

UNITED NATIONS
TRUSTEESHIP
COUNCIL



Distr.
GENERAL
T/OBS.7/10
24 September 1953
ENGLISH
ORIGINAL: FRENCH

PETITIONS CONCERNING TOGOLAND UNDER FRENCH ADMINISTRATION

Observations of the French Government
as Administering Authority

Note by the Secretariat: These observations refer to the following petitions:

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1. Petition from Mr. Augustino de Souza, General Chairman of the Comité de l'Unité togolaise (T/PET.7/350 and Add.1)

A. T/PET.7/350

The Administering Authority, which has already replied, in connexion with various petitions, to allegations made by the petitioner, feels it necessary to enlarge only on the following points:

(a) Public meetings

The legislation in force and to which the petitioner actually refers is carefully applied by the Administering Authority. It is incorrect to state:

- that the Administration requires that the Chef de la Circonscription should be advised three clear days in advance of the date fixed for meetings; such notification is, on the contrary, required by law not for meetings but for demonstrations or parades on the public highway;
- that gardes cercles and armed gendarmes were present at certain public meetings; members of the police force who are usually sent to maintain order and control traffic in the vicinity of a public meeting always stay outside the meeting-place, for the organizers of a public meeting are alone responsible under the law for the maintenance of order a. the meeting-place.

(b) Prohibition of demonstrations scheduled for 10 and 11 January 1953

The Administering Authority has submitted its observations on this matter in connexion with petition T/PET.7/325.^{1/}

(c) Meeting of 17 January 1953

No special measure was taken to prevent people attending this meeting. There can be no question of bringing in "hundreds of policemen" for this purpose as there are not that many men serving in the force at Lomé.

1/ Note by the Secretariat: See T/OBS.7/8

(d) Regulations concerning town criers

These regulations were introduced on the authority of the Administrateur-Maire who rightly considered that town criers, who are responsible for publicising administrative announcements and notices, are by virtue of their status precluded for making political announcements on public thoroughfares.

(e) Regulations concerning the noise made by broadcasting apparatus, microphones, etc.

Referring to what was said in connexion with petition T/PET.7/325, the Administering Authority feels it necessary to stress that it is up to the organizers of public meetings who want to use a microphone to adjust it so that it does not disturb the people living in the neighbourhood or to fix the meeting-place at a reasonable distance from dwelling-houses.

(f) Meetings at Agou and Palimé on 21 and 22 February 1953

These meetings were not prohibited but were postponed by Mr. Sylvanus Olympio himself.

(g) Letter of 20 March 1953 from the Commissioner of the Republic

Reading the letter will suffice to show how groundless is the charge made by the petitioner.

(h) Miscellaneous

- Check on payment of bicycle tax.

It is true that periodical checks are carried out by the police to see that bicycle taxes are paid. Such a check actually took place on 17 March 1953, but it did not involve "hundreds of bicycles" and was not confined to the area where the Comité de l'Unité Togolaise was holding its meeting but was carried out over most of the main roads in the town of Lomé.

- Facilities granted to the Parti Togolais du Progrès.

It is not true that facilities are granted to the Parti Togolais du Progrès. This party, like any other political party, is subject to the regulations and legislation in force in the Territory. It has never been granted the use of

vehicles belonging to the Administration. The reason why it has only rarely been reported by the police is that up to now it has acted within the limits of the law and has not attempted to exceed the rights inherent in the freedom of association which are common to all political parties.

B. T/PET.7/350/Add.1

The Administering Authority can only refer to the observations made in connexion with petition T/PET.7/350.

It would, however, stress that the only precise facts quoted to by the petitioner wrongly refer to a public meeting organized by the Comité de l'Unité Togolaise on 10 July:

This meeting, which was attended by some 500 persons, took place in perfectly normal conditions. The few policemen present near the meeting-place, whose only duty was to control the traffic and, if necessary, to see that order was maintained, had no occasion to interfere at any time. They certainly did not "drive back" any people who were on their way to this meeting.

The Administering Authority points out once again that it is quite impossible for it, because of the size of the force, to send out "hundreds of policemen" simply for a meeting.

2. Petition from Mr. J.K.A. Quashie (T/PET.7/353)

The Administering Authority confirms that Mr. QUASHIE was forbidden entry to the Territory of Togoland under French Administration on 5 May 1951. The decision to exclude him was reached in full agreement with the British Authorities, because Mr. QUASHIE had invited members of the pro-unification parties in the Territory under British Administration to violate the frontier at Aflao and to tear down the customs barriers.

On the same day, to prevent any incident, the British Authorities had sent their own reinforcements to the frontier.

In October 1951 Mr. QUASHIE was authorized by the Commissioner of the Republic in Togoland under French Administration to enter the Territory on the express condition that he took no part in political activities whilst there.

Nevertheless, during each of his subsequent stays at Lomé, where he claimed to be going for family reasons, Mr. QUASHIE took part in public meetings of a political nature and made speeches that were violently hostile to the Administering Power.

In the course of his last trip to Lomé on 21 May, Mr. QUASHIE adopted a provocative attitude towards the Head of the Security Police and his assistants, going so far as to threaten the latter, and had to be conducted back to the frontier. The Commissioner of the Republic requested the French Consul-General at Accra not to issue an entry visa for Togoland under French Administration to Mr. QUASHIE as he was considered persona non grata in the Territory.

3. Petition from the President of Juvento (T/PET.7/354 and Add.1)

A. T/PET.7/354

The Administering Authority is able to state that police did not tear down French flags decorating the Juvento central bureau. It is also untrue that the same police tore down palm branches which remained where they had been placed by the organizers of the ceremony of 3 July.

It is also false to say that "policemen, cercle guards and gendarmes armed with sticks and rifles" brutally attacked men and women going to the meeting on 3 July, or in any way infringed the freedom of association on that occasion.

Quite on the contrary, some policemen responsible for maintaining order intervened to drive back a group of individuals who were shouting against the leaders of this party, and attempting to break into the Juvento Bureau in order to sabotage the meeting.

The police therefore acted on this occasion solely in the interest of safeguarding the freedom of association and in a manner wholly favourable to the Juvento.

B. T/PET.7/354/Add.1

The Administering Authority notes that this motion once more repeats the usual charges of the pro-unification parties of alleged intimidation and coercive measures by the Administering Authority, and considers that, as it refers to no specific fact, it warrants no special notice except a categorical and formal denial.

It might be well to recall here however under what conditions the Franco-British declaration of 12 June was disseminated concerning the re-establishment of the Joint Council; the declaration was widely and freely commented on by the various political parties in Press and at public meetings.
