



TRUSTEESHIP COUNCIL

Fifteenth Session

OFFICIAL RECORDS

Friday, 11 February 1955,
at 2 p.m.

NEW YORK

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President: Mr. Miguel Rafael URQUIA (El Salvador).

Present:

The representatives of the following States members of the Trusteeship Council: Australia, Belgium, China, El Salvador, France, Haiti, India, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Examination of petitions (*continued*)

[Agenda item 4]

PETITION FROM THE TANGANYIKA AFRICAN NATIONAL UNION (T/PET.2/192) (*continued*)

1. Mr. GIDDEN (United Kingdom) said that the United Kingdom delegation had no objection to the Council's hearing an oral statement by the representatives of the Tanganyika African National Union. He pointed out, however, that if the Council gave its approval to the journey regarding which the petitioners asked its opinion, it would be putting the petitioners to great expense, when the United Nations Visiting Mission to Trust Territories in East Africa, 1954, had already given full attention to the opinions they had expressed. The adventitious prestige which attached to groups or individuals who had appeared before United Nations organs could not but be harmful, in the long run, to the political development of the Territory.

2. Mr. LOOMES (Australia) said that his delegation would be obliged to oppose the request, for much the same reasons as those adduced by the Belgian representative at the 572nd meeting. Rule 80 of the rules of procedure did not apply to the petition; making all due allowances for any difficulties the petitioners might have had in expressing themselves, it was clear that what they were asking was not to be heard on a specific matter but to participate in the Council's discussion of the Visiting Mission's report (T/1142).

3. Mr. BARGUES (France) said that, in appointing four of its members as a visiting and investigating mis-

sion, the Council had placed its confidence in them. If the Mission had justified that confidence, the Council should consider that the information the Mission provided was comprehensive and adequate. Hence, if the Council resorted to other sources to obtain additional information, it would be displaying a lack of confidence which the French delegation could not share.

4. Mr. SEARS (United States of America) acknowledged the cogency of many of the arguments adduced by other delegations; since, however, the Tanganyika African National Union had asked to be heard, he did not see how the Council could refuse it. He proposed that the Council should invite the representatives of the Union to appear before it as petitioners.

5. Mr. SCOTT (New Zealand) felt that, at first sight, the petitioners seemed to be requesting to participate in the Council's discussion of the Mission's report, a request which could not be entertained. If it were admitted that they only wished to explain their position, it must be borne in mind that they had recently had the opportunity of explaining it to the Visiting Mission, which in its report gave details about some of the points raised. Nevertheless, the New Zealand delegation would never prevent a petitioner from appearing before the Council if he had serious reasons for doing so. The petition did not wholly conform to the rules of procedure, but the peoples of the Trust Territories could hardly be expected to be familiar with those rules. Furthermore, the representative of the Administering Authority had indicated that he would raise no objection to the granting of the request for a hearing.

6. Accordingly, the New Zealand delegation would not vote against the request, but it must be understood that its vote was cast in the belief that the Tanganyika African National Union would merely give additional information on the points already brought to the attention of the Visiting Mission and make a statement before the opening of the Council's debate.

7. In those circumstances, if the Council agreed to hear the petitioners, he would like the Secretary-General to emphasize in his reply to the petitioners that they would not be allowed to participate in the discussion on conditions in Tanganyika and to ask them to present a more precise statement of the points which they wished to raise in the Council.

8. Mr. JAIPAL (India) said that his delegation noted with considerable satisfaction the enlightened attitude of the United Kingdom Government. The Indian delegation did not see in the petition a request for participation in the Council's debates but only a request that the petitioners might state their views. His delegation would not wish to shelter behind devious logic in order to deny the petitioners a hearing; it would support the United States proposal.

9. Mr. TARAZI (Syria) announced that his delegation would support the proposal that the Council should grant the petitioners a hearing, and said he would like to draw attention to two points.

10. In the first place, the Tanganyika African National Union had not asked to take part in the Council's discussions as a party or a State: it had asked to appear in the exercise of its right of petition. Thus it was only the right of petition that had to be taken into consideration; texts should not be distorted by the use of juridical quibbles in order to misrepresent facts. An attempt should be made to ascertain the petitioners' point of view, and they should be heard. In that connexion, his delegation endorsed the Indian delegation's observation regarding the enlightened attitude of the Administering Authority.

11. Secondly, the French representative had stated that, if it agreed to hear the petitioners, the Council would be showing a lack of confidence in the Visiting Mission. He did not share that view. He regarded the Tanganyika African National Union as an ordinary petitioner and not as one of the parties. In the interest of consistency, he would vote also, when the time came, in favour of granting the hearing requested by the representative of the Cocoa Purchasing Company (T/PET.6/344), a much more powerful business organization, and he hoped that those who voted against the Tanganyika African National Union's request would be equally consistent and vote against the second request.

12. Mr. S. S. LIU (China) said that his delegation would vote in favour of the United States proposal. The petitioners' request was in full accord with the Council's rules of procedure; it was not a request to participate in the Council's debate and should not be interpreted as such.

13. Mr. RYCKMANS (Belgium) felt that the Council should not consider the request of the petitioners, who stated that they intended to "support the ... Visiting Mission's report", until it had taken a decision on the item on its agenda concerning the participation of the indigenous inhabitants of the Trust Territories in its work. General Assembly resolution 853 (IX) recommended to the Council that, as a means of ensuring, in cases which it deemed urgent, that a given situation in a Trust Territory met with the freely expressed wishes of the people, it should grant a hearing to the qualified representatives of public opinion. Accordingly, when the Council had studied the resolution and reached a decision upon it, it should ascertain whether the matter was urgent and whether the representatives of the Tanganyika African National Union actually were the "qualified representatives of public opinion".

14. So far as "qualified representatives" were concerned, there were others, apart from the Tanganyika African National Union, who had expressed opinions on the Visiting Mission's report. If the occasion arose, the Council should therefore see whether the qualifications of the other commentators were greater, less or equal to those of the authors of the petition (T/PET.2/192).

15. It would be altogether pointless to hear the petitioners if they merely wished to express the wishes and views of their organization, since the Visiting Mission had dealt with the matter fully. Moreover, it would be insulting to the Visiting Mission to invite a delegation which either defended or attacked the report. The Council had placed its confidence in the Mission and it was quite capable of taking a decision on the report without the help of the opinions of an outside delegation.

16. In reply to the Syrian representative, who had stated that the Tanganyika African National Union had not asked to appear as a State but as a petitioner, he asked what was the purpose of General Assembly resolution 853 (IX) if it was not to make the Council amend its rules of procedure concerning petitions in order to allow the granting of hearings to petitioners in cases such as the one under discussion.

17. He proposed that the Council should defer its decision on the request for a hearing submitted by the Tanganyika African National Union until it had considered the item on its agenda relating to General Assembly resolution 853 (IX).

18. Mr. EGUIZABAL (El Salvador) supported the proposal that the Council should grant the request. The Council knew that the Visiting Mission had done its duty and its confidence in the Mission could not be questioned. Moreover, it was impossible to pass judgment in advance on the statements that the petitioners might make; perhaps they had not had all the time they needed to present their views to the Visiting Mission or perhaps some facts had come to light. The difficulties seemed to arise mainly from the way in which the request had been made. At all events, it was understood that a person requesting a hearing was not allowed to participate in any way whatever in the Council's discussion of the annual report. Furthermore, the conciliatory attitude of the Administering Authority, which deserved praise, showed what was the correct attitude to adopt.

19. The PRESIDENT said that he would put the Belgian representative's proposal to the vote first. He invited the members to give their views on that proposal.

20. Mr. BARGUES (France), replying to the Syrian representative, said that he was still convinced that if the Council obtained information other than that provided by the Visiting Mission, it would be showing a lack of confidence in the Mission; the French delegation did not share that feeling.

21. The petition from the Cocoa Purchasing Company (T/PET.6/344) was of a specific character and dealt with the policies of the petitioning company and certain charges that had been made against it. His delegation saw no reason why the Council should not hear the petitioner, who, in accordance with the rules of procedure, wished to submit a question of particular interest to the Council. There was no question of challenging the conclusions of a visiting mission or of participating in the Council's debates. In all consistency, therefore, he would vote in favour of granting the request of the Cocoa Purchasing Company but against the request of the Tanganyika African National Union.

22. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) wished to refute some of the arguments that had been adduced against granting a hearing to the Tanganyika African National Union.

23. The French representative had said that it was pointless to receive the petitioners, since they had had an opportunity to present their complaints to the Visiting Mission which had recently been in the Territory. At the beginning of the session, however, when the Council had been studying similar petitions, the French representative had observed that it was pointless to invite the petitioners to appear, since a mission would shortly be visiting the Trust Territories from which the petitions had been sent. The obvious con-

clusion was that the Council should not hear petitioners, either before or after a mission's visit. His delegation could not endorse that argument or that conclusion, for they were contrary to the Council's procedure and to the general principle that all petitioners were entitled to a hearing.

24. The French representative had stated that the Council would be insulting the Visiting Mission if it allowed petitioners to speak either for or against the conclusions in the report. If, however, that idea were accepted, the members of the Council themselves would not dare to express their views on the Mission's report for fear of offending its authors. The argument was devoid of reason. The members of the Council could criticize the report and express their views on it and the petitioners, who were directly concerned, should be allowed to give their opinions.

25. The Australian representative had asked what was to be understood by the words "to support ... the Visiting Mission's report". According to him, the members of the Mission were quite capable of defending their conclusions. The USSR delegation saw no point in that argument. The report contained certain conclusions and a petitioner would, of course, either support or criticize them. Besides, there were plenty of precedents: a Visiting Mission had been sent to study the Ewe question, and both the Council and the Fourth Committee had heard numbers of petitioners speak for and against that mission's conclusions.

26. Some members of the Council seemed to think that petitioners were entitled to complain only if they had been beaten by the police or had paid excessive taxes but that they should remain silent on questions which concerned the very life of the Territory. If the Trusteeship Council adopted that attitude, it would be deviating from the established procedure and principles of the Charter.

27. His delegation thought that the petition was quite normal and that the President should decide under what conditions and on what subject the petitioners would speak; the Belgian representative's proposal was inadmissible. The USSR delegation remained firm in its conviction that all petitioners should be heard, and it would vote in favour of granting the hearing requested.

28. Mr. TARAZI (Syria) pointed out to the Belgian representative that in adopting resolution 853 (IX) the General Assembly had had in mind the right of the indigenous inhabitants to submit draft resolutions and to participate in the discussion of all questions, without, of course, the right to vote, which could only be exercised by States. However that might be, when a request was received, every effort should be made to understand what the petitioner had meant to say; it was not right to conclude hastily from the wording he used that the request was at variance with one of the Council's rules of procedure or one of the General Assembly's decisions. The Council itself was not always altogether certain about the meaning of some of the General Assembly's decisions, and if the inhabitants of a Trust Territory fully understood in what way the terms of a particular petition were contrary to those decisions, the time would have come to do away with the Trusteeship System, for the Territory in question would have reached such a degree of political maturity that an Administering Authority would no longer be necessary.

29. He congratulated the Belgian representative on the ability and shrewdness he has displayed, but he would vote against the Belgian proposal.

30. Mr. DORSINVILLE (Haiti) thought that the Belgian representative's proposal was an obstructive manoeuvre. He saw no reason why the request for a hearing should be connected with General Assembly resolution 853 (IX). The Tanganyika African National Union was simply requesting the Council's permission to send representatives to explain its point of view. The Belgian representative would consider only the first paragraph of the petitioner's letter; surely he must admit that it was only because they were not conversant with the specific provisions of the rules of procedure relating to the right of petition and requests for hearings that the petitioners had used that wording.

31. Mr. Dorsinville pointed out that what had prompted the petitioners to request a hearing was the fact that the Visiting Mission's report had aroused various feelings in the Territory; some of the inhabitants had strongly criticized it, while others, anxious to state their views to the Council, had invoked a right recognized under the rules of procedure. Admittedly, the letter was badly worded, but to build up a case on that argument would be to lack the generous spirit shown by the United Kingdom representative, who was the party chiefly concerned.

32. His delegation would vote in favour of granting a hearing to the Tanganyika African National Union, but not in order that the petitioners might defend the report of the Visiting Mission, whose members were undoubtedly capable of defending their own work. Its vote would in no way imply any censure of the members of the Mission or any doubt of their moral and intellectual integrity. He would vote against the Belgian representative's proposal, the object of which was to postpone indefinitely any hearing of the petitioners.

33. Mr. EGUIZABAL (El Salvador) said that his delegation would vote against the Belgian representative's proposal.

34. Mr. BARGUES (France) pointed out to the USSR representative that it was the Indian delegation, and not the French delegation, that had submitted the proposal to the effect that the petitioners from the Cameroons under French administration should address themselves to the 1955 visiting mission, and that the proposal had been adopted unanimously. In adopting it (565th meeting), the Council had rightly recognized that one of the functions of visiting missions was to hear petitioners on the spot. The Council had no reason to think that the Mission which had gone to East Africa had failed to fulfil its duty: it should accordingly have full confidence in the Mission and confine itself to the information the Mission might provide.

35. Mr. JAIPAL (India) said that the Visiting Mission had ceased to exist and its report had become a United Nations document. The former members of the Visiting Mission were now present as representatives of their countries. It was therefore inappropriate to speak of defending a position.

36. With respect to the Belgian representative's proposal, any reference to the General Assembly resolution was totally irrelevant to the question under consideration. The resolution did not recommend either in the letter or in the spirit that hearings should be refused; the reverse was true. The Visiting Mission had undoubtedly gone to the countries concerned and heard

the views of the inhabitants, who, however, did not know what importance the Mission attached to their complaints. Hence he opposed the Belgian representative's proposal.

37. He did not see why there should be speculation on what the petitioners wished or did not wish to say to the Council. They should be allowed to come and say what they had to say. The petitioners probably felt that the Mission had ignored their points of view. He quoted passages from the *Tanganyika Standard* and the *East African Standard* to prove that the petitioners had not read the Visiting Mission's report, that an attempt was being made to confuse them and that there was a movement to remove Tanganyika from the Trusteeship System. Proposals such as the one that Tanganyika should be removed from the sphere of influence of the United Nations and incorporated in the British Colonial Empire were of grave concern to the inhabitants, who had so far no means of expressing themselves. It was undoubtedly due to the existing state of confusion that the people wished to send representatives to state their point of view. They felt that the Visiting Mission had completely ignored their complaints.

38. Accordingly his delegation requested the Trusteeship Council not to introduce East-West differences in the consideration of the petition, which was certainly not of universal significance.

39. Mr. GIDDEN (United Kingdom) pointed out that if the Indian representative's statement was correct, the first paragraph of the petition was untrue. Personally, he had no doubt of the petitioner's good faith and still believed that the letter as a whole was a true document.

40. Mr. RYCKMANS (Belgium) felt that the Indian representative's statement supported his proposal. If the Council adopted the Belgian proposal, that would give the petitioners time to read the Visiting Mission's report. When they had done so, they might find that the Mission had accurately reproduced their opinions and that it was quite unnecessary for them to waste money by coming to New York to reiterate what was already in the Mission's report; if they felt that their opinions were not correctly stated in the report, they could request a hearing to express their views themselves.

41. In reply to the accusation of obstruction which had been levelled at him, he said he had no objection to the immediate discussion by the Council of the General Assembly resolution.

42. Mr. JAIPAL (India) felt that it would be much simpler to accede to the petitioners' request than to wait until they had had an opportunity to read the report. Only one consideration mattered to the Indian delegation: the petitioners wished to send representatives to lay the cause of Tanganyika Africans before the Council; his delegation saw no objection to granting that request.

43. The PRESIDENT, reviewing the position, said that the Council had discussed simultaneously the request for a hearing made in document T/PET.2/192, and a procedural motion by the Belgian representative to the effect that further consideration of the question of granting the request for a hearing should be postponed until the Trusteeship Council had considered General Assembly resolution 853 (IX) concerning the participation of the indigenous inhabitants in the work of the Trusteeship Council, which was item 10 of its

agenda. Under rule 56 (g) of its rules of procedure the Council should vote on the Belgian proposal first.

The Belgian proposal was rejected by 7 votes to 3, with 2 abstentions.

44. The PRESIDENT then put to the vote the request for a hearing submitted by the Tanganyika African National Union (T/PET.2/192).

The Council decided by 7 votes to 3, with 2 abstentions, to grant the request.

45. The PRESIDENT interpreted the decision just taken by the Council as authorizing the Secretary-General to inform the petitioners by telegram that the hearing they had requested was granted and to tell them when the Council was to examine the reports on Tanganyika submitted by the Administering Authority and by the Visiting Mission.

46. Mr. RYCKMANS (Belgium) pointed out that the President had not yet put to the vote the proposal submitted by the United States representative at the 573rd meeting.

47. Mr. SEARS (United States of America) said that in his view the proposal which the President had put to the vote, namely that the request for a hearing should be granted, covered his own proposal.

48. Mr. RYCKMANS (Belgium) felt that the vote just taken would leave the petitioners in some uncertainty. They had asked for permission to send a delegation to the Trusteeship Council to support the Visiting Mission's report. Some members of the Council, however, appeared to think that the representatives of the Tanganyika African National Union should not support the Visiting Mission's report, as proposed in paragraph 1 of the letter, but agreed that they could explain the points referred to in paragraph 2 of the document. If the petitioners were told merely that they might come, they would take it that they were to support the Visiting Mission's report, which in the view of some members of the Council they could not do. Some elucidation was therefore required.

49. The PRESIDENT noted that the Belgian representative did not press for a separate vote on the United States representative's proposal.

50. In the course of the discussion several delegations had felt that the Council could permit the petitioners to come and state their views, which was the essential purpose of a petition, but that the Council could not agree to their coming to support the Visiting Mission's report. The telegram which the Secretary-General would send to those concerned could include any important information that might be helpful, as requested by the petitioners in the last paragraph of their letter. The Secretary-General would thus be able to indicate in his telegram the precise purpose for which the hearing was granted. If there was no objection, the telegram would be so worded.

51. Mr. RYCKMANS (Belgium) asked that his statement and that of the President should be placed in the record.

52. Mr. SCOTT (New Zealand) associated himself with the President's remarks and repeated his earlier request that the Secretary-General should emphasize to the petitioners that the Council had not granted them permission to participate in its debate on conditions in Tanganyika. That appeared to be the Council's view. Secondly, it was desirable that the Secretary-General should ask the petitioners to submit a further, more

precise statement setting out the specific points which they wished to raise in the Council. Such a step would facilitate the Council's discussions when the petitioners were present.

53. The PRESIDENT doubted that the Council could agree that the Secretary-General's telegram to the petitioners should be based on the New Zealand representative's statement. His own idea had not gone so far. The New Zealand representative had just expressed an opinion which might involve amending the Council's decision. If that representative wished to make a formal proposal, he was prepared to put it to the vote.

54. Mr. EGUIZABAL (El Salvador) thought that the Council's decision was clear. The Council had granted the hearing requested by the petitioners but had specified that they should come only to present their views. It was for the petitioners to decide, after they had received the Council's reply, whether they would come or not. The statements which members of the Council had made would make it quite clear to the Secretariat how the telegram to the petitioners should be worded.

55. Mr. JAIPAL (India) suggested that the telegram to the petitioners should state merely that they might come to present their case but not to support the Visiting Mission's report.

56. Mr. TARAZI (Syria) favoured the Salvadorian representative's suggestion. There was no need to be alarmed about the arrival of the petitioners. There appeared to be some belief that they represented a formidable African organization which was to overthrow the established order. There was accordingly a movement to limit its evil influence and grant the hearing only on condition that the petitioners were given a restricted field of action. The fact was, however, that when the representatives of the organization appeared before the Trusteeship Council, they would be entirely under the President's control. They would state their views to the Council. If at any time the President felt that the petitioners were exceeding the bounds set for them, he could call them to order. When they had finished their statements, they would have to reply to the questions put to them by members of the Council. After that short discussion the President would thank the representatives and ask them to leave the Council table. Thus there was no reason why members of the Council should feel misgivings about the arrival of the petitioners.

57. Mr. RYCKMANS (Belgium) said that his attitude could not be ascribed to any alarm on his part at the fact that the representatives of the Tanganyika African National Union had been granted a hearing. He was merely thinking that those people, whose means were limited, were going to spend \$3,000 or \$4,000 or more on sending a delegation. They would take it that the Council had simply granted their request, and that they would be allowed to participate in the debate on the Visiting Mission's report; afterwards they would feel that the Council had deceived them and led them to spend money uselessly. That was what the Council had to avoid.

58. Mr. SCOTT (New Zealand) felt that different members of the Council had given different interpretations of the matters which the petitioners wished to raise before the Council, and that it would therefore be very useful for the Secretary-General to inform them in

his reply of what had taken place at the meeting and to state that, if they wished to come, it would assist the Council if they set out in a subsequent communication a list of the matters they wished to raise.

59. It would also be useful to point out clearly to the petitioners that the Council did not regard their application as a request for permission to participate in the general debate on conditions in Tanganyika.

60. The PRESIDENT felt that the New Zealand representative's suggestion constituted a new request. To ask the petitioners to list the questions they wished to raise before the Council would mean going beyond the scope of the decision just taken. If, therefore, the New Zealand representative wished the Council to consider and vote on his suggestions, they should be proposed in writing. The President would then ask the Council whether it wished to consider and vote on that new item.

61. Mr. TARAZI (Syria) felt that it would be a mistake to include too much explanatory matter in the Secretary-General's telegram to the petitioners, for the petitioners might misunderstand the Council's intentions.

62. Mr. RYCKMANS (Belgium) suggested that the Council should leave it to the Secretary-General to make a clear reply to the petitioners in the light of the discussion. Furthermore it would be possible to end the telegram by saying that the verbatim record of the present meeting was being sent to them immediately by air mail.

63. Mr. JAIPAL (India) said that, while he had no objection to that proposal, he felt that at the same time a copy of the Visiting Mission's report should also be sent to the petitioners. Paragraph 1 of the petition was concerned with supporting the Visiting Mission's report, and paragraph 2 with laying the cause of Tanganyika Africans before the Council. All that was needed was simply to tell the petitioners that they might come to lay their cause before the Council but not to support the Visiting Mission's report.

64. The PRESIDENT observed that the Belgian representative had proposed that a copy of the verbatim record of the Council's discussion should be sent to the Tanganyika African National Union; and that the Indian delegation had proposed that a copy of the Visiting Mission's report should be sent to the petitioners in addition to a copy of the verbatim record of the meeting.

65. Mr. EGUIZABAL (El Salvador) took the view that the telegram should briefly summarize the Council's decision as adopted and add, of course, that the record of the meeting was being sent to the petitioners by air. The petitioners would thus receive advance information as to what had taken place in the Council.

66. The PRESIDENT put to the vote the proposal of the representative of Belgium, with the addition of the suggestion made by the representative of India, that the telegram to be drafted by the Secretariat with all necessary care on the basis of the record of the meeting should include a sentence explaining that a copy of the verbatim record of the Council's meeting concerned with that question and a copy of the Visiting Mission's report (T/1142) would be transmitted to the petitioners by air mail.

The Belgian proposal, as amended, was adopted.

67. The PRESIDENT drew attention to the request (T/PET.6/344) that Mr. Kumah, Director of the Cocoa Purchasing Company, Ltd., should be allowed to appear before the current session of the Trusteeship Council to make clarifications in respect of his company's policies and certain allegations made against it.

68. Furthermore, in the working paper prepared by the Secretariat (T/C.2/L.118), there was a mention of three petitions (T/PET.6/336 to 338) concerning the marketing of cocoa in the Territory. The questions referred to in the telegram were therefore doubtless the same as those mentioned in those petitions.

69. Mr. TARAZI (Syria) stated, in his capacity of Chairman of the Standing Committee on Petitions, that that was indeed the case. The Standing Committee had examined the three petitions at its 227th meeting and had already made two recommendations which would be submitted to the Council. In the first, the Committee had recommended that the Council should examine those three petitions when it discussed the report of the Administering Authority for Togoland under British administration. The second recommendation, adopted in first reading, was designed to draw the attention of the petitioners to the observations of the Administering Authority (T/OBS.6/11 and Add.1) and of its special representative, which had also been considered by the Committee at its 227th meeting.

70. Mr. GIDDEN (United Kingdom) said that his delegation did not wish to raise any objection to the appearance before the Council of the representative of the company in question, provided that it was clear that the representative's purpose would be to present the views of his organization with regard to the specific subject of the cocoa marketing system in the Territory.

71. Mr. RYCKMANS (Belgium) suggested that the President should ask the Council to comply with the request which had been submitted. He would not ask for a vote on the question. In accordance with his usual position, he saw no reason why the Director of the Company should come to submit orally observations that he could perfectly well have written and sent to the Trusteeship Council, which could have transmitted them to the Standing Committee on Petitions together with the observations of the Administering Authority. He would not ask for a vote on the subject and was not formally opposed to granting the petitioner a hearing; but if the matter were put to the vote, he would vote against it.

72. Mr. TARAZI (Syria) was in favour of granting the hearing.

73. Mr. EGUIZABAL (El Salvador) was also in favour of giving a hearing to the representative of the Cocoa Purchasing Company, for reasons of principle.

74. Mr. JAIPAL (India), stressing the importance of the psychological factor, associated himself with the previous speakers.

75. The PRESIDENT noted that several delegations had declared themselves in favour of the hearing and none had formally opposed it. As the representative of Belgium had suggested, he would consider, if there was no objection, that the request had been granted.

It was so decided.

The meeting was suspended at 3.55 p.m. and resumed at 4.25 p.m.

Examination of conditions in the Trust Territory of Togoland under French administration:
(a) annual report of the Administering Authority (T/1136, T/1150, T/1156, T/1160);
(b) petitions circulated under rule 85, paragraph 2, of the rules of procedure of the Trusteeship Council (T/PET.7/L.6, T/PET.7/L.8 and 9) (continued)

[Agenda items 3 (f) and 4]

At the invitation of the President, Mr. Georges Apedo-Amah, special representative of the Administering Authority for the Trust Territory of Togoland under French administration, took a place at the Council table.

QUESTIONS CONCERNING THE TRUST TERRITORY AND
REPLIES OF THE SPECIAL REPRESENTATIVE (continued)

Economic advancement (concluded)

76. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) inquired who was responsible for determining income in the village and hence the tax payable by the inhabitants, and to what authority the taxpayers could appeal if the tax appeared unfair to them.

77. Mr. APEDO-AMAH (Special representative for Togoland under French administration) explained that the villagers were subject to a standard tax rate. The rate was first discussed by the *conseil de circonscription* and confirmed in an order issued by the Commissioner of the Republic. Notables, whose income was higher, were asked to declare their income annually and were taxed on the basis of their declarations; in the absence of a declaration, they were taxed automatically by the Inland Revenue Department. If they thought that they had been overtaxed, they could apply to the Inland Revenue Department for a rebate.

78. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) did not find that answer quite clear. As he understood the annual report¹, the poll tax had been abolished. He wondered if he was to conclude from the special representative's answer that, with the exception of certain notables, all farmers paid the same tax without distinction as to income. There might be differences even in very small incomes; or it might be that such income did not generally exceed a certain ceiling, beyond which the tax rate was higher.

79. Mr. APEDO-AMAH (Special representative for Togoland under French administration) explained that the lowest income which a man could receive for work had served as the basis for the computation of the so-called minimum tax to which all villagers were subject. All workers were presumed to have that minimum income, which was determined by a committee that met every year before the beginning of the fiscal year. The amounts payable by all were determined on the basis of that minimum income assessment. Only the notables, who were landowners, with an apparently higher income, were subject to income tax on a sliding scale. That tax was assessed on the basis of their declarations.

80. In reply to a request by Mr. GRUBYAKOV (Union of Soviet Socialist Republics) for further clari-

¹ *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 1953, Paris, Imprimerie Chaix, 1954.*

fication, Mr. APEDO-AMAH (Special representative for Togoland under French administration) confirmed that all the inhabitants paid roughly the same amount in taxes, with the exception of indigent persons (the disabled, invalids, etc.), who were exempted, and the notables, who paid a higher income tax.

81. Mr. DORSINVILLE (Haiti) recalled that the trade balance, which had shown a deficit in 1952, had registered a surplus in 1953. He inquired whether that was due to temporary causes or if it was a sign of a permanent improvement in the economy.

82. Mr. APEDO-AMAH (Special representative for Togoland under French administration) could not say for certain whether that fortunate situation would continue permanently. The local administration would do everything in its power to make it continue. Imports had fallen off, in value if not in volume, particularly imports of capital goods, while higher production had made it possible to increase exports.

83. Mr. BARGUES (France) wished to provide certain supplementary details. There had been a general improvement in the economic situation which, however, was liable to considerable fluctuations. The two chief reasons for the increase in imports were, first, the improved standard of living of the population and their increased purchasing power; and secondly, the implementation of an extensive economic and social development programme. Imports of consumer goods would probably continue to increase. On the other hand, it was possible that the development of the road system and the construction of bridges and hospitals might not always be maintained at the rate of the past few years. There might then be a reduction in some imports.

84. There had been a slight increase in the volume of exports, but as the prices of coffee and cocoa had risen, there had been a considerable increase in the value of exports.

85. As Brigadier Gibbons had said when speaking of the Cameroons under British administration, the economy of the under-developed countries was still precarious, as it was based on the export of raw materials, the prices of which were subject to considerable fluctuation. Such fluctuations did not last longer than two or three years. It must be added that in the past few years, in the Territories administered by France, particularly the Cameroons, even when trade showed a deficit, the general balance-sheet almost always showed a surplus, thanks to investments by the metropolitan country.

86. Mr. RYCKMANS (Belgium) did not think that a favourable trade balance was necessarily a good sign. It was even possible that a trade deficit might be a favourable sign, if imports consisted of capital goods which would enrich the country and enable it to increase production. It was clear from the annual report (p. 294) that imports of iron and steel had risen from 60,982,720 francs to 73,875,500 francs and, to take another example, that imports of machinery and electrical equipment had risen from 118,636 kilogrammes to 247,650 kilogrammes. Imports of consumer goods, on the other hand, had fallen. The price of raw materials had risen since the Korean war, the resources of the indigenous inhabitants had increased and traders had imported consumer goods on a vast scale. But in 1953, they had imported smaller quantities, in order to use up the large stocks which they had built up the previous year.

87. Mr. DORSINVILLE (Haiti) inquired whether the Administration was encouraging farmers to follow the example of the cantonal chief of Bombouaka, who had developed his land with such outstanding success.

88. Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that the chief had himself followed the example set in one of the pilote centres established by the Agricultural Service. All the reports which had been coming in for some time showed that the population was interested in attending demonstrations. The Administration had established two new pilot centres in 1954. At the end of the training course, the Administration gave all trainees a pair of oxen, water butts and all the equipment necessary to enable a trainee to put into practice the training which he had received.

89. Mr. DORSINVILLE (Haiti) asked for details of the livestock improvement programme which had been announced by the Agricultural Service.

90. Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that owners looked upon their cattle only as a sign of wealth and were more concerned with numbers than with quality. The Livestock Service, in co-operation with the Agricultural Service, was trying to extend pasture land and also to improve strains by the slaughter or castration of unsatisfactory animals. The Livestock Service was also taking active and successful steps to combat cattle disease.

91. In reply to questions by Mr. S. S. LIU (China), Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that the earliest teak plantations in the Territory had been introduced by the Germans about 1912, but it was only quite recently that those plantations had multiplied throughout the Territory. Many of them had not yet reached maturity and did not lend themselves to large-scale development. The teak was used to manufacture poles, posts and rafters. It tended to replace rônier wood, which took much longer to grow.

92. The perfume factory which had been built towards the end of 1953 was in full production and its products competed successfully with imported goods. Some were also sold on the Gold Coast and in Dahomey.

Social advancement

93. In reply to questions by Mr. LOOMES (Australia), Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that the entry into force of the Labour Code had been very favourably received by the population of the Territory, and that its application had raised no great difficulties. The Labour Tribunal now dealt with all disputes which formerly had been referred to the Labour Inspector. The Tribunal had dealt with many more cases than had been expected.

94. There were no training facilities for doctors in the Territory itself, where training was provided only for nurse's certificate. Medical students who left the Territory could either enter metropolitan medical schools or the medical school at Dakar, which had now been transformed into a full medical school issuing State medical diplomas.

95. Mr. RYCKMANS (Belgium) asked whether the Lomé hospital had been in operation when the Mission from the World Health Organization had gone to Togoland. Such an institution was somewhat rare in Africa.

96. Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that the Director of the WHO Regional Office for Africa had seen the hospital in full operation at the end of the previous year and had been very favourably impressed.

97. Mr. TARAZI (Syria) asked whether the Administering Authority had any control over the services which a chief could demand from the inhabitants.

98. Mr. APEDO-AMAH (Special representative for Togoland under French administration) replied that such services were voluntarily rendered by the population to its chief. If a chief abused that willing and devoted assistance, he was prosecuted.

99. Following further questions by Mr. TARAZI (Syria), Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that in drawing up labour regulations the Administration deliberately ignored the existence of customs restricting women's freedom. Moreover, a woman rarely needed the authorization of the head of her family in order to work. The labour exchanges and personnel departments of the Administration had many applications for employment from women.

100. The length of holidays varied from undertaking to undertaking. In principle, workers were entitled to thirty days per year. In certain undertakings they could accumulate leave over a three year period, in other words anyone who had worked continually for three years would be entitled to ninety days' leave.

101. Appeals against the rulings of the Labour Tribunal could be lodged in the magistrate's court with extended powers or in the court of first instance, in cases involving a sum exceeding 36,000 French francs.

102. Collective bargaining agreements, which were drawn up by employers and employees, had to be submitted for approval to the Labour Inspector. Private contracts were also approved by the Labour Inspector, who ensured that all the provisions laid down by the Labour Code were inserted in them.

103. Hospital care, consultations, treatment, medications, surgery and food were free for patients in the central hospital and in the bush hospitals.

104. The school of medicine at Dakar had been opened about 1922. It had trained many practitioners, called African doctors, who would continue to practise. Four years ago, it had been transformed into a full medical school; it now issued State medical diplomas.

105. Mr. SCOTT (New Zealand) asked what was the circulation of the principal newspapers of the Territory and how far Africans helped in editing them.

106. Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that the current circulation of certain newspapers reached some thousand copies. Apart from the *Togo français*, an information bulletin issued by the local administration, the *Croix du Dahomey*, a parochial bulletin, and the newspaper *Mia Holo*, all newspapers were published by Togolandese. Those three publications also had active African members on their editorial staffs.

107. Replying to a question by Mr. SCOTT (New Zealand), Mr. APEDO-AMAH (Special representa-

tive for Togoland under French administration) said that there was only one mobile commercial cinema in the Territory. However, the Administration had two lorries, equipped with film and broadcasting equipment, which travelled from one village to another. One of the lorries even carried a mobile library.

108. Replying to Mr. SCOTT (New Zealand) and Mr. JAIPAL (India), Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that a typical mobile medical team comprised about fifteen persons. There was a doctor, assisted by an African doctor trained at Dakar, male nurses specialized in various fields, and sometimes midwives. It completed a tour within a given time and brought back to the capital of the *circonscription* the sick persons it had been unable to treat on the spot.

109. The medical auxiliaries (*agents d'hygiène*) received more or less the same training as nurses. They did not serve in hospitals. The *agents sanitaires* were male nurses of experience and, after passing an examination, were given more advanced practical training. They helped doctors and surgeons in hospitals.

110. Some African doctors who did not hold the State diploma were allowed to practise in private clinics—an exemption granted to those who had long experience and who had occupied important posts.

111. There were two dentists at the Lomé hospital who sometimes treated patients from Dahomey or the Gold Coast. That hospital had very modern equipment. The heating system supplied steam for the laundry, sterilization, the kitchen and the baby-feeding department.

112. The seventeen scholarship-holders at present studying medicine were in France.

113. Replying to questions by Mr. JAIPAL (India) and Mr. DORSINVILLE (Haiti), Mr. APEDO-AMAH (Special representative for Togoland under the French administration) said that the Administration encouraged people in the north of the Territory to eat meat and, in areas without cattle, to raise fish, so that they had food rich in protein.

114. Mr. DORSINVILLE (Haiti) asked whether the Administration had considered including a certain proportion of maize, manioc, millet or sorghum in bread in order to decrease wheat-flour imports and encourage the use of local products.

115. Mr. APEDO-AMAH (Special representative for Togoland under French administration) said that the matter had not been considered by the Administration.

116. Mr. JAIPAL (India) asked whether the African élite tended to dissociate itself from the people and constitute a kind of third force.

117. Mr. APEDO-AMAH (Special representative for Togoland under French administration) replied that there was no such problem. Naturally people of similar education associated with each other but they did not form a clique that was hostile to other groups of the population.

The meeting rose at 5.55 p.m.