



Eleventh session
Agenda item 39

THE TOGOLAND UNIFICATION PROBLEM AND THE FUTURE OF THE TRUST
TERRITORY OF TOGOLAND UNDER BRITISH ADMINISTRATION

Part II - The future of Togoland under French administration

Report of the Fourth Committee

Rapporteur: Mr. F. H. SOWARD (Canada)

1. At its 578th plenary meeting on 15 November 1956, the General Assembly decided to allocate to the Fourth Committee the following item on its agenda.

"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."

The report of the Trusteeship Council (A/3169 and Corr.1) consisted of separate sections dealing respectively with the future of Togoland under British administration and the future of Togoland under French administration. A subsequent addendum to the report of the Trusteeship Council (A/3169/Add.1) dealt further with the future of Togoland under French administration.

2. The Fourth Committee submitted on 12 December 1956 the first part of its report (A/3449) on this item, dealing with the future of Togoland under British administration, and on 13 December, the General Assembly adopted a resolution on the subject (A/RES/425).

3. At its 551st and 584th meetings, the Committee had decided to grant the requests of the following organizations to be heard by it in connexion with this agenda item:

Organizations from Togoland under British administration

Togoland Congress

Convention Peoples Party

Organization from Togoland under British administration and Togoland under French administration

All-Ewe Conference

Organizations from Togoland under French administration

Mouvement de la Jeunesse togolaise

Mouvement populaire togolais

Parti togolais du Progrès

Union des chefs et des populations du Nord-Togo

Traditional chiefs of the South

Traditional chiefs of the North

4. Although it had been decided to study first the future of Togoland under British administration and, at a later date, to deal with the future of Togoland under French administration, it had, however, been agreed that the petitioners could voice in a single statement their opinions concerning the future of both Togoland under British administration and Togoland under French administration.

5. At the 556th meeting, during the consideration of the question of the future of Togoland under British administration, Mr. Sylvanus Olympio had spoken as representative of the All-Ewe Conference, Mr. A. I. Santos as representative of the Mouvement de la Jeunesse togolaise and Mr. André Akakpo as representative of the Mouvement populaire togolais, and the greater part of their statements related to the Trust Territory of Togoland under French administration.

6. At the 584th meeting, a statement was made by the representative of France, as the Administering Authority concerned, requesting the termination of the Trusteeship Agreement for Togoland under French administration (A/C.4/342). Statements were also made by two other members of the French delegation, Mr. Georges Apeko-Amah, introduced as the Minister of Finance of the Autonomous Republic of Togoland (A/C.4/343) and Mr. Guy Périer de Féral, Referendum Administrator in Togoland (A/C.4/344).

7. At the request of the French delegation, the following documents were circulated to the members of the Fourth Committee: "Text of certain documents concerning the organization of the referendum of 28 October 1956 and of certain enactments by the Autonomous Republic of Togoland" (A/C.4/340 and Add.1) and a "Memorandum by the Government of the Autonomous Republic of Togoland" (A/C.4/341).

8. At the 585th meeting, the Committee heard statements by the following petitioners: Mr. Nanamale Gbegbeni (Union des Chefs et des populations du Nord-Togo), Mr. Victor Atakpamey (Parti togolais du Progrès), Mr. Michel Ayassou (Traditional chiefs of the South), Mr. Sambiani Mateyendou (Traditional chiefs of the North), Mr. André Akakpo (Mouvement populaire togolais) and Mr. A.I. Santos (Mouvement de la Jeunesse togolaise). At the 586th meeting it heard a statement by Mr. Sylvanus Olympio (All-Ewe Conference).

9. During the 586th to 590th meetings, members of the Committee addressed questions to the petitioners, and the representative of France also replied to certain points raised during the course of the proceedings.

10. At the 588th meeting, India submitted a draft resolution (A/C.4/L.452) reading as follows:

"The General Assembly,

"Recalling its resolution 944 (X) of 15 December 1955 by which the Trusteeship Council was requested to undertake a special study of the question of the future of Togoland under French administration,

"Having received the special report of the Trusteeship Council (A/3169 and Add.1),

"Noting that the Trusteeship Council has not yet been able to undertake the special study but has meanwhile forwarded the memorandum by the Administering Authority (II/1290) with Decree No. 56-847 of 24 August 1956, requesting the termination of the Trusteeship Agreement,

"Noting further the statements of the representative of France in the Fourth Committee,

"Taking note also of the views expressed by the petitioners before the Fourth Committee,

"Being of the opinion that the reforms introduced by Decree No. 56-847 of 24 August 1956 require careful study,

"1. Transmits the records of the General Assembly for appropriate action to the Trusteeship Council, as the organ of the United Nations responsible for the initial examination of the political development of Trust Territories;

"2. Requests the Trusteeship Council to transmit the results of its study in a special report to the General Assembly at its twelfth session."

11. At the same meeting, Mr. Apedo-Amah, a member of the French delegation, introduced as the Minister of Finance of the Autonomous Republic of Togoland, informed the Committee that the Government of the Autonomous Republic of Togoland would be happy to welcome a United Nations information mission to observe at first hand how Togoland's institutions were functioning and how its Statute was being applied. Mr. Gaston Defferre, Minister for Overseas France, stated that the French Government, which was responsible for Togoland's foreign relations, associated itself with that invitation. The Chairman of the Fourth Committee observed that M. Apedo-Amah had spoken as a member of the French delegation.
12. The representative of Iraq stated that the invitation to send a mission was made in the name and on behalf of France, since Mr. Apedo-Amah spoke as the representative of France and not as the representative of Togoland which was not a Member of the United Nations.
13. The representative of the Union of Soviet Socialist Republics stated that the mission of the United Nations was invited by France, as the Administering Authority of the Trust Territory of Togoland under French administration.
14. The representative of France stated that, during the debate on the future of Togoland under French administration, the French delegation included representatives of the Autonomous Republic of Togoland, in particular, Mr. Georges Apedo-Amah, Minister of Finance of the Autonomous Republic of Togoland.
15. The general debate on the future of Togoland under French administration began during the 590th meeting and continued until the 598th meeting.
16. During the 590th meeting, Canada, Denmark, the Dominican Republic, Thailand and the United States of America submitted a draft resolution (A/C.4/L.453), the text of which was revised (A/C.4/L.453/Rev.1) at the following meeting. The revised text was as follows:

"The General Assembly,

"Recalling part II of its resolution 944 (X) of 15 December 1955, concerning consultation with the inhabitants of Togoland under French administration in respect of the political future of their Territory,

"Having taken cognizance of the report of the Trusteeship Council (A/3169 and Add.1) prepared in pursuance of the above-mentioned resolution, and the documents appended to that report,

"Having received document A/C.4/341 reproducing the "Memorandum by the Autonomous Republic of Togoland" of 29 December 1956, transmitted by the French delegation to the United Nations,

"Having taken note of the fact that, as set forth in the report of the Referendum Administrator in Togoland (A/3169/Add.1, annex II), the population of Togoland under French administration, consulted by referendum on 28 October 1956, expressed itself, by a substantial majority, in favour of the reforms introduced by the Statute of the Autonomous Republic of Togoland,

"Having heard, at its eleventh session, the statements by the French delegation which included the representatives of the Administering Authority and those of the Autonomous Republic of Togoland, and by the petitioners from the Territory,

"Taking note of the invitation initiated by the Government of the Autonomous Republic of Togoland, and endorsed and transmitted to the General Assembly by the Administering Authority, to send a commission to Togoland under French administration to study on the spot the conditions under which the provisions of the Statute of 24 August 1956 are being applied,

"1. Considers with satisfaction that the reforms introduced as a result of the new political Statute of the Territory of Togoland under French administration by the Administering Authority represent a decisive step in the development of the Autonomous Republic of Togoland;

"2. Congratulates the population of Togoland under French administration on the progress it has made in the political, economic, social and cultural fields;

"3. Resolves to dispatch to Togoland under French administration a commission of five members to be appointed by the President of the General Assembly to examine, in the light of the debate in the Fourth Committee, the practical operation of the governmental institutions established by the Statute and the conditions under which that Statute is being applied;

"4. Requests the commission to submit a report, with its observations and suggestions, to the Trusteeship Council at its twentieth session or at a special session, for its consideration, and transmission to the General Assembly at its twelfth session."

Subsequently Peru (A/C.4/L.453/Rev.1/Add.1) associated itself as co-sponsor with the other delegations which had submitted the revised draft resolution.

.7. At the 592nd meeting, India submitted a revised text of its draft resolution (A/C.4/L.452/Rev.1), as follows:

/...

"The General Assembly,

"Recalling its resolution 944 (X) of 15 December 1955 by which the Trusteeship Council was requested to undertake a special study of the question of the future of Togoland under French administration,

"Having received the special report of the Trusteeship Council (A/3169 and Add.1),

"Noting that the Trusteeship Council has forwarded the memorandum by the Administering Authority (T/1290) with Decree No. 56-847 of 24 August 1956, requesting termination of the Trusteeship Agreement,

"Noting further the statements of the representative of France in the Fourth Committee,

"Taking note also of the views expressed by the petitioners before the Fourth Committee,

"Being of the opinion that the reforms introduced by Decree No. 56-847 of 24 August 1956 require further study by the Trusteeship Council,

"Having taken note of the invitation addressed by the Administering Authority to the United Nations to send a mission to the Territory,

"1. Resolves to dispatch to Togoland under French administration a commission of five members to be appointed by the General Assembly, in order to examine the entire situation in the Territory and submit a report thereon, with its observations and suggestions, to the Trusteeship Council for its consideration;

"2. Requests the Trusteeship Council to study the question taking into account the report of the Commission and to transmit the results of its study to the General Assembly at its twelfth session."

18. At the 592nd meeting, the representative of France stated that his Government would be in a position to consider abandoning its request for the termination of trusteeship in 1957 if the further course of discussion and the substance of the resolutions adopted were acceptable to France.

19. At the 595th meeting, Canada, Denmark, the Dominican Republic, Liberia, Peru, Thailand and the United States of America submitted amendments (A/C.4/L.454) to the revised draft resolution proposed by India (A/C.4/L.452/Rev.1). Subsequently the sponsors revised the text of their amendments (A/C.4/L.454/Rev.1). The revised amendments consisted of the following:

/...

- (1) In the first paragraph of the preamble, to insert: "part II of" after "Recalling",
- (2) In the first paragraph of the preamble, to delete all words after "15 December 1955",
- (3) After the third paragraph of the preamble, to insert two new paragraphs as follows:

"Having received document A/C.341 entitled "Memorandum by the Government of the Autonomous Republic of Togoland", which memorandum was transmitted by the Administering Authority to the United Nations,

"Having taken note of the report of the Referendum Administrator in Togoland (A/3169/Add.1, annex II) setting forth as a fact that the population of Togoland under French administration, consulted by referendum on 28 October 1956, expressed itself, by a substantial majority, in favour of the reforms introduced by Decree No. 56-847 of 24 August 1956 setting forth the Statute of Togoland,"

- (4) In the fourth paragraph of the preamble, to delete: "of the representative of France in the Fourth Committee" and substitute the following:

"in the Fourth Committee of the delegation of France, which included representatives of the Government of Togoland,"

- (5) In the sixth paragraph of the preamble, to insert: "application of the" before "reforms", and change "require" to "requires".
- (6) To delete the seventh paragraph of the preamble and to substitute the following:

"Taking note of the invitation by the Administering Authority to send a commission to Togoland under French administration to study on the spot the conditions under which the provisions of the Statute of 24 August 1956 are being applied,

"Taking note also that the invitation by the Administering Authority was initiated by the Government of the Autonomous Republic of Togoland which was set up in consequence of the Statute of 24 August 1956,".

- (7) After the preamble, to insert two new operative paragraphs as follows:

"1. Considers with satisfaction that the reforms introduced in consequence of the new political Statute of the Territory of Togoland under French administration by the Administering Authority represent a very significant step in the achievement of the objectives of Article 76 of the Charter and of the Trusteeship Agreement;

/...:

"2. Congratulates the population of Togoland under French administration on the progress it has made in the political, economic, social and cultural fields;"

(8) In the second line of the first operative paragraph, to insert:

"on the basis of equitable geographical distribution by the President of" after "appointed".

(9) In the second line of the first operative paragraph, to insert:

"in the light of the discussions in the Fourth Committee" after "to examine".

(10) In the third line of the first operative paragraph, to insert:

"resulting from the practical application of the new Statute and the conditions under which it is being applied" after "the Territory".

(11) To renumber the original operative paragraphs as operative paragraphs 3 and 4.

20. At the 595th meeting, the Philippines also submitted an amendment (A/C.4/L.455) to the Indian revised draft resolution, which would insert after operative paragraph 1, a new paragraph reading as follows:

"Recommends that, in addition to such further reforms as the authorities concerned may deem appropriate, the Legislative Assembly of the Territory should be constituted, as soon as possible, by election on the basis of universal adult suffrage;"

21. At the 598th meeting, Nepal and the Philippines submitted a sub-amendment (A/C.4/L.456) to the seven-Power amendments (A/C.4/L.454) which would replace sub-paragraph 1 of paragraph (7) by the following:

"Notes the reforms introduced in consequence of the new political Statute of the Territory of Togoland under French administration by the Administering Authority;"

22. At the 599th meeting, the representative of Guatemala submitted an oral amendment to the effect that, in the sixth paragraph of the preamble of the Indian revised draft resolution, the words "and their application" be added after the words "24 August 1956".

23. The Indian revised draft resolution (A/C.4/L.452/Rev.1), the revised amendments proposed by Canada, Denmark, the Dominican Republic, Liberia, Peru, Thailand and the United States of America (A/C.4/L.454/Rev.1), the amendment proposed by the

Philippines (A/C.4/L.455), the sub-amendment proposed by Nepal and the Philippines (A/C.4/L.456) and the oral amendment proposed by the representative of Guatemala were put to the vote at the 599th meeting with the following results:

The first seven-Power amendment, to the first paragraph of the preamble of the Indian draft resolution, was adopted by 72 votes to none, with 2 abstentions.

The second seven-Power amendment, to the first paragraph of the preamble, was adopted by 48 votes to 14, with 2 abstentions.

The first paragraph of the preamble, as amended, was adopted by 61 votes to 2, with 12 abstentions.

The second and third paragraphs of the preamble were adopted without objection.

The third seven-Power amendment, consisting of the insertion of two new paragraphs in the preamble of the Indian draft resolution, was voted upon as follows:

In the first paragraph the words "entitled 'Memorandum by the Government of the Autonomous Republic of Togoland', which memorandum was" were adopted by 36 votes to 23, with 13 abstentions.

The first paragraph was adopted by 42 votes to 22, with 9 abstentions.

The second paragraph was adopted by 39 votes to 27, with 8 abstentions.

The fourth seven-Power amendment, to the fourth paragraph of the preamble of the Indian draft resolution, was adopted by 50 votes to 22, with 3 abstentions.

The fourth paragraph of the preamble, as amended, was adopted by 49 votes to 23, with 3 abstentions.

The fifth paragraph of the preamble was adopted without objection.

The Guatemalan oral amendment to the sixth paragraph of the preamble of the Indian draft resolution was adopted by 52 votes to 6, with 13 abstentions.

The fifth seven-Power amendment, to that paragraph, was accordingly not put to the vote.

The sixth paragraph of the preamble, as amended, was adopted by 60 votes to 4, with 11 abstentions:

The sixth seven-Power amendment, to delete the seventh paragraph of the preamble of the Indian draft resolution and substitute two new paragraphs, was voted upon as follows:

The first substitute paragraph was adopted by 47 votes to 23, with 4 abstentions.

In the second substitute paragraph, the words "the Autonomous Republic of" were rejected by 31 votes to 30, with 10 abstentions.

The second substitute paragraph, as amended, was adopted by 43 votes to 24, with 7 abstentions.

The seventh seven-Power amendment, to add after the preamble of the Indian draft resolution two new operative paragraphs, and the sub-amendment of Nepal and the Philippines to the first of these paragraphs, were voted upon as follows:

The sub-amendment by Nepal and the Philippines was rejected by 30 votes to 21, with 23 abstentions.

The first new operative paragraph was adopted by 49 votes to 23, with 3 abstentions.

The second new operative paragraph was adopted by 53 votes to 19, with 3 abstentions.

The eighth seven-Power amendment, to operative paragraph 1 of the Indian draft resolution, was voted upon as follows:

The words "the President of" were adopted by 34 votes to 23, with 10 abstentions.

The amendment as a whole was adopted by 41 votes to 19, with 5 abstentions.

The ninth seven-Power amendment, to operative paragraph 1, was adopted without objection.

The tenth seven-Power amendment, to operative paragraph 1, was adopted by 48 votes to 22, with 6 abstentions.

Operative paragraph 1, as amended, was adopted by 50 votes to 17, with 4 abstentions.

The Philippine amendment, to insert an additional operative paragraph after operative paragraph 1, was adopted by a roll-call vote of 36 to 24, with 17 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Argentina, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chile, Czechoslovakia, Egypt, Ethiopia, Finland, Greece, Guatemala, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Mexico, Morocco, Nepal, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against: Australia, Austria, Belgium, Canada, China, Cuba, Denmark, Dominican Republic, France, Honduras, Iceland, Israel, Italy, Laos, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Peru, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Cambodia, Colombia, Costa Rica, Ecuador, El Salvador, Haiti, Iran, Ireland, Japan, Liberia, Panama, Spain, Thailand, Tunisia, Turkey, Venezuela.

Operative paragraph 2 of the Indian draft resolution was adopted by 73 votes to 1, with no abstentions.

The draft resolution as a whole, as amended, was adopted by a roll-call vote of 52 to 10, with 14 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Japan, Laos, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Peru, Philippines, Portugal, Spain, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia.

Against: Egypt, India, Indonesia, Iran, Iraq, Jordan, Libya, Saudi Arabia, Sudan, Syria.

Abstaining: Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Czechoslovakia, Lebanon, Morocco, Nepal, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

The representative of Yemen, who was absent during the roll-call, stated that he would have voted against the draft resolution.

24. Explanations of vote were made by the representatives of Venezuela, the Union of Soviet Socialist Republics, Belgium and Liberia.

25. Following the adoption of the Indian draft resolution, as amended, Canada, Denmark, the Dominican Republic, Peru, Thailand and the United States of America withdrew their revised draft resolution (A/C.4/L.453/Rev.1 and Add.1).

26. The text of the draft resolution adopted by the Committee is reproduced hereunder:

THE FUTURE OF TOGOLAND UNDER FRENCH ADMINISTRATION

The General Assembly,

Recalling part II of its resolution 944 (X) of 15 December 1955,

Having received the special report of the Trusteeship Council (A/3169 and Add.1),

Noting that the Trusteeship Council has forwarded the memorandum by the Administering Authority (T/1290) with Decree No. 56-847 of 24 August 1956, requesting termination of the Trusteeship Agreement,

Having received document A/C.4/341 entitled "Memorandum by the Government of the Autonomous Republic of Togoland", which Memorandum was transmitted by the Administering Authority to the United Nations,

Having taken note of the report of the Referendum Administrator in Togoland (A/3169/Add.1, annex II) setting forth as a fact that the population of Togoland under French administration, consulted by referendum on 28 October 1956, expressed itself, by a substantial majority, in favour of the reforms introduced by Decree No. 56-847 of 24 August 1956 setting forth the Statute of Togoland,

Noting further the statements in the Fourth Committee of the delegation of France, which included representatives of the Government of Togoland,

Taking note also of the views expressed by the petitioners before the Fourth Committee,

Being of the opinion that the reforms introduced by Decree No. 56-847 of 24 August 1956 and their application require further study by the Trusteeship Council,

Taking note of the invitation by the Administering Authority to send a commission to Togoland under French administration to study on the spot the conditions under which the provisions of the Statute of 24 August 1956 are being applied,

Taking note also that the invitation by the Administering Authority was initiated by the Government of Togoland which was set up in consequence of the Statute of 24 August 1956,

1. Considers with satisfaction that the reforms introduced in consequence of the new political Statute of the Territory of Togoland under French administration by the Administering Authority represent a very significant step in the achievement of the objectives of Article 76 of the Charter and of the Trusteeship Agreement;

2. Congratulates the population of Togoland under French administration on the progress it has made in the political, economic, social and cultural fields;

3. Resolves to dispatch to Togoland under French administration a commission of five members, to be appointed on the basis of equitable geographical distribution by the President of the General Assembly, in order to examine, in the light of the discussions in the Fourth Committee, the entire situation in the Territory resulting from the practical application of the new Statute and the conditions under which it is being applied, and to submit a report thereon, with its observations and suggestions, to the Trusteeship Council for its consideration;

4. Recommends that, in addition to such further reforms as the authorities concerned may deem appropriate, the Legislative Assembly of the Territory should be constituted, as soon as possible, by election on the basis of universal adult suffrage;

5. Requests the Trusteeship Council to study the question, taking into account the report of the Commission, and to transmit the results of its study to the General Assembly at its twelfth session.