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President: Mr. Rafik ASHA (Syria).

Present:

The representatives of the following States members of the Trusteeship Council: Australia, Belgium, Burma, China, France, Guatemala, Haiti, India, Italy, 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.

Statement by the representative of the United States

1. Mr. SEARS (United States of America) thanked the President and the Council for the kind message of sympathy which they had sent him. It had been deeply appreciated by his wife, his son and himself.

The future of Togoland under British administration (T/L.712) (continued):

- (i) Report of the United Nations Plebiscite Commissioner (T/1258 and Add.1);
- (ii) Report of the Plebiscite Administrator (T/1269 and Add.1);
- (iii) Memorandum by the Administering Authority (T/1270);

(iv) Petitions circulated under rule 85, paragraph 2, and communications circulated under rule 24 of the rules of procedure of the Trusteeship Council (T/COM.6/L.60 to 69, T/PET.6 and 7/L.48) (*continued*)

[Agenda item 12 (a)]

At the invitation of the President, Mr. Mead, special representative, of the Administering Authority for the Trust Territory of Togoland under British administration, and Mr. Espinosa y Prieto, United Nations Plebiscite Commissioner, took places at the Council table.

2. Mr. ROLZ BENNETT (Guatemala) reviewed the sequence of events leading up to the adoption of General Assembly resolution 944 (X), which had paved the way for the plebiscite. His delegation had abstained from voting on that resolution for reasons which it had explained in the Fourth Committee (544th meeting) at the tenth session of the General Assembly. It had regretted that developments in the two Togolands had given rise to situations which were not strictly in keeping with the principles underlying the International Trusteeship System and it had expressed its concern at the fact that, as a result of administrative unions and other circumstances, the development of Trust and Non-Self-Governing Territories might be directed into a course which ultimately gave rise to *de facto* situations that the people concerned and the United Nations had no choice but to accept. It had also recalled that it was the mission of Administering Authorities to lead the Trust Territories to full self-government or independence. His delegation had stressed that it was referring to questions of principle and not to the merits or demerits of the actual situation in Togoland under British administration, where it might well be that the decision for which the people opted in a plebiscite imposed by events in the Gold Coast rather than conditions in the Territory itself would in fact prove the best for the Territory's future progress and well being.

3. His delegation welcomed recent developments in the Gold Coast and was glad to hear that that Territory would shortly achieve its independence. He was sure that its example would be an inspiration to other still dependent Territories. The Administering Power was to be congratulated on the cultural and political heritage with which it had endowed the Gold Coast. He wished the people and leaders of that new African nation every success in the future.

4. At the same time, however, the fortunate turn of events in the particular case under consideration did not dispel his delegation's doubts and misgivings from the point of view of principle. The plan that was brought into action was not entirely in conformity with his delegation's interpretation of the principles governing the International Trusteeship System. It hoped that the plebiscite in Togoland under British administration would not set a precedent for other plebiscites to be held in conditions and for reasons incompatible with

the Trusteeship System, which might result in actually depriving the people of a Trust Territory of full self-government or independence.

5. He would not, however, go into questions of substance at that juncture, particularly as the Council's only function under resolution 944 (X) was to consider the United Nations Plebiscite Commissioner's report (T/1258 and Add.1) and transmit it to the General Assembly, which had reserved to itself the right, in consultation with the Administering Authority, to assess the results of the plebiscite and determine the further action to be taken on the attainment of independence by the Gold Coast.

6. The Council had only to determine, on the basis of the Plebiscite Commissioner's report and the other documents before it, whether the provisions of resolution 944 (X) had been observed in the conduct of the plebiscite, whether the Plebiscite Commissioner had carried out the task entrusted to him, whether the people had really had an opportunity freely to express their views, what objections had been lodged and what were the results of the plebiscite. The General Assembly would then have all the necessary information on which to base its assessment of the results and its recommendations for further action.

7. His delegation had already paid a tribute to the work of the United Nations Plebiscite Commissioner and the members of the Secretariat who had assisted him. It would now like to congratulate the Administering Authority on the way in which the plebiscite had been organized and conducted. The Commissioner reported that it had been held in an atmosphere of absolute freedom, impartiality and fairness. It was gratifying to note the co-operation and understanding that had existed between the Commissioner and his observers on the one hand and the Plebiscite Administrator on the other. The authorities in the Gold Coast, too, had given the Commissioner every facility.

8. The first impression derived from reading the report of the Plebiscite Commissioner and the Plebiscite Administrator (T/1269 and Add.1) was that a plebiscite on the future of any territory, however small, was a very important event, fraught with difficulties, unleashing profound emotions and giving rise to the most varied forms of political and social pressure. United Nations intervention had clearly helped to reduce the tensions between the various groups and to create an atmosphere of greater confidence. After years of administration, an Administering Authority inevitably became to some extent involved in local politics and it might therefore have been preferable for the plebiscite to have been administered directly by the United Nations. Failing that, the presence of United Nations observers had a tranquillizing effect and constituted a safeguard for the people and the Administering Authority alike. It was important that the United Nations should be allowed to play an effective part in the plebiscite and that its representatives should not be restricted to the role of mere spectators.

9. There had been considerable discussion in the Fourth Committee at the tenth session of the General Assembly about the alternatives to be placed before the people; paragraph 7 of the Plebiscite Commissioner's report, which stated among other things that "it may be assumed that a considerable number of the people of Togoland did not understand the full extent of what they were voting for", would seem to justify the doubts expressed by certain delegations at that time

and, incidentally, to bear out what he himself had just said concerning the extreme complexity of plebiscites. On the other hand, the alternatives put before the people were those which the political leaders in the Territory had brought to the attention of the United Nations Visiting Mission to the Trust Territories of Togoland under British Administration and Togoland under French Administration, 1955, and, as the Commissioner said, in paragraph 14 of his report, "intelligent and experienced political leaders would not have advanced proposals to the Visiting Mission without having a very precise idea of what was sought with them".

10. The Commissioner had taken up his duties a few days after his appointment and he had received all the necessary co-operation from the United Kingdom Plebiscite Administrator. Everything possible had been done to define the boundaries of the Trust Territory, reconstituting the frontiers with the Gold Coast, the need for which had lapsed as a result of the Administrative Union, and to ensure that only persons authorized by the law were registered as voters. The registration procedure and the period allotted for registration had been such as to ensure that all those entitled to do so had had an opportunity to claim their right to vote. The Plebiscite Commissioner had taken up with the Plebiscite Administrator any claims and objections which he considered justified. He was to be commended for having included full details of such claims and objections in his report. It was clear that all objections had been given due and absolutely impartial consideration.

11. The speaker would have welcomed additional information on the provisions of the Togoland under United Kingdom Trusteeship Plebiscite Order in Council, 1955, and the Togoland Plebiscite Registration Regulations, 1955, in order to have a better idea of the reasons why the Territory had been divided into nine plebiscite districts and the basis on which the districts had been divided into local councils and wards. Electoral boundaries could sometimes have a great influence on the results of the vote.

12. He was glad to note that the symbols used to designate the two alternatives and the actual voting procedure to be followed had been determined in consultation with the parties concerned.

13. The people of Togoland had shown a high sense of civic responsibility which did them credit. Eighty-two per cent of the registered voters, or 38 per cent of the total population, had cast valid ballots. He drew attention to various discrepancies in the figures and percentages given in the reports of the Plebiscite Administrator and the Plebiscite Commissioner respectively. He was sure that there were good reasons for the differences, but it might be advisable, in order to avoid misunderstanding in the General Assembly, to explain them in a footnote or footnotes. As for the results of the plebiscite, the figures given in paragraphs 494, 495 and 526 of the Commissioner's report should be transmitted to the General Assembly as they stood. The Commissioner himself explained that he had made no suggestion as to the manner in which the results might be appraised. Under the terms of resolution 944 (X), paragraph 5, that task fell to the General Assembly.

14. In conclusion, he said that his delegation would deal with the substance of the question in the General Assembly and reserved its right to state its position on the Indian draft resolution (T/L.712) at a later date.

15. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) said that his delegation's approach to the vital question of the future of Togoland under British administration, as to all questions concerning Trust Territories, was based on the principle that the attainment by the Trust Territories of self-government and independence was the basic objective of the International Trusteeship System. His delegation had always supported and continued to support the demands of the peoples of the Trust Territories for self-government and independence and had introduced a number of recommendations aimed at hastening the attainment of that objective. It consistently supported the strivings of the dependent peoples for national unification and a national existence, considering that the division of peoples and territories which had occurred as the result of colonial partitions in the past had destroyed the ethnic, national and economic ties between peoples and was an obstacle to their attainment of independence at an early date.

16. It was well known that the Administering Authorities in the two Togolands had consistently opposed their unification and independence, with the result that independence could not now be given to the two Territories together. On the other hand, a new way of attaining independence had presented itself to Togoland under British administration. After years of endeavour, the people of the neighbouring colony of the Gold Coast were about to become fully independent. His delegation congratulated them and their leaders on their successful progress towards freedom and independence.

17. The majority of the people of Togoland under British administration had voted in favour of union with the Gold Coast as soon as the latter attained independence, which would in effect lead to the termination of Trusteeship over the Territory. His delegation respected the people's decision and their choice and hoped that once they had achieved the full independence for which they had struggled together, the peoples of Togoland and the Gold Coast would work together to develop and strengthen their new State. Admittedly the plebiscite had indicated that opinions in Togoland under British administration were not unanimous. His delegation sympathized with the people of both Togolands because they had not yet achieved unification. Experience had shown, however, that the attainment of independence brought a solution to many previously insoluble national problems. It was to be hoped that when other African territories attained independence, a solution would be found, *inter alia*, to the problem of Togoland unification.

18. His delegation had studied the Indian draft resolution carefully. In view of the United Kingdom representative's statement that the Gold Coast and Togoland would become independent before the middle of 1957, it supported the Indian draft resolution in principle and would vote in favour of it. He wished to make it clear, however, that in voting for the draft resolution, he was voting for a decision in the specific case of Togoland under British administration which should not be considered as a precedent for the other Trust Territories.

19. In conclusion, he thanked the United Nations Plebiscite Commissioner for the way in which he had carried out the task entrusted to him by the General Assembly and for his comprehensive report.

20. The PRESIDENT, speaking as representative of Syria, said that a study of his delegation's previous statements on the difficult problem of the future of Togoland under British administration would show that its primary consideration had always been to give effect to the will of the majority of the population. For that reason alone, it had sympathized with those Togolandese who had put forward the idea of the unification and independence of the two Togolands when such a solution had appeared to be the most practicable and desirable means of realizing the aspirations of the greatest number of the people concerned. His delegation would never have suggested that unification and independence should be imposed on the people; its support for that solution had been conditional on some way being found to give the people themselves an opportunity of freely expressing their views. His delegation would therefore have preferred a single plebiscite to be held in both Togolands. Nevertheless, the 1955 Visiting Mission, on which his delegation had been represented, had felt that one of the Territories was not sufficiently advanced to make a single plebiscite feasible. In its view, because of the imminence of independence in the Gold Coast and the accompanying political progress in Togoland under British administration, the time was ripe for a plebiscite there whereas a plebiscite in Togoland under French administration would have to be deferred, at least until further development toward self-government had taken place. His delegation had supported that formula in principle although with certain reservations. It would, for instance, have preferred Togoland under British administration to have its own institutions before the plebiscite so that the vote could take place under conditions of the fullest possible freedom.

21. Its misgivings in that respect had been largely dispelled by the reports from the Plebiscite Commissioner and the Plebiscite Administrator to the effect that the plebiscite had been organized with meticulous care and supervised at every stage by representatives of the United Nations and that it had been held in an atmosphere of freedom of discussion, freedom of political activity and freedom and secrecy of vote. He extended his congratulations to all who had worked to achieve that result and to the people of Togoland themselves. In terms of figures, the results had perhaps not been as decisive as might have been hoped, yet the vote for union with the Gold Coast was an impressive one; it would appear from the Commissioner's report that even the vote for separation should not be regarded as a vote against some form of union with the Gold Coast at a future date. He hoped that good sense and statesmanship would now prevail so that the union would take place on the best possible terms for the people concerned.

22. With those considerations in mind his delegation was happy to support the Indian draft resolution. In so doing, it wished to indicate its approval of the methodical and unhurried sequence of events which had led up to it. First, the Administering Authority had given the people of Togoland the possibility to choose the highest possible objective of the Trusteeship System, namely, independence; secondly, the Administering Authority had clearly demonstrated to the Council and the General Assembly that the provisions of the Trusteeship Agreement and the objectives of the Charter would be fulfilled if the people chose union with the Gold Coast; thirdly, the procedure had been

approved by the second party to the Trusteeship Agreement, namely, the General Assembly; and, fourthly, there had been a fair and free plebiscite. Those were all essential conditions which had to be met before the termination of any trusteeship agreement could be recommended. He would vote for the draft resolution on the understanding that they had been met in the case of Togoland under British administration and that the Council had come to the conclusion that the objectives of Trusteeship would be attained by the voluntary union of the people of the Trust Territory on a basis of equality with the people of an independent Gold Coast. He would have preferred that understanding to have been written into the draft resolution but, since he had gathered from the Indian representative's statements that it was inherent in the text, he would vote for the draft resolution as it stood.

23. In conclusion, he expressed the hope that the plebiscite in Togoland under British administration would be followed by similar, systematic and methodical operations in other Territories.

24. Mr. ESPINOSA Y PRIETO (United Nations Plebiscite Commissioner), referring to a point raised by the Guatemalan representative, explained that the electoral districts had been delimited in such a way as to exclude any overlapping between districts in the Trust Territory and districts in the Gold Coast. He assured the Guatemalan representative that the final division had not been prejudicial to either of the parties concerned. He was sure that the special representative would confirm that point.

25. Mr. MEAD (Special Representative) explained that the administrative divisions established for the plebiscite had been determined purely on grounds of administrative convenience. He confirmed that they had not adversely affected either party in the operation.

56. Mr. ESPINOSA Y PRIETO (United Nations Plebiscite Commissioner) said that any errors in his report would be corrected before the final text was circulated.

27. The future of British Togoland was a matter for the Members of the United Nations to decide. His task had been to give them all the necessary information on which to base their decision. In discharging his mission, he had been governed by one consideration only, that of carrying out the plebiscite with absolute impartiality. He had been careful to avoid favouring any party and had attempted to bring the legitimate and recognized official views of both parties before the Council. The texts included in his report had been carefully weighed and he took full responsibility for them.

28. In conclusion, he expressed his deep gratitude for the confidence which the members of the Council had shown in him.

29. Mr. ROLZ BENNETT (Guatemala) asked for a separate vote on each of the operative paragraphs of the Indian draft resolution (T/L.712).

The preamble was adopted unanimously.

Operative paragraph 1 was adopted unanimously.

Paragraph 2 was adopted by 13 votes to none, with 1 abstention.

Paragraph 3 was adopted by 13 votes to none, with 1 abstention.

At the request of the Indian representative, a vote was taken by roll-call on the draft resolution as a whole.

Guatemala, having been drawn by lot by the President, was called upon to vote first.

In favour: Haiti, India, Italy, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Burma, China, France.

Against: None.

Abstaining: Guatemala.

The draft resolution as a whole was adopted by 13 votes to none, with 1 abstention.

30. Mr. ROLZ BENNETT (Guatemala) explained that his delegation had abstained from voting on the draft resolution as a whole, because in its judgement operative paragraphs 2 and 3 exceeded the mandate given to the Council in paragraph 5 of General Assembly resolution 944 (X) in that they assessed the results of the plebiscite and determined what further action should be taken, functions which the General Assembly had reserved to itself.

31. The PRESIDENT extended his congratulations to the people of the Gold Coast who were to be united with the people of Togoland under British administration in an independent State by the middle of 1957.

Mr. Mead, special representative of the Administering Authority for the Trust Territory of Togoland under British administration, and Mr. Espinosa y Prieto, United Nations Plebiscite Commissioner, withdrew.

Examination of petitions

[Agenda item 5]

REPORTS OF THE STANDING COMMITTEE ON PETITIONS CONCERNING TOGOLAND UNDER FRENCH ADMINISTRATION (T/L.697, T/L.701, T/L.702, T/L.703, T/L.704, T/L.705, T/L.709, T/L.710)

One hundred and seventy-first report (T/L.697)

32. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution I should be amended to include the paragraph quoted in section I, paragraph 5, of the report (T/L.697).

33. Mr. SMOLDEREN (Belgium) considered that freedom of assembly and expression was guaranteed by the Trusteeship Agreement and the legislation of the Administering Authority. Furthermore, the petition (T/PET.7/445) was concerned with manoeuvres which had taken place outside the villages and, in his view, constituted no threat to freedom of assembly.

The USSR amendment was rejected by 7 votes to 3, with 2 abstentions.

Draft resolution I was adopted by 8 votes to none, with 5 abstentions.

34. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution II should be amended to include the paragraph quoted in Section I, paragraph 5, of the report.

35. Mr. SMOLDEREN (Belgium) pointed out that the text of the USSR amendment was the same as that of the USSR amendment to draft resolution I which the Council had rejected, and gave rise to the same observations on his part. The police had dispersed a gathering on the Lomé-Anécho road in order to clear the way for the Visiting Mission.

The USSR amendment was rejected by 7 votes to 3, with 2 abstentions.

Draft resolution II was adopted by 7 votes to none, with 6 abstentions.

In successive votes, draft resolutions III and IV were adopted by 8 votes to none, with 5 abstentions.

Draft resolution V was adopted by 7 votes to none, with 6 abstentions.

In successive votes, draft resolutions VI and VII were adopted by 8 votes to none, with 5 abstentions.

The recommendation in paragraph 3 of the introduction of the Committee's report was adopted by 7 votes to none, with 6 abstentions.

One hundred and seventy-second report (T/L.701)

36. The PRESIDENT invited the Council to vote on the draft resolutions appearing in the annex of the one hundred and seventy-second report (T/L.701).

Draft resolution I was adopted by 8 votes to none, with 5 abstentions.

Draft resolution II was adopted by 7 votes to none, with 6 abstentions.

Draft resolution III was adopted by 8 votes to 1, with 4 abstentions.

Draft resolution IV was adopted by 8 votes to none, with 5 abstentions.

Draft resolution V was adopted by 7 votes to none, with 6 abstentions.

37. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that the words "Recalls to the petitioners that the inhabitants of the Territory have, under the Charter and the Trusteeship Agreement," in paragraph 2 of draft resolution VI should be replaced by the words:

"Expresses the hope that the Administering Authority will ensure to the inhabitants of the Territory, in conformity with the Charter and the Trusteeship Agreement,".

38. Mr. SMOLDEREN (Belgium) said that his delegation could not support the USSR amendment. The petition raised a very serious problem. Certain political parties were setting up illegal para-military formations in the Territory. The special representative had gone so far as to refer to fascist and nazi methods. It was accordingly the Council's duty to point out to the petitioners that the Charter gave them sufficient safeguards for the expression of their opinions through petitions or to visiting missions; the aim of the Trusteeship System was to lead the peoples towards self-government and independence in an orderly fashion, and to guarantee the establishment of truly democratic institutions in the future.

The USSR amendment was rejected by 7 votes to 4, with 1 abstention.

39. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked for a separate vote on paragraph 3 of draft resolution VI, because it contained a criticism of the organizations of the indigenous inhabitants.

40. Mr. SMOLDEREN (Belgium) supported the USSR representative's request but asked for a roll-call vote on the paragraph in question. In this important matter, delegations must assume their responsibilities. The fascist activities of certain political parties in the Territory were, in effect, contrary to the spirit of the Charter and the Trusteeship System.

The first part of draft resolution VI up to and including paragraph 2 was adopted by 8 votes to none, with 5 abstentions.

A vote on paragraph 3 of draft resolution VI was taken by roll-call.

The United Kingdom, having been drawn by lot by the President, was called upon to vote first.

In favour: United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, France, Italy, New Zealand.

Against: None.

Abstaining: Burma, China, Guatemala, Haiti, India, Syria, Union of Soviet Socialist Republics.

Paragraph 3 was adopted by 7 votes to none, with 7 abstentions.

Draft resolution VI as a whole was adopted by 8 votes to none, with 5 abstentions.

41. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution VII should be amended to include the paragraph quoted in section VII, paragraph 28, of the report.

42. M. SMOLDEREN (Belgium) said that, in the light of section VII, paragraph 10, of the report, the Administering Authority appeared to have done everything possible to enable the writer of petition T/PET. 7/503 to meet the Visiting Mission. As to the other incidents to which the petitions referred, certain persons had been prevented from making a noise during the night, as was brought out in paragraph 24, and two persons had been taken into custody as the result of a road accident, as indicated in paragraph 25. His delegation was therefore unable to support the USSR amendment.

45. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) pointed out that, according to paragraphs 8 and 9 of section VII, many indigenous inhabitants had been unable to deliver petitions to or communicate with the Visiting Mission because access to the Mission's residence had been barred until after the incident described in paragraph 9. Furthermore, the petitions gave many instances of the unfavourable consequences of that incident for the indigenous inhabitants.

The USSR amendment was rejected by 7 votes to 4, with 1 abstention.

In successive votes, draft resolutions VII and VIII were adopted by 8 votes to none, with 5 abstentions.

The recommendation in paragraph 3 of the introduction of the Committee's report was adopted by 7 votes to none, with 6 abstentions.

One hundred and seventy-third report (T/L.702)

44. Mr. DE CAMARET (France) proposed that the words "since the French Government has only a ground lease" should be added at the end of subparagraph (b) of the operative part of draft resolution I contained in the annex to the report (T/L.702).

The French amendment was adopted by 7 votes to none, with 6 abstentions.

Draft resolution I, as amended, was adopted by 8 votes to none, with 5 abstentions.

In successive votes, draft resolutions II and III were adopted by 8 votes to none, with 5 abstentions.

Draft resolution IV was adopted by 8 votes to none, with 4 abstentions.

In successive votes, draft resolutions V, VI and VII were adopted by 8 votes to none, with 5 abstentions.

45. Mr. DORSINVILLE (Haiti) suggested that the Council should ask the Administering Authority whether it had been able to obtain further information from the

writer of petition T/PET.7/470, which was dealt with in section V of the report, and whether an inquiry would be made.

46. Mr. DE CAMARET (France) proposed that, to facilitate the action suggested by the Haitian representative, the expression "the action taken on resolutions I to VII" in paragraph 3 of the introduction of the report should be amended to read "the action taken on resolutions I to IV, VI and VII" so as to exclude resolution V.

47. Mr. SMOLDEREN (Belgium) said that subparagraph (b) of the operative part of draft resolution V had been drafted in the light of section V, paragraph 5, of the report and was in effect an invitation to the petitioner to give the Council more information in a new petition if he thought fit. In his view, the Administering Authority could take no action on a petition couched in very vague and general terms.

48. Mr. DORSINVILLE (Haiti) said that it was not clear from the report and the draft resolution whether the Administering Authority had been in touch with the petitioner directly or had investigated the matter on the basis of the petition alone.

The French amendment was adopted by 6 votes to 1, with 6 abstentions.

The recommendation in paragraph 3 of the introduction of the Committee's report, as amended, was adopted by 5 votes to none, with 6 abstentions.

The recommendation in paragraph 4 of the introduction was adopted by 9 votes to none, with 4 abstentions. One hundred and seventy-fourth report (T/L.703)

49. M. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution I should be amended to include the paragraph quoted in paragraph 14 of section I of the report (T/L.703). The petitioner had repeatedly communicated with the United Nations and it was clear that he needed advice on how to prove his Togolese nationality.

50. Mr. SMOLDEREN (Belgium) pointed out that under the Treaty of Versailles the onus of proof was on the petitioner. The French authorities had given the petitioner a safe-conduct to enter the Territory for eight days in order to establish his nationality; he had remained in the Territory a month and a half, and had received full information from the Administrator-Mayor.

The USSR amendment was rejected by 6 votes to 5, with 1 abstention.

Draft resolution I was adopted by 8 votes to none, with 5 abstentions.

Draft resolution II was adopted by 9 votes to none, with 3 abstentions.

Draft resolution III was adopted by 8 votes to none, with 5 abstentions.

Draft resolution IV was adopted by 10 votes to none, with 3 abstentions.

In successive votes, resolutions V and VI were adopted by 8 votes to none, with 5 abstentions.

51. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution VII should be amended to include the paragraph quoted in paragraph 12 of section VII of the report.

The USSR amendment was rejected by 7 votes to 5.

Draft resolution VII was adopted by 8 votes to none, with 5 abstentions.

Draft resolution VIII was adopted by 7 votes to none, with 6 abstentions.

52. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution IX should be amended to include the paragraph quoted in section IX, paragraph 9, of the report.

53. Mr. SMOLDEREN (Belgium) feared that the USSR amendment, if adopted, might give the indigenous inhabitants the impression that they were allowed to fell oil-palms in order to plant cocoa and coffee. The Administering Authority encouraged coffee and cocoa growing in the Agou area in various ways but restricted the felling of oil-palms which, as successive visiting missions had recognized, constituted part of the Territory's natural wealth. His delegation was accordingly unable to support the USSR amendment.

54. Mr. DORSINVILLE (Haiti) said that his delegation was inclined to favour the USSR amendment in principle, but in the light of the Belgian representative's remarks, wondered what purpose it was intended to serve.

55. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) referred the Haitian representative to section IX, paragraph 1, of the report. The purpose of his amendment was to correct a situation in which the Administering Authority failed to assist those indigenous inhabitants who wished to grow coffee and cocoa and in which, as the petitioner stated, people were not allowed to till their land on their own behalf. There was no question of felling all the oil-palms.

56. Mr. SMOLDEREN (Belgium) said that the petitioner had been punished for felling protected oil-palms, not in order to plant coffee or cocoa, but to obtain palm wine. The whole purpose of draft resolution IX was to assist the Administering Authority in putting a stop to that practice.

The USSR amendment was rejected by 7 votes to 4, with 1 abstention.

Draft resolution IX was adopted by 8 votes to none, with 5 abstentions.

Draft resolution X was adopted by 7 votes to none, with 6 abstentions.

Draft resolution XI was adopted by 8 votes to none, with 5 abstentions.

The recommendation in paragraph 3 of the introduction of the Committee's report was adopted by 7 votes to none, with 6 abstentions.

The meeting was suspended at 4.5 p.m. and resumed at 4.20 p.m.

One hundred and seventy-fifth report (T/L.704)

57. The PRESIDENT put to the vote the draft resolutions contained in the annex to the one hundred and seventy-fifth report (T/L.704).

Draft resolution I was adopted by 8 votes to none, with 4 abstentions.

Draft resolution II was adopted by 7 votes to none, with 4 abstentions.

58. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) asked for a separate vote on paragraph 2 of draft resolution III.

Paragraph 2 was adopted by 7 votes to 1, with 3 abstentions.

Draft resolution III as a whole was adopted by 7 votes to none, with 5 abstentions.

Draft resolution IV was adopted by 8 votes to none, with 4 abstentions.

59. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution V should be amended to include the paragraph quoted in section V, paragraph 19, of the report. The petitioner had suffered considerable material losses, including the destruction of eleven buildings, and ought therefore, in his delegation's view, to receive compensation.

60. He also asked for a separate vote on paragraph 3 of the draft resolution.

61. Mr. SMOLDEREN (Belgium) could not see the point of the Soviet Union amendment. Paragraph 2 of the resolution already expressed the hope that the Administering Authority would take into account the fairly substantial losses which the petitioner and other inhabitants of the *quartier* might have sustained. In any case the petitioner had been in the wrong, first, in putting up buildings on land which did not belong to him, and second, in leaving trucks on the public highway at the risk of causing malaria, and refusing to move them. There was therefore no reason at all why he should be compensated, and in fact the Belgian delegation would ask for a separate vote to be taken on paragraph 2 of the draft resolution.

The USSR amendment to draft resolution V was rejected by 6 votes to 4.

The preamble and paragraph 1 of draft resolution V were adopted by 8 votes to none, with 3 abstentions.

Paragraph 2 was adopted by 4 votes to 2, with 5 abstentions.

Paragraph 3 was adopted by 7 votes to 1, with 2 abstentions.

Draft resolution V as a whole was adopted by 7 votes to none, with 5 abstentions.

In successive votes, draft resolutions VI and VII were adopted by 8 votes to none, with 4 abstentions.

Draft resolution VIII was adopted by 9 votes to none, with 3 abstentions.

The recommendation in paragraph 3 of the introduction of the Committee's report was adopted by 7 votes to none, with 5 abstentions.

62. In reply to a question from Mr. HAMILTON (Australia), the PRESIDENT stated that the petitions referred to in the recommendation in paragraph 4 of the introduction were those in documents T/PET.7/473, T/PET.7/475, T/PET.7/476 and T/PET.7/480.

63. Mr. SMOLDEREN (Belgium) pointed out that only the "communications" parts of those petitions were concerned in that recommendation.

The recommendation in paragraph 4 of the introduction of the Committee's report was adopted by 8 votes to none, with 4 abstentions.

One hundred and seventy-sixth report (T/L.705)

64. Mr. BENDRYSHEV (Union of Soviet Socialist Republic) proposed that draft resolution I should be amended to include the paragraph quoted in section I, paragraph 12, of the report (T/L.705). The petitioner was a qualified teacher and there was a shortage of indigenous teachers in the Territory. In addition, he asked for a separate vote on paragraph 2 of the draft resolution. It could hardly be said that the other matters complained of by the petitioner were within the jurisdiction of the competent courts of the Territory, seeing that one of those courts, the Administrative Disputes Board, had already declared itself not compe-

tent to deal with the same petitioner's earlier complaint against his dismissal.

65. Mr. SMOLDEREN (Belgium) pointed out that the petitioner's contract as a teacher had not been renewed, owing to the fact that his conduct and teaching methods had been unsatisfactory. It should also be mentioned that he had been convicted of acts of violence. As to the competence of the courts, the Trusteeship Council had decided in resolution 1236 (XV) that since the petitioner had submitted his case to the Administrative Disputes Board, the Council could not then make any recommendation. The Board had since given its decision and the petitioner had not appealed to a higher court, as he could perfectly well have done had he been dissatisfied.

The USSR amendment was rejected by 7 votes to 2, with 2 abstentions.

The preamble and paragraph 1 of draft resolution I were adopted by 7 votes to none, with 4 abstentions.

Paragraph 2 was adopted by 7 votes to 1, with 4 abstentions.

Draft resolution I as a whole was adopted by 7 votes to none, with 5 abstentions.

Draft resolution II was adopted by 8 votes to none, with 4 abstentions.

Draft resolution III was adopted unanimously.

66. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution IV should be amended to include the paragraph quoted in section IV, paragraph 10, of the report. His delegation believed that the indigenous inhabitants were perfectly entitled to register the land they legally owned without the payment of dues in the form of liquor.

The USSR amendment to draft resolution IV was rejected by 6 votes to 4, with 1 abstention.

Draft resolution IV was adopted by 7 votes to 1, with 4 abstentions.

67. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said that his delegation had been compelled to vote against that draft resolution because its amendment had not been adopted. He could only conclude that the Council approved of the practice of demanding payment in liquor for the registration of land rights.

Draft resolution V was adopted by 7 votes to none, with 5 abstentions.

The recommendation in paragraph 3 of the introduction of the Committee's report was adopted by 7 votes to none, with 4 abstentions.

One hundred and seventy-seventh report (T/L.709)

68. Mr. BENDRYSHEV (Union of Soviet Socialist Republics), referring to draft resolution I, recalled the petitioners' complaint that two meetings that were to have been held by indigenous organizations were prevented from taking place and that the people were held back by police cordons. He therefore proposed that the draft resolution should be amended to include the paragraph quoted in section I, paragraph 9, of the report (T/L.709).

The USSR amendment to draft resolution I was rejected by 7 votes to 3, with 1 abstention.

Draft resolution I was adopted by 7 votes to none, with 5 abstentions.

Draft resolution II was adopted by 8 votes to none, with 4 abstentions.

The recommendation in paragraph 3 of the introduction of the Committee's report was adopted by 7 votes to none, with 4 abstentions.

One hundred and seventy-eighth report (T/L.710)

69. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) explained that his delegation had voted in the committee against the adoption of the one hundred and seventy-eighth report (T/L.710) because it seemed superfluous, in July 1956, to take note of the fact that supplementary information on certain petitions emanating from Togoland under French administration had been furnished by the Administering Authority in February 1954. It would have been more useful, in his delegation's view, to examine that information and to take appropriate action.

70. The PRESIDENT proposed that the Council take note of the one hundred and seventy-eighth report of the Standing Committee on Petitions.

It was so decided.

ONE HUNDRED AND SEVENTY-NINTH REPORT OF THE
STANDING COMMITTEE ON PETITIONS: PETITIONS
CONCERNING TOGOLAND UNDER BRITISH ADMINIS-
TRATION (T/L.713)

71. The PRESIDENT put to the vote the draft resolutions contained in the annex to the one hundred and seventy-ninth report (T/L.713).

Draft resolution I was adopted by 10 votes to none, with 2 abstentions.

In successive votes, draft resolutions II to VI were adopted by 8 votes to none, with 4 abstentions.

The recommendation in paragraph 3 of the introduction of the Committee's report was adopted by 8 votes to none, with 4 abstentions.

ONE HUNDRED AND EIGHTIETH REPORT OF THE
STANDING COMMITTEE ON PETITIONS: PETITIONS
CONCERNING NAURU (T/L.714)

72. The PRESIDENT put to the vote the draft resolutions contained in the annex to the one hundred and eightieth report (T/L.714).

In successive votes, draft resolutions I and II were adopted by 9 votes to none, with 3 abstentions.

Draft resolution III was adopted by 8 votes to none, with 4 abstentions.

73. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) proposed that draft resolution IV should be amended to include the paragraph quoted in section IV, paragraph 8, of the report. There were at present separate salary scales for indigenous and non-indigenous employees of the Administration.

74. Mr. SMOLDEREN (Belgium) pointed out that the petitioner had made no such request and that the Soviet Union amendment was therefore irrelevant. The suggestion itself might be interesting but it should be considered in connexion with the Council's examination of conditions in the Territory and not with the petition in question.

The Soviet Union amendment was rejected by 7 votes, with 2 abstentions.

Draft resolution IV was adopted by 7 votes to none, with 5 abstentions.

Draft resolution V was adopted by 9 votes to none, with 1 abstention.

The recommendation in paragraph 3 of the introduction of the Committee's report was adopted by 7 votes to none, with 5 abstentions.

ONE HUNDRED AND EIGHTY-FIRST REPORT OF THE
STANDING COMMITTEE ON PETITIONS (T/L.715)

75. Mr. THORP (New Zealand) informed the Council that the petition referred to in paragraph 2 (b) of the report had now been withdrawn following the negotiation by the Samoan Government of a settlement acceptable to the petitioner.

76. The PRESIDENT proposed that the Council should take note of the one hundred and eighty-first report of the Standing Committee on Petitions (T/L.715).

It was so decided.

The meeting rose at 5.5 p.m.