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**Chairman: Mr. Enrique de MARCHENA**  
 (Dominican Republic).

**Requests for hearings (A/C.4/330/Add.4)**  
 (continued)

1. Mr. DE CAMARET (France) said, with regard to the request for a hearing in document A/C.4/330/Add.4, that his delegation wished to make the same reservations it had made on several occasions, when it had objected to the Fourth Committee's granting hearings to petitioners from parties that had been dissolved. He also expressed a reservation regarding the wording used in the request, which referred to the Cameroons as under French "domination" and under British "domination". He requested that the question whether or not the Committee would receive the petitioners should be put to the vote.

2. Mr. GIDDEN (United Kingdom) drew attention to the antepenultimate paragraph of the letter from the Union des populations du Cameroun (UPC). The assertion made in that paragraph was completely inaccurate. There was no formal recognition of any political party, as such, in the Cameroons under British administration. Consequently, any assertion to the effect that the Administering Authority had recognized the UPC as a legal movement in the Cameroons under British administration was untrue and misleading. The United Kingdom delegation would vote against the request for a hearing.

*The Committee decided, by 30 votes to 11 with 6 abstentions, to grant the request for a hearing (A/C.4/330/Add.4).*

**AGENDA ITEM 39**

**The Togoland unification problem and the future of the Trust Territory of Togoland under British administration: reports of the United Nations Plebiscite Commissioner and of the Trusteeship Council (A/3169 and Corr.1, A/3173 and Add.1, A/3323; A/C.4/332 and Add.1 and 2, A/C.4/334, 336, 337; A/C.4/L.435 and Add.1 and 2, A/C.4/L.437) (continued)**

*At the invitation of the Chairman, Mr. S. W. Kumah and Mr. F. Y. Asare, representatives of the Conven-*

*tion People's Party, Mr. S. G. Antor, Mr. A. K. Odame, Miss R. Asamany and Mr. F. R. Ametowobla, representatives of the Togoland Congress, Mr. S. Olympio, representative of the All-Ewe Conference, Mr. A. Akakpo, representative of the Mouvement populaire togolais, and Mr. A. I. Santos, representative of the Mouvement de la jeunesse togolaise (Juventu), took places at the Committee table.*

**HEARING OF PETITIONERS (concluded)**

3. Mr. ASARE (Convention People's Party) was gratified to note that the members of the Committee, in their desire to find an equitable solution in keeping with the aspirations and the interests of the majority of the inhabitants of the Territory, were moving toward an almost unanimous decision. He was sure that for the happiness and prosperity of Togoland the representatives of political minorities would in the final analysis accept the logical decision calmly and without bitterness. The Committee's decision would improve the political status of all the inhabitants of the Territory by enabling the Territory to become an independent State and, before long, to enjoy sovereign equality with members of the community of nations.

4. He had already said to the Committee that it should not rely seriously on newspaper articles from the Gold Coast. He had received a report the previous day of a recent issue of the *Daily Graphic* carrying a headline "Trusteeship Council approved Unification of the Two Togolands and rejected the case of British Togoland Attaining Independence with the Gold Coast". As for the *Ashanti Pioneer* it was the mouth-piece of the opposition. Those newspaper articles were purposely timed to influence the international situation.

5. He found it strange that the validity of the votes of the Northern Togoland in the general election could be accepted without equal validity being attached to the vote of the same people in the plebiscite. In both cases the inhabitants of the North had voted for union with the Gold Coast. Three out of five electoral constituencies wholly in the Trust Territory had voted for a unitary constitution. In fact, in the general election the inhabitants of the North had strongly reaffirmed their position and in the South the unionists had strongly reaffirmed theirs.

6. In order to dispel any doubt with regard to the attainment of independence by the Gold Coast, he stated that he had just learned that a new bill, the "Ghana Independence Act", had just had its first reading in the British House of Commons, on 28 November 1956.

7. The existence of an opposition was the hallmark of democracy and proof of civic maturity. He therefore hoped that the presence of the opposition would only encourage the Committee to endorse the express wishes of the majority of the inhabitants of the Trust Territory.

8. Mr. KUMAH (Convention People's Party) said he had been highly impressed by the arguments advanced by the members of the Committee and by their desire to understand the problems of West Africa.

9. He denied that the union between Togoland under British administration and an independent Gold Coast would mean the annexation of a Trust Territory by a colonial territory. That union, which represented the freely expressed wish of the majority of the inhabitants of Togoland under British administration, would place the Gold Coast and Togoland on an equal footing.

10. With regard to the doubts expressed by some delegations regarding the constitutional status of the future State, he pointed out that the Northern Territories Council and the Trans-Volta/Togoland Council had accepted the principle of regional devolution of powers; only the details remained to be settled.

11. Referring to newspaper articles which had given the impression that there was a secessionist movement in Ashanti and the Northern Territories, he said there might well be politicians who were unwilling to accept the wish of the majority and who could publish their personal opinions in newspapers with the intention of confusing the issue. Thus it was not surprising to learn that the *Daily Graphic* had reported that the Trusteeship Council had approved the unification of the two Trust Territories of Togoland.

12. He did not believe that the splitting up of the Gold Coast and Togoland under British administration into several regions would be in the interest of the inhabitants; it would be tantamount to a return to the days when disunity and a weak economic position had made them an easy prey to the colonial Powers. Whatever their differences might be, the national unity which had been achieved at such cost had to be maintained. The fact that the Northern People's Party had sent no petitioners confirmed its support of the union of Togoland under British administration with an independent Gold Coast.

13. Other delegations had expressed the opinion that once Togoland under British administration attained independence with the Gold Coast, the door would be closed for Togoland under French administration to join the State of Ghana. He believed, on the contrary, that that event would hasten the independence of the French Territory. The merger of the two independent States would be no problem provided that it was the freely expressed wish of the people of Togoland under French administration.

14. He was happy to note that all the members of the Committee were agreed on one important issue: freedom for dependent peoples throughout the world. If the eleven-Power draft resolution (A/C.4/L.435 and Add.1 and 2) were adopted unanimously, the people of Togoland would be free to manage their own affairs; that would be an inspiration to the millions of people in Africa who were not yet independent, and it would mark the beginning of the end of colonial rule on the African continent.

15. Mr. ANTOR (Togoland Congress) said he had noted with interest the way in which the members of the Committee had upheld democratic principles in their appraisal of the results of the plebiscite; but he had been surprised to see that they had refused to apply the same principles to the results of the general election in Togoland under British administration, where

the primary electoral issue had been the constitutional status. The eleven-Power draft resolution made no mention whatever of the constitutional relationship between the Trust Territory and the Gold Coast. It did not take into account the fact that the independence Act to be adopted by the House of Commons could only apply to two distinct territories—the Gold Coast and the Trust Territory—since the Trusteeship Agreement could not be terminated until independence had been granted, and there could be no unification without independence. Neither the Administering Authority nor the United Nations knew exactly what the Gold Coast constitution would be. If, after attaining independence, the inhabitants of the Trust Territory found it impossible to accept the Gold Coast constitution, they would no longer be able to appeal to the United Nations. Apparently no guarantee had been provided to protect the interests and the well-being of the inhabitants of the Trust Territory. The Trusteeship System had but one aim: self-government or independence. Once that aim was attained there was no further recourse.

16. He considered that the Administering Authority, in consultation with the General Assembly, should terminate the Trusteeship Agreement when its objective had been attained. The conditions governing the association of the inhabitants of a former Territory with another State would be outside the jurisdiction of the Administering Authority and the General Assembly once independence had been attained. If the people of Togoland under British administration had in fact attained the goal of the Trusteeship System, the inhabitants of the South were certainly capable of choosing their own destiny, with or without the intervention of the United Nations.

17. He wished to make it clear that if the eleven-Power draft resolution were adopted, the inhabitants of Southern Togoland, the majority of whom were represented by the Togoland Congress, would not consider themselves bound by the decision expressed in it. They could not allow a constitution they had not chosen to be imposed upon them when they attained independence or when trusteeship ended. They were determined to enter into negotiations immediately with any neighbouring State which was prepared to accept a constitutional relationship with them.

18. The Togoland Congress believed that the serious legal doubts it had expressed concerning the proposed action should be submitted to the International Court of Justice for an advisory opinion. In the absence of such an opinion, he felt bound to maintain that the eleven-Power draft resolution was incompatible with the Charter. If it was adopted in its present form, Southern Togoland would have to reserve the right to assert its views as to what was true self-government or independence when the General Assembly and the Administering Authority announced the termination of trusteeship.

19. Mr. ODAME (Togoland Congress) said that, in regard to Togoland, the United Kingdom and France had constantly violated the letter and the spirit of the International Trusteeship System. From 1947 to 1952 the two Governments had maintained that the Togolandians were not ready for independence. They had complied with a request to set up a joint council to prepare the Togolandians for unification, but actually they had hampered the programme. Since 1953 they

had been advocating the incorporation of Togoland into their own systems.

20. The Mandates System, which had subsequently become the Trusteeship System, was designed to protect the inhabitants of the territories concerned and to prevent them from alienating their sovereign rights under pressure from more powerful nations. The United Kingdom and France had acted in a manner inconsistent with their sacred mission, and they now proposed that the Member States of the United Nations should do likewise. Yet it was recognized throughout the civilized world that any act by a guardian designed directly or indirectly to bring him personal benefit from the property committed to his charge was illegal and immoral.

21. It could hardly be said that Togoland under British administration had been able to decide its future when it was forced to make a choice before it became a sovereign State and was able to choose its associates freely. Togoland had not acted freely, because neither of the alternatives in the plebiscite had stipulated the terms and conditions of union. Togoland had been unable to choose, because the Gold Coast with which it was to be united was not a sovereign State with a well-defined constitution, and Togoland was to be united with it even before achieving independence.

22. The implications of the situation were not lost either on the Africans or on world public opinion. Sources of raw materials had always attracted colonialists. The world was now witnessing an ingenious device to retain colonial possessions at the expense of the Africans. At the present time there was only one real African republic on the West Coast and an African republic of Togoland would represent another threat to colonialism in that area. The Togolandians were keenly concerned with what happened to their brothers of the Gold Coast and wished them the greatest prosperity; but they could not allow themselves to be misled by allegedly altruistic motives.

23. Speaking on behalf of those he represented, he said that if the General Assembly adopted a resolution which automatically attached the southern part of Togoland under British administration to the Gold Coast through union or integration, the people of the South would not recognize any such union or integration. None of the laws enacted or contracts concluded under such conditions and either directly or indirectly affecting any part of the territory of former German Togoland would be recognized by the Togolandians as having binding force now or in the future. Southern Togoland would never of its own free will agree to that, and would take steps to repudiate it the moment it was in a position to do so. States that intended to sign any kind of agreements with the Gold Coast affecting any part of Togoland were therefore given due notice.

24. Miss ASAMANY (Togoland Congress) regretted that the United Kingdom and France, having violated the principles of the Trusteeship System, were now asking the United Nations to endorse their action. The Trusteeship Council had deliberately failed to give the United Nations a true picture of the situation. The United Kingdom and the Gold Coast had called for unification of Togoland with the Gold Coast even before that Non-Self-Governing Territory had achieved its independence so that they could implement the Volta River development project. Togoland could not

give its consent to the project while under British administration. It had therefore been decided to unite the Territory with the Gold Coast in order to overcome the difficulty.

25. The Gold Coast and Togoland had existed side by side in pre-colonial times. Why should the union of the two countries now become a *sine qua non* for the independence of the Gold Coast? Could they not decide their future themselves? Neither the Gold Coast nor Togoland had freedom of action. The Togolandians of course rejoiced at the independence of the Gold Coast but they could not agree to a binding union with that country before they had achieved independence themselves. She realized, however, that Togoland and the Gold Coast had common interests and was convinced that a free Gold Coast would have done everything in its power to unify Togoland rather than allow part of that Territory to be joined up with the French Union. The Togolandians would never allow themselves to be united with the Gold Coast by force. They desired independence so that they themselves could decide what their relations with that country should be.

26. The proposed status for the Gold Coast was not that of a really independent nation. The Togoland Congress asked that trusteeship continue until the Gold Coast had achieved independence and the international community was apprised of its constitution. The Togolandians would reject any resolution adopted by the Assembly to unite their country with the Gold Coast. Such a resolution would violate both paragraph a and paragraph b of Article 76 of the Charter.

27. Mr. AMETOWOBLA (Togoland Congress) said he could not accept without reservation the conclusions reached by the Plebiscite Commissioner in his report (A/3173 and Add.1). He had objected to certain aspects of the plebiscite and his party had even submitted a petition on the subject, which had later been withdrawn owing to circumstances beyond its control.

28. He was sorry to note that the Committee was allowing itself to be influenced by political considerations and was not keeping in mind the aspirations of the peoples concerned. The Committee apparently wanted to free the Togolandians but at the same time to prevent them from enjoying the precious advantage of freedom. The Togolandians wanted independence but they also wanted the unification of their country. They would continue unceasingly their efforts along those lines.

29. Representatives from Togoland under British administration were addressing the Fourth Committee perhaps for the last time. The present hearing was therefore particularly valuable. The Togolandians were being asked to unite with the Gold Coast without being given any specific constitutional guarantees. The eleven-Power draft resolution was inconsistent with Article 76 b of the Charter. A Trusteeship Agreement could not be terminated before the Territory concerned had achieved self-government and independence. Once the Agreement relating to Togoland under British administration lapsed, the country would become independent and free to decide its future.

30. Mr. SANTOS (Mouvement de la jeunesse togolaise) said that while every year his party tried to appreciate the reasons behind the General Assembly's resolutions, it could not sacrifice its legitimate aspirations. The United Nations, unable to grant the Togo-

landers the unification for which they had been agitating for ten years, was preparing to grant a measure of independence to Togoland under British administration pending consideration of the affairs of Togoland under French administration. At the ninth session of the Assembly the Indian representative had said in the Fourth Committee (460th meeting) that union with the Gold Coast was not incompatible with the unification of Togoland. He hoped that the Indian delegation would maintain that view; and he felt sure that India would wish to confound all those who might be tempted to think it was guided only by the interests of the Commonwealth. He was also convinced that India would once again give proof of its desire to promote the independence of all peoples without exception. Togoland under French administration hoped it could count on India's sympathy and on the support of all Member States.

CONSIDERATION OF DRAFT RESOLUTIONS CONCERNING  
TOGOLAND UNDER BRITISH ADMINISTRATION (A/C.4/  
L.435 and Add.1 and 2, A/C.4/L.437) (*continued*)

31. Miss BROOKS (Liberia), referring to the draft resolution contained in document A/C.4/L.437, paid a tribute to the work of the United Nations Plebiscite Commissioner. The Commissioner's report showed clearly that the plebiscite had taken place in an atmosphere of impartiality. She heartily congratulated the Commissioner, whose name would always be linked with the emancipation of Togoland. She also paid a tribute to the petitioners, and commented that the petitioners for the opposition had defended their cause ably and courageously. Some of their arguments were not unsound, but her country felt that it was its duty to respect the views of the majority.

32. Mr. ABDURACHMAN (Indonesia) noted that no suitable basis seemed to have been found for evaluating the results of the plebiscite. Some delegations had urged that the Committee should first of all agree on the validity of the results. His country would, therefore gladly accept the compromise proposal contained in the draft resolution in document A/C.4/L.437. Certain statements still left doubts as to the soundness of the proposed solution for Togoland under British administration, by which a significant minority would have to reconcile its interests to those of the majority; that solution would also have an important bearing on the composition of the legislative and executive organs of the future State of Ghana. On the other hand, as had been pointed out, the fact that the period of trusteeship before Togoland's achievement of independence had been short was proof of the liberal attitude of the Administering Authority.

33. His delegation would vote for the draft resolutions contained in documents A/C.4/L.435 and Add.1 and 2 and A/C.4/L.437, since it did not wish to hamper the freedom of the people concerned.

34. Mr. OSMAN (Egypt) said he would vote for the draft resolution contained in document A/C.4/L.437, which paid a tribute to the work of the United Nations Plebiscite Commissioner. With respect to the eleven-Power draft resolution (A/C.4/L.435 and Add.1 and 2), he said that despite ten years of effort the Committee had been unable to reach an ideal solution either on the substance of the question or on the principles at stake. The Togoland, who wanted the unification of their country, had not yet obtained

satisfaction. In order to meet their claims the United Nations should organize a plebiscite in Togoland under French administration and enable the inhabitants to decide their future.

35. Egypt had reservations as to the way in which the Administering Authority had discharged its duty in Togoland under British administration. The fragmentation of the Territory and the nature of the administrative union were at the root of the difficulties affecting that part of Africa.

36. The Trusteeship Council should re-examine the question of administrative unions and the General Assembly should devise a method to be followed in future plebiscites. The conditions in which the Trusteeship System could come to an end should also be defined clearly. The fate of peoples could not be decided hastily and casually.

37. Despite those reservations his delegation would vote for the eleven-Power draft resolution. It could not but sympathize with the legitimate desire of the peoples of West Africa for freedom and independence. Its vote would indicate its faith in African nationalism. He expressed the hope that the inhabitants of the Gold Coast and Togoland would co-operate in solving their common problems. Their co-operation would be their guarantee against any restoration of colonialism. He also hoped that the new State of Ghana would shortly be admitted to the United Nations.

38. Mr. DIPP GOMEZ (Dominican Republic) paid a tribute to the United Nations Plebiscite Commissioner and said he would vote for draft resolution A/C.4/L.437. He would also vote for the eleven-Power draft resolution, for he considered that the objectives of the Trusteeship System would be attained when the Territory concerned became independent. The United Nations could be proud of having presided over the birth of the new State which, it was hoped, would soon become a Member of the Organization. It should also be recognized that the Administering Authority had been guided by the principles of the Charter in making possible the creation of the State of Ghana. That achievement strengthened the hope that the dependent peoples of the world could advance by peaceful means.

39. Mr. TRIANTAPHYLLAKOS (Greece) recalled that he had outlined to the Committee (463rd and 540th meetings), during the ninth and tenth sessions of the General Assembly, the factors to be taken into account in settling the Togoland problem. In the first place, the Togoland, should have been able to choose between all the possible solutions: independence, union with Togoland under French administration, continuance under trusteeship or union with the Gold Coast. If it had been considered preferable that only one question should be put to the people at a time, they should have been given, first, a choice between union with Togoland under French administration (since the problem had first been approached from that angle) and independence, which would not have precluded a second choice at a later stage. Secondly, steps should have been taken to enable the Togoland, to express their wishes in full freedom, and to that end the frontier between Togoland and the Gold Coast should have been restored; special authorities composed of Togoland, should have been established; the United Nations should have been asked to organize and con-

duct the plebiscite, and not merely to supervise it; lastly, only the nationals of Togoland under British administration should have been entitled to vote. The text of the draft resolution which later became General Assembly resolution 944 (X) had not taken all those factors into account and consequently the Greek delegation had abstained in the vote on it. Only an amendment proposed by Greece (A/C.4/SR.545, para. 15) and accepted by India (A/C.4/SR.547, para. 3) provided—in the absence of a provision for the organization and the conduct of the plebiscite by the United Nations—that, at least, the steps thereto should be taken by the Administering Authority in consultation with the commission or commissioner to be appointed by the United Nations.

40. The reservations made by the Greek delegation referred to the procedure which had been followed, and did not imply any criticism of the way in which the plebiscite had been conducted and supervised. The United Nations Commissioner had been able to ensure the re-establishment of the frontier. His delegation wished to pay a tribute to the Plebiscite Commissioner, whose report was of great value to the members of the Committee.

41. The results of the plebiscite showed that the Togoland preferred union with the Gold Coast. Consequently, their wishes should be respected. The fact that a very large minority held the contrary view could not alter the decision of the majority. The Greek delegation would therefore vote in favour of any resolution recognizing the choice made by the majority. But the form which the union was to take was very important: the real objectives of Togoland and of the Gold Coast had to be ascertained by consulting them separately and not by general elections held in the two Territories. The Greek delegation was not declaring itself for or against a federal or centralized system; it simply wanted to be sure that the decision would be reached fairly. It was glad to learn that the Gold Coast was soon to become independent and hoped that the new State of Ghana would take its place among the Members of the United Nations. It did not doubt that no effort would be spared to find a solution acceptable to both parties.

42. He would vote in favour of draft resolution A/C.4/L.437. He would also vote for the eleven-Power draft resolution (A/C.4/L.435 and Add.1 and 2) if the Committee agreed to insert the following words after the words "Gold Coast" in operative paragraph 1: "on terms to be negotiated between the Gold Coast and Togoland under British administration".

43. Mr. DE SILVA (Ceylon) thought that the Committee should explain in draft resolution A/C.4/L.437 why the work carried out by the United Nations Plebiscite Commissioner was highly appreciated. Accordingly, he suggested that paragraph 2 of the provisional text (A/C.4/SR.565, para. 37) should be retained in the final version in a modified form which would read: "*Notes further* that the observations and conclusions contained therein were of great value in its consideration of the future of the Trust Territory of Togoland under British administration".

44. Mr. RAMAIAH (India) noted that the general election had clearly shown that the majority of the people preferred a unitary form of government. Under the constitutional proposals, which the Togoland representatives had actively helped to draft, the regional

assemblies would have a certain measure of autonomy. The regional councils had accepted that principle, and all that need still be decided was the extent of the powers to be granted to them. Those matters should be settled on a purely local level. Talks between those favouring centralization and those for federation had already begun. The amendment suggested by the representative of Greece was therefore unnecessary and might even delay the whole matter.

45. Mr. PACHACHI (Iraq) would vote in favour of the eleven-Power draft resolution but wished to address a few final remarks to the representatives of the Togoland Congress. He had been very much impressed by their ability, sincerity and courage, and he was sure that they would play a constructive part in the future of their country. It was very hard to satisfy their demands, and no delegation had worked out concrete proposals to alter the terms of the draft resolution. Southern Togoland obviously could not be given special status nor could a proposal along those lines be included in the resolution. Even if the Committee had been willing to do so, it would have encountered serious difficulties. If the Committee had decided to wait until the constitution was drafted and adopted, it would have delayed the granting of independence, and, by maintaining the Territory under trusteeship, it might have created a chaotic situation in Togoland. It was equally impossible to specify in the draft resolution the type of constitution which should be adopted; a committee of seventy-nine members could not be expected to become a constituent assembly undertaking a detailed study of appropriate procedures. On the other hand it would have been pointless for the Committee to confine itself to a general request that the Togoland be given proper safeguards, because such safeguards could be agreed upon only by negotiations between the two parties. Those negotiations were under way. The Iraqi delegation hoped that the Gold Coast Government would heed the views expressed in the Committee, and take steps to reach agreement with the minority in Togoland.

46. He paid a tribute to the Plebiscite Commissioner, who had been a credit to his country and to the United Nations. He would vote in favour of draft resolution A/C.4/L.437.

47. Mr. RIVAS (Venezuela) thought that the report of the Plebiscite Commissioner (A/3173 and Add.1) had given the Committee an idea of the situation in Togoland and a sound foundation for its consideration of the question. He was therefore prepared to accept the additional paragraph suggested by the representative of Ceylon with the exception of the word "conclusions": he would not like to see that word reintroduced because he did not share all the views put forward by the Commissioner in chapter X of his report.

48. He wished to salute the birth of the State of Ghana and to congratulate the people of Togoland upon their great political maturity and the Administering Authority for enabling a former colony to accede to independence.

49. However, he did not understand why the representative of Iraq, having admitted that the petitioners' wishes were legitimate, had said that they could not be met. He was sure that the United Kingdom had never made Gold Coast independence conditional upon union between Togoland and the Gold Coast. Nor did he see why the Committee should approve the union

before knowing what was in the new Gold Coast constitution. The Greek representative had suggested an amendment to the eleven-Power draft resolution. But if the Togoland proposals were rejected during the suggested negotiations, the Assembly would be unable to interfere in the domestic affairs of the Gold Coast. As soon as it authorized the union of the two Territories, it would forfeit the right to consider the Gold Coast constitution. For that reason, any amendment of the draft resolution appeared futile. Actually, the whole problem had been badly worked out and he would therefore abstain when the draft resolution was put to the vote.

50. Mr. BOZOVIC (Yugoslavia) criticized the clause "the objectives of trusteeship having been at-

tained" in operative paragraph 2 of the eleven-Power draft resolution (A/C.4/L.435 and Add.1 and 2) because it was too vague. It could be interpreted to mean that the objectives of trusteeship were union of one territory with another. It should therefore be made clear that the present solution was valid only for Togoland under British administration. The clause might perhaps be worded: "as the objectives of trusteeship can be deemed to have been attained in this case". He also wanted to reiterate that he would vote in favour of that draft resolution, with the reservation that Togoland should continue under the Trusteeship System so long as the Trusteeship Agreement had not been abrogated.

The meeting rose at 1 p.m.