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**FOURTH COMMITTEE 709th
MEETING**

*Tuesday, 19 November 1957,
at 3.35 p.m.*

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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/L.367, A/C.4/L.508,
T/SR.841-847) (*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.

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

1. Mr. ESKELUND (Denmark) said he would reply on behalf of the sponsors of the joint draft resolution (A/C.4/L.508) to various questions that had been put at the previous meeting.

2. He emphasized that the sponsors were prepared to discuss any amendments which might be proposed with a view to rendering the draft resolution more generally acceptable without changing the ideas on which it was based.

3. The representative of India had asked whether the functions of the United Nations observers during the elections in Togoland under French administration would be on similar lines to those followed during the plebiscite in Togoland under British administration. The sponsors had no doubt that, allowing for the difference in circumstances, the same basic principles would guide the observation of the elections in Togoland in 1958.

4. The representative of Ecuador had asked whether the new Legislative Assembly would be empowered to reach any other decisions beside that concerning the termination of the Trusteeship Agreement. In the view of the sponsors, the new Legislative Assembly would be free to decide anything it wished regarding matters which were of concern to the United Nations. It would be free to express or not to express a wish concerning the termination of the Trusteeship Agreement, though it seemed probable that it would do so.

5. The representative of Ecuador had also asked who would entrust the new Legislative Assembly with the responsibility of formulating wishes after all the residual powers had been transferred to it. In reply to that question he would point out that after the elec-

tions there would be a Government which would presumably be in full agreement with the new Legislative Assembly. The Government and the Legislative Assembly would together, in consultation with the Administering Authority, formulate proposals for transmission to the United Nations. The sponsors did not consider it necessary to redraft paragraph 3 but were prepared to consider any rewording which might make it more acceptable to the members of the Committee.

6. The representative of Ecuador had further asked what were the objectives of the Trusteeship System to which paragraph 3 referred. According to Article 76 of the Charter the final objectives were self-government or independence. The Committee had the assurance of the Administering Authority and the Government of Togoland that all residual powers except those concerning external affairs, defence and currency would be handed over to the Government and people of Togoland. Togoland would thus have full and complete self-government. The question of independence had not so far arisen and might not do so for some time, but he would draw attention to the statement made by the French representative at the Seventh Special Session of the Trusteeship Council (845th meeting) 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.

7. The representative of Guatemala had drawn up a kind of time-table and had asked whether it corresponded to the sponsor's ideas. The answer was in the affirmative. The first event would be the transfer of the powers now reserved to the French Government with the exception of those relating to external affairs, defence and currency. Next would come the election; the electorate would naturally be informed well in advance of the scope of the election and the questions to be decided. The French Government was no less interested than the Government of Togoland in seeing that the people of the Territory should be aware of all the issues in good time. After the election it would be for the new Legislative Assembly and Government to decide whether they were prepared to make any proposals to the United Nations. If so, they together with the Administering Authority, would formulate such wishes, which would be transmitted by the Administering Authority to the Trusteeship Council. The Council would discuss them and report to the General Assembly.

8. In the Danish Government's opinion the most important fact now was that the Togolandese felt, rightly according to the Administering Authority, that they were prepared to take over responsibility for their own affairs. That being so, the General Assembly should ensure the free expression of the will of the

people by means of free and fair elections. After that it would only remain for the United Nations to declare that the objectives of Article 76 of the Charter had been achieved and that the Trusteeship Agreement should be terminated. That question would presumably be before the General Assembly at its thirteenth session. Of course no decision could be reached at present concerning the result of the discussion at the thirteenth session. The draft resolution in no way committed the General Assembly for the future; it was merely intended to start a sequence of events which might lead to the possibility of a final decision the following year.

9. Mr. PRADO (Ecuador) thanked the representative of Denmark for his explanations, which gave good reason to believe that a basis for understanding existed. He was satisfied to learn that the new Legislative Assembly would have full powers and he welcomed the assurance that the final objectives of the Trusteeship System, as referred to in paragraph 3 of the draft resolution, were understood to mean full self-government or independence. It might, however, be advisable to include in the paragraph a reference to Article 76b of the Charter, which would make the position quite clear. He was glad to note that the sponsors of the draft resolution would be willing to consider a rewording of paragraph 3 that might be more acceptable to all members of the Committee. It was also reassuring to know that the draft resolution was not intended to commit the General Assembly in any way for the future; it would remain free to take a decision in accordance with the Charter and the Trusteeship Agreement when it had been informed of the wishes of the new Togoland Legislative Assembly with regard to the question of terminating trusteeship.

10. Mr. ROLZ BENNETT (Guatemala) said that he would like some further clarifications from the representative of Denmark.

11. The first referred to the use of the word "proposals" in paragraph 3 of the draft resolution and its relation to the word "wishes" in paragraph 7. He understood the expression "proposals" to mean that the new Assembly might put forward either requests, conditions, wishes or opinions concerning the Territory's future status. He would therefore like to know if he was correct in assuming that the two terms had the same meaning.

12. Secondly, he would like to know whether the observation of the new elections would correspond both in scope and procedure to the supervision exercised by the United Nations during the plebiscite held in Togoland under British administration.

13. Thirdly, he would ask the representative of Denmark whether he was correct in interpreting paragraph 8 of the draft resolution to mean that at its next session the General Assembly would first examine

the whole situation in the light of the developments occasioned by the transfer of further powers and then take a decision one way or the other regarding the termination of the trusteeship.

14. Mr. BOZOVIC (Yugoslavia) said that, at the 707th meeting, Mr. Ajavon, the President of the Togoland Legislative Assembly, had made some comments on Mr. Bozovic's statement to which he had not replied at the time, since he had been occupying the Chair.

15. Mr. Ajavon had accused him of merely echoing the views of certain petitioners. In reply he would point out that Government representatives had responsibilities which did not leave them free to make unauthorized statements. If the views of the Yugoslav Government on any particular point happened to coincide with those of other Governments or of the petitioners—which he did not believe to be the case—that was purely fortuitous. He had expounded with deep conviction and in good faith his Government's views concerning the manner in which the interests of all parties would best be served. If in the light of later events he were proved wrong, he would be the first to admit it.

16. Mr. ESKELUND (Denmark) said that although he could not reply on behalf of the other sponsors of the draft resolution he would express his own views with regard to the points raised by the representative of Guatemala.

17. He considered that there was no difference in meaning between the word "proposals" used in paragraph 3 and the word "wishes" in paragraph 7.

18. With regard to the second question, the observation of the election by the United Nations would have the same scope and be based on the same principles as in the case of the plebiscite held in Togoland under British administration. He would point out, however, that in the present case there would be three parties which would have an interest in ensuring the proper and democratic conduct of the elections in order that there might be no cause for doubting their validity: the Administering Authority, the Government of Togoland and the United Nations.

19. Lastly, he could see no obstacle to the General Assembly's examining the general situation at its next session, in the light of the new developments in the Territory. The Government of Togoland and the representatives of France had made it clear that the General Assembly would be able, at its thirteenth session, to accept or reject the wishes expressed by the new Togoland Assembly. It was hardly likely that the United Nations would refuse those requests, since they would be opposed neither by the French Government nor by the Government of Togoland.

The meeting rose at 4.45 p.m.