with a team of assistants, in order to organize a system of supervision ensuring the complete freedom of the elections.

35. With regard to the last two paragraphs, he would have preferred fewer references to the termination of the Trusteeship Agreement, since the Legislative Assembly had not yet made its proposals.

36. For those reasons, the Iranian delegation would be unable to vote in favour of the draft resolution in its present form. It hoped that the sponsors, taking into account the criticism, that had been made in a spirit of sincere co-operation, and after consultation with the French delegation, would submit a new text, which would be drafted in a more Cartesian spirit and would thus better convey the unanimous wish of the General Assembly to help the Togoland people to achieve full self-government with the help of France. A draft resolution unanimously adopted by the Committee would be the finest tribute that the nations of the world could pay, on the fulfilment of its mission, to a country whose great traditions of liberty, equality and fraternity continued to inspire all peoples in their advance towards independence and freedom.

37. Mr. KANAKARATNE (Ceylon) thanked the Liberian and Irish delegations but thought that the explanations given concerning paragraph 3 were not quite satisfactory.

38. He had the greatest respect for the President of the General Assembly, both in his personal and official capacity, but that was no reason for the Assembly to evade its responsibilities and to relegate them to the President by requesting him to appoint a commissioner.

39. Mr. ROLZ BENNETT (Guatemala) said that he would like some additional explanations before forming an opinion. For the moment he would not refer to the sources which had seemingly prompted the draft resolution or to the principles on which it was based but rather to the measures which it proposed. It was with regard to the last-named that he had some doubts. If he had understood correctly, those steps would be taken in stages. In the first place, new powers would be transferred to the Togoland Government and the Statute would be amended. Elections for the Legislative Assembly would then be organized under the supervision of the United Nations. He presumed, incidentally, that the population would be given enough time to realize all the implications of the consultation. The new Togoland Legislative Assembly would then study the revised Statute and would take a decision on the steps necessary to attain the objectives of the Trusteeship System. Finally, the proposed United Nations commissioner and the Administering Authority would describe the situation in detail to the Trusteeship Council, which in turn would transmit to the General Assembly the necessary information to enable it to take a decision. He asked whether that was the order in which the sponsors meant the operation to be carried out.

40. Mr. LOVERA (Venezuela) considered that the draft resolution embodied all the essential elements for a satisfactory solution, namely, a solution which would both meet the wishes of the Togoland people and comply with the provisions of the Charter. The various opinions that had been expressed did not seem to be incompatible and he had no doubt that if it displayed objectivity the Committee would be able to find a basis for agreement.

41. Mr. PRADO (Ecuador) said that he too felt that the Committee could reach agreement on the basic points of the draft resolution.

42. Nevertheless, some points remained to be clarified. Paragraph 3, for example, seemed to be unduly restrictive and to limit the terms of reference of the Togoland Legislative Assembly to the objectives of the Trusteeship System, without even specifying what those objectives were. It was not clear who would entrust the Legislative Assembly with its task and whether its decision would be automatically accepted.

43. Paragraph 8 also was too restrictive. Instead of limiting the decision of the General Assembly to the termination of the Trusteeship Agreement, it should specify that the General Assembly would be competent to reach decisions on any points it deemed necessary.

44. Mr. CARREÑO MALLARINO (Colombia) thought that the Ecuadorian representative's misgivings would soon be dispelled if he read the French text of the draft, which reflected the sponsors' intentions more accurately than did the Spanish text. He would reply

to remarks made by other delegations after he had consulted the other sponsors.

45. Mr. OSMAN (Egypt) shared the doubts expressed by the Indian, Philippine, Iranian and Ecuadorian representatives. In his opinion, the Togoland Legislative Assembly should be empowered to propose measures whereby the Territory might achieve complete independence. The Liberian representative had given no explanations on that score, nor was the draft resolution any more explicit. Paragraph 7, for example, did not allow for the possibility of the Legislative Assembly's asking for independence. It was also important to stress that it was primarily the prerogative of the people of Togoland to authorize the Legislative Assembly to reach a decision on the future of the Territory; again, care should be taken to ensure that the people fully understood the significance of the elections.

The meeting rose at 12.45 p.m.