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MEETING

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Chairman: Mr. Rodolfo MUNOZ (Argentina).

The Ewe and Togoland unification problem: special report of the Trusteeship Council (A/ 2289) (*continued*)

[Item 32]*

At the invitation of the Chairman, Mr. Olympio, representative of the All-Ewe Conference; Mr. Antor and Mr. Odame, representatives of the Joint Togoland Congress; and Mr. Kpodar, representative of the Parti Togolais du Progrès and the Union des Chefs et des Populations du Nord Togo, took places at the Committee table.

1. Mr. YURANS (Union of Soviet Socialist Republics) said that the question of the unification of the Ewes and the two Togolands had a long and instructive history dating from after the First World War when the Ewe people had been rent asunder solely in the interests of unfettered colonial expansion and regardless of their own interests. The colonial Powers had deprived the indigenous population of their lands and elementary rights and were preventing their political, economic, social and educational advancement.

2. Although the Ewes, whose desire for independence and unification was beyond doubt, had first petitioned the Trusteeship Council in 1947 (T/Pet.6/1-T/Pet.7/2), no concrete results had yet been achieved. The 1949 United Nations Visiting Mission to Trust Territories in West Africa had confirmed in its report¹ that a number of political parties, particularly in the south, were demanding unification and independence. In the Trusteeship Council, the representatives of the Ewes had convincingly demonstrated that participation was a notable obstacle to political advancement and unfavourable to the economies of the two Togolands, which were complementary; for example Togoland under British administration produced cash crops such as

cocoa, rather than foodstuffs, whereas the situation in Togoland under French administration was exactly the opposite. The customs barrier considerably hampered the economic development of the two Territories and prevented the expansion of their mutual trade. Families and even households were divided by the artificial frontier. It was only natural in such circumstances that the people should make every effort to reunite. The representatives of the most influential organizations, such as the All-Ewe Conference and the Joint Togoland Congress, had therefore come to press their claim for unification and independence before the United Nations, the body ultimately responsible for the trusteeship of the two Territories. The United Nations thus had an opportunity to give practical effect to Article 76 of the Charter and fulfil the hopes placed in it by the Ewe people.

3. The Trusteeship Council had sent a second visiting mission to the two Togolands in August and September 1952, presumably to make an objective examination of the situation. Despite the Administering Authorities' attempt to prevent the people from expressing their will, the United Nations Visiting Mission to Trust Territories in West Africa, 1952, had received 2,479 communications requesting unification and independence, according to annex I, part I, of the special report of that Mission (T/1034). As a result of those communications, the Visiting Mission had come to the conclusion that the general demand for a united Togoland was a live political issue, that it was practically unanimous in certain localities and that, as a political movement, it was becoming more widely recognized (T/1034, paras. 398 to 400). The advocates of unification also demanded an extension of the political rights of the people. In that connexion, he drew attention to paragraph 210 (b) of the special report.

4. Despite numerous petitions, communications and oral statements clearly expressing the legitimate desire of the Ewe peoples for unification and independence, the Visiting Mission had not only failed to draw the logical conclusions but had made every effort to justify

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

¹ See *Official Records of the Trusteeship Council, Seventh Session, Supplement No. 2*, Special report on the Ewe problem.

the attempts of the Administering Authorities to thwart that desire. The conclusions contained in paragraph 422 of the special report were unjustified and contradictory. In one breath, the Mission contended that no particular form of unification had enough support to warrant alteration of the existing administrative arrangements—despite the numerous petitions and communications it had received—and admitted that it had had insufficient time to ascertain which unification proposal enjoyed the widest support, thus tacitly implying that there was a proposal which enjoyed majority support.

5. The Visiting Mission's conclusions clearly demonstrated that it was a servile instrument in the hands of the colonial Powers. Its activities in Togoland revealed the faults inherent in the whole system and composition of visiting missions. In fact the Visiting Mission had merely co-operated with the Administering Authorities, an attitude from which the interests of the indigenous population and the United Nations were bound to suffer. Numerous petitions had been received referring to the French Administration's demands that there should be no demonstrations during the Mission's visit, its persecution of members of the Comité de l'Unité Togolaise and the "Juvento", the police measures taken to prevent access to the Mission and the threats of reprisals against those who submitted petitions. Those threats had in fact been carried out, as was clear from eighteen petitions received by the Mission after it had left Lomé. The Visiting Mission had not investigated the petitions on the spot and, according to paragraph 26 of the special report, had merely requested specific observations from the local authorities.

6. It was clear, too, from recent statements in the Committee that the Visiting Mission had flitted from one place to another in order to avoid contact with the people. Characteristically, however, Mr. Kpodar and his party, unlike Mr. Olympio and his, had had constant access to the Mission. Neither the Chairman nor the members of the Visiting Mission had spoken in the Committee, although some representatives had tried to protect the Mission from the criticism justifiably levelled at it.

7. France and the United Kingdom were violating the Charter and the Trusteeship Agreements by attempting, the one to reduce its Trust Territory to the level of a Non-Self-Governing Territory by inclusion in the French Union, and the other to annex its Trust Territory to the Gold Coast. Such attempts were obviously directed at making it impossible for the two Trust Territories to be united or independent. The annual report on Togoland under British administration,² the reports of the Visiting Missions, the special report on administrative unions (A/2151) and numerous petitions all showed that Togoland under British administration had no legislative, administrative, judicial or budgetary autonomy. Mr. Antor had said (300th meeting) that the people of Togoland under

British administration did not wish to be absorbed into the Gold Coast since that would prevent the ultimate unification of the Ewes and the two Togolands.

8. His delegation had always supported the just demands of the Ewe people. The Trusteeship Council had failed to correct the intolerable situation created by the Visiting Mission's unsatisfactory work; in fact it had merely reproduced the Mission's erroneous conclusions without investigating the substance of the matter. Its attitude had been dictated by the constant opposition of the Administering Authorities to the just demands of the indigenous population. The representatives of France and the United Kingdom had failed to justify their obvious failure to fulfil their obligations under the Charter. It therefore lay with the General Assembly and the Fourth Committee to right a most unsatisfactory situation and satisfy the legitimate demands of the Ewes, which were in full accord with the Charter.

9. Mr. SCHEYVEN (Belgium) denied the implication contained in the statement made by the representative of Iraq at the 303rd meeting that the Visiting Mission had failed in its duty, had not heard the African point of view and had succumbed to the influence of the Administering Authority. On the contrary, the Mission had met and talked with hundreds of Africans and had even visited leper hospitals and the homes of lepers. The 1952 Visiting Mission had been the first to visit various remote regions of the Territory. He had heard many Africans express surprise at finding the Mission so accessible and so kindly. He had in his possession two photographs taken at Lomé in August 1952 which proved that the Mission had mingled with the members of the Comité de l'Unité Togolaise. The representatives of that party had criticized the Mission for not having attended the gathering held at Mr. de Souza's plantation, and the representative of Iraq had associated himself with that criticism, but the reason had been the discovery that the people were being asked to pay to go to the meeting and see the Visiting Mission. It had later transpired that the money had been used to repair Mr. de Souza's plantation. However, those who had asked for a refund had been told that the money was being used to pay the expenses of the Visiting Missions; they found, moreover, that the tickets were marked "voluntary contribution".

10. Although the report might not satisfy all the members of the Committee, it was couched in wise and temperate terms and would advance the interests not only of millions of Africans at the present day but of generations to come.

11. As the Belgian representative had said, it might be difficult in future to find members willing to serve on visiting missions. Moreover, if the Committee continued to ignore the voice of millions of Africans the time might come when they would be unwilling to admit visiting missions to their territories.

12. Mr. KHALIDY (Iraq) protested against the Belgian representative's assertion that he had said that the Visiting Mission had "succumbed to the influence of the Administering Authorities". He had as yet made no statement in the debate; all he had done was to ask the Ewe representatives one question in

² See Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Togoland under United Kingdom Trusteeship for the year 1951, London, Her Majesty's Stationery Office, 1952, Colonial No. 284.

connexion with the Visiting Mission, in the following words: "Do you think in that case the Visiting Mission was being influenced by the Administering Authorities?"

13. Furthermore, the Belgian representative had said that he, the representative of Iraq, had associated himself with the criticism made by the Comité de l'Unité Togolaise, which was not the case. He thought the Belgian representative would be well advised to wait until he had made his statement before attempting to reply to it.

14. Mr. OLYMPIO (All-Ewe Conference) wished to clear up certain points that had been raised, in the hope of contributing to a satisfactory solution of the problem.

15. According to Mr. Pignon's statement at the 303rd meeting, all Togoland-born persons had the same right as Frenchmen to become magistrates. That, however, was not the case. In that connexion he referred to paragraph 32, on page 50, of the 1951 annual report of the French Government on Togoland under French administration,³ which stated that under the existing legislation only French nationals could be appointed as magistrates, although lower legal positions were not subject to that condition.

16. Secondly, Mr. Ajavon had stated at the same meeting that France was preparing to widen the powers of the Territorial Assembly and to establish some kind of executive council. Such reforms had, however, been promised for years, but so far nothing had been done.

17. Moreover, the French representative had never been prepared to say that any such reform would go beyond the framework of the present laws, which in the opinion of the Comité de l'Unité Togolaise would prevent the establishment of a genuine legislative assembly. In that connexion he drew attention to paragraph 174 of the Visiting Mission's report. Unless the existing law was modified, any alteration would have to be ratified by the French parliament. It was evident to anyone who knew the present temper of the French parliament that it would be unwilling to establish executive and legislative organs comparable to those which existed in the Gold Coast.

18. The French representative had insinuated that the Comité de l'Unité Togolaise had opposed parliamentary representation only since it had lost its seat in the French parliament. The records proved, however, that the Comité had been against parliamentary representation before 1946. It had only agreed to send a member because it had been obliged to do so.

19. He pointed out that although three members of the Comité de l'Unité Togolaise had sat in the French parliament from 1946 to 1952—one in the National Assembly, one as a Senator in the Council of the Republic and one (who was still there) in the Assembly of the French Union—none of them had ever been appointed a member of the French delegation to the United Nations.

20. The Comité de l'Unité Togolaise refused to join the Joint Council for Togoland Affairs because it would be in a minority. Their chief objection to the

Council was the method of election. The members of the Joint Council were chosen by the *conseils de circonscription* and the Territorial Assembly. That arrangement would be satisfactory were it not for the way in which those bodies were elected. The members of the *conseils de circonscription* were chosen by a two-stage system. First, the villages elected the primary electors, but in reality those electors were chosen by the village chiefs who, as was well known, were appointed by the Administration and were in fact government officials. The primary electors then elected a representative to the Joint Council, who was thus in reality indirectly appointed by the Administration. The elections to the Territorial Assembly were not satisfactory either. The members were elected by persons who were on an electoral list. According to the law, persons on the list must fulfil one of the following qualifications: they must be French citizens, government or commercial employees, literate in French, holders of the Légion d'Honneur, mothers of two children, heads of families, etc. The decision whether or not a person was entitled to be on the list was always left to the Administrator, who was assisted by a commission composed of one representative of the Comité de l'Unité Togolaise and one representative of the Parti Togolais du Progrès. If any objection were made by the Administrator to an applicant, it was sure to be supported by the representative of the Parti Togolais du Progrès and thus the representative of the Comité de l'Unité Togolaise was always outnumbered. In Togoland under French administration, with a population of 1,000,000, there were only 50,000 persons on the electoral registers, whereas in Dahomey, with a population of 1,400,000, there were 400,000 on the electoral list and in the Cameroons, with a population of about 3,000,000, there were over 500,000.

21. According to the French representative, there was complete freedom of assembly in Togoland. That was not so. He read out a letter on the subject sent by the Comité de l'Unité Togolaise to the Commissaire de la République. The letter quoted the provisions of the law concerning public assemblies and cited an instance of a meeting that had been forbidden at Palimé. It also stated that meetings of which advance notification had been given were always attended by police and gendarmes, although the organizers were responsible for keeping order, and that although village meetings were always held in the open, owing to the lack of sufficiently large halls, nevertheless they were not allowed. The Comité de l'Unité Togolaise had asked the Commissaire de la République to give a ruling on the subject, but had received no reply.

22. The French representative had alluded to an interview Mr. Olympio had had with the French Minister for Overseas Territories and had asked why he had not then brought his complaints to the notice of the Minister. The reason was that at the time the Minister was in the Territory the present Commissaire de la République had been in office for a very short time; the usual procedure was to approach the Commissaire first and the Minister afterwards if no satisfaction had been obtained, but there had not been time to do that. He read out a further letter to the Commissaire de la République, dated July 1952, which said that the population was becoming uneasy on account of the abuses of power by certain village chiefs

³ See *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Togo placé sous la tutelle de la France, année 1951*.

and other authorities which were endangering public order, and quoted a number of cases of violence used against indigenous inhabitants. He wondered whether there was not some hidden political motive behind the arrests that had been made. He had read the letter to show that the Comité de l'Unité Togolaise had not brought the events in question to the notice of the Minister for Overseas Territories because it understood that the correct procedure was to appeal first to the Commissaire de la République and try to reach an amicable settlement.

23. Mr. ODAME (Joint Togoland Congress) wished to reply to the statement made by the United Kingdom representative at the 302nd meeting. He did not deny that the Visiting Mission had observed the situation in Togoland under British administration, but contended that the Administering Authority had used its powers to create a prepared situation with which the Visiting Mission had been confronted. Intimidation, infiltration and bribery by offers of high position had been used to defeat the true aspirations of the people.

24. In northern Togoland, the Administering Authority had followed a policy of "divide and rule". It had deliberately fostered tribal differences and promoted infiltration by elements from the Gold Coast. By creating new administrative units in which the supporters of integration with the Gold Coast were in the majority, it had succeeded in stifling the support for unification.

25. In southern Togoland, the Convention People's Party had extended its organization into the Trust Territory and artificially promoted the movement for close association with the Gold Coast. One of the representatives of the people of Togoland who had appeared before the United Nations in 1949 had been appointed to a post as an officer of under-Cabinet rank in the Gold Coast for the purpose of destroying the unification programme. The Convention People's Party was a purely Gold Coast organization and its activities in the Trust Territory should be condemned by the United Nations as unjustifiable interference.

26. Buem State, which had always been a single state, had been divided into three separate units by the Administering Authority, when it became clear that the paramount chief was in favour of the unification of the two Togolands. A similar course had been followed in the Northern Section of Togoland under British administration. With regard to the United Kingdom representative's remark that that section desired union with the Gold Coast, he pointed out that the special legal status of the Trust Territory made that impossible—or so the supporters of Ewe unification had been told when they advocated the union of the two Togolands.

27. The United Kingdom representative had said that there was ample evidence that any proposal to amend the Trusteeship Agreements in such a way as to establish a unified Togoland as a separate entity would be actively opposed by approximately three-quarters of the population of Togoland under British administration, and that about half the people in the Trust Territory actively desired complete integration in the Gold Coast. He himself was convinced that if they were left free to choose, the people of Togoland as a whole would be in favour of unification and independence. The Administering Authority had deliber-

ately created confusion and friction among the population in order to justify its retention of power and the annexation of the Territory to the Gold Coast. No policy or system had been established whereby the people could expect to attain independence at present or in the future; all the steps that had been taken by the Administering Authority were designed to lead to the acceptance of annexation. The Joint Togoland Congress submitted that the real interests of the people and of world peace would best be served by the administration under a United Nations high commissioner of a united Togoland in which the peoples would be able to express their real wishes freely.

28. Mr. PIGNON (France) wished to reply to certain of the points raised by Mr. Olympio. With regard to the latter's statement that it was not possible for native Togoland to become magistrates, the annual report on the Territory to which he had referred was not up to date. An opinion by the Conseil d'Etat had stated that indigenous inhabitants of the Trust Territories could hold any public office, including appointments as magistrates. With regard to the scope of the reforms planned by the French Administration, the decrees of 1946 regarding the Territorial Assemblies in the French Union could of course be completely transformed by a new Act of the French parliament. Mr. Olympio's allegation that his party had protested against the representation of Togoland in the French parliament was correct, and the full details of the matter could be found in the records of the Trusteeship Council's fourth session (20th meeting) in 1949; the French representative had therefore spoken only of variations in the views of the Comité de l'Unité Togolaise on the matter. With regard to the complaint that the French Government had not included a representative from Togoland in its delegation before Mr. Ajavon, a member of the Parti Togolais du Progrès, he noted that when members of the parliament formed part of a delegation, it was the practice to choose them from the parliamentary majority.

29. With regard to Mr. Olympio's charges concerning the preparation of electoral lists, he pointed out that persons who were not satisfied were free to appeal to the Juge de paix or, if necessary, to the Cour de cassation. There were several explanations for the disproportion noted between the numbers of registered voters in Dahomey, Togoland and the Cameroons in comparison for the figures for the population as a whole. In Togoland, for example, women paid no taxes and the lists of taxpayers obviously played an important part in the establishment of electoral lists. The Administration, moreover, could not compel people to register as voters. In some areas there were social reasons which discouraged registration. In the north, for example, which was inhabited to a large extent by the political opponents of Mr. Olympio, there were many Moslem groups and the registration of women as voters was frowned upon. The lists, however, were revised every year and there was no reason to suppose that the number of voters would remain permanently low.

30. With regard to the letter written to the Commissaire de la République concerning the freedom of assembly, he noted that the law of 1881 had provided that there should be freedom of assembly, save in a

state of siege, without any necessity of prior declaration. Later legislation had prohibited assembly in a public thoroughfare and required prior declaration in the case of processions, gatherings and demonstrations. The general limitation was that freedom of assembly must be subject to the requirements of public order. Only the administrative tribunals could judge the legality of any prohibitions that were imposed. The findings of the Conseil d'Etat made plain certain conditions under which assembly would be prohibited, i.e., where grave disturbance might be caused or where police forces were insufficient to maintain public order. The prohibition could be extended to private meetings when exceptional circumstances, such as proximity to a frontier, made them undesirable; in that connexion he recalled that Lomé was at the Gold Coast frontier. In the case in point, the Commissaire de la République had been quite within the law in prohibiting the meetings.

31. With regard to the second letter to the Commissaire de la République, he accepted Mr. Olympio's explanation in connexion with his audience with the Minister for Overseas Territories and congratulated him on the correctness of his procedure. As regards the incidents themselves, he noted that the facts referred to had formed the subject of a slander case which had ended in Mr. Kponton's condemnation; an appeal had been made against the sentence. He also, like Mr. Olympio, could put forward conjectures on the other less serious incidents, but since he did not possess full information on them, he would refrain from any comment.

Question of the renewal of the Committee on Information from Non-Self-Governing Territories (continued)

[Item 34]*

ELECTION OF FOUR MEMBERS TO THE COMMITTEE

32. The CHAIRMAN called upon the Committee to elect four members to the Committee on Information from Non-Self-Governing Territories, in accordance with the resolution (646 (VII)) adopted by the General Assembly on 10 December 1952, deciding to continue the Committee on Information from Non-Self-Governing Territories on the same basis for a further three-year period and instructing the Fourth Committee, on behalf of the General Assembly, to fill such vacancies as might occur among the non-administering members of the Committee.

A vote was taken by secret ballot.

At the invitation of the Chairman, Mr. Scott (New Zealand) and Mr. Khattak (Pakistan) acted as tellers.

<i>Number of ballot papers:</i>	54
<i>Number of abstentions:</i>	0
<i>Number of invalid ballots:</i>	1
<i>Number of valid ballots:</i>	53
<i>Required majority:</i>	27

Number of votes obtained:

Iraq	41
Brazil	39
India	35
China	25
Union of Soviet Socialist Republics	22
Sweden	18
Yugoslavia	9
Bolivia	8
Thailand	2
Greece	2
Canada	2
Egypt	2
Haiti	2
Dominican Republic	1

Iraq, Brazil and India, having obtained the required majority, were elected members of the Committee on Information from Non-Self-Governing Territories.

33. The CHAIRMAN called upon the Committee to vote between China and the Union of Soviet Socialist Republics for the fourth place on the Committee on Information from Non-Self-Governing Territories, in accordance with rule 94 of the rules of procedure.

A vote was taken by secret ballot.

<i>Number of ballot papers:</i>	53
<i>Number of abstentions:</i>	1
<i>Number of invalid ballots:</i>	1
<i>Number of valid ballots:</i>	52
<i>Required majority:</i>	26

Number of votes obtained:

China	27
Union of Soviet Socialist Republics	24

China, having obtained the required majority, was elected to the fourth place on the Committee on Information from Non-Self-Governing Territories.

The meeting rose at 1.10 p.m.