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Fifth session

Item 5 of the agenda

PETITION FROM THE CONFERENCE OF FARMERS OF TOGOIAND
UNDER UNITED KINGDOM TRUSTERSHIP

Observations of the Administering Authority

Note by the Secretariat: The following observations were communicated to the Secretariat by a letter dated 30 June 1949 from Mr. J. Fletcher-Cooke, alternate representative of the United Kingdom on the Trusteeship Council:

RESOLUTION OF TOGOIAND FARMERS MADE AT LOGBA IN MARCH 1949 AND
TELEGRAM DATED 1 APRIL SENT TO THE TRUSTEESHIP COUNCIL
AS A RESULT OF THAT MEETING

A. GENERAL

The resolution consists of a preamble followed by a series of requests; these will be commented on in detail. It is necessary, however, to preface these comments by inviting attention to the nebulous nature of the preamble and of many of the requests. It has not even been possible to ascertain exactly what some of these requests mean. The chief request is undoubtedly that relating to cocoa marketing and this will be dealt with in detail.

Reference is twice made to a conference at Nyakrom. Neither the Administering Authority nor the Territorial Government has any knowledge of the recommendations of this conference. Since the petitioners have not provided details of these recommendations it must be assumed that reference to them is made solely for the information of the petitioners and not for public discussion.

The statement in the last paragraph of the resolution, that copies of the various documents have been furnished to the Territorial Government is incorrect. No copies were received by any of the offices to which such matters would normally be addressed.

The signatories

It has not been possible to verify all the signatures and marks. It is not expressly stated on the resolution that all the persons who marked the

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document were aware of its contents, as is normally required in Togoland and the Gold Coast. The signatories of the petition, so far as can be ascertained, all come from the Southern Section of Togoland under United Kingdom Trusteeship and they can be fairly assumed to be dealing almost entirely with the affairs of this section. The Secretary - Mr. Ashie Nikoi - whose name appears as the first sender of the telegram but not on the resolution is not a native of Togoland or a member of any of the tribes which inhabit Togoland. His name has long been connected with agitation in cocoa growing areas of the Gold Coast against the treatment of diseased cocoa trees, by cutting out.

As regards the representative nature of the "Association" this can best be gauged from the fact that it has not been possible to trace more than 1,500 tons of cocoa in all as having been marketed through the Association during the past three seasons - a figure which represents about 1/15th of the Territory's crop. It is not believed that any other agricultural produce has been marketed by the Association. The petitioners represent a group of farmers organized by Mr. Ashie Nikoi largely for the purpose of opposing the policy of the Territorial Government in regard to cocoa marketing and the treatment of cocoa diseases.

B. THE RESOLUTION

The vague nature of this has already been dealt with. The claim to speak for the entire population is unfounded, as has already been shown. The allegation of 'maltreatment' in the preamble is unsubstantiated and could not be substantiated.

The preamble goes on to deal with the reports made to the Trusteeship Council and claims that they contain many inaccuracies. None is indicated and none is known to the Administering Authority apart from a number of misprints and some out-of-date information contained in the 1947 report on the Territory. Of these, the former did not affect the content of the report: the latter were amended and explained to the Trusteeship Council (vide T/186/Add.2 - a document which the petitioners may not have seen).

The resolution starts by dealing with the official cocoa marketing organization which has for long been the main target of Mr. Ashie Nikoi's attacks. The functions of this organization and the benefits it has brought to the cocoa industry and population generally have been described at some length in the report on Togoland for 1948 (in the answer to question No. 73 and in Appendix VII). It is not, however, true to say that the law relating to this organization has long met with strong opposition from the Togoland farmers. Before the arrival of Mr. Ashie Nikoi in Togoland there had been no
/opposition

opposition whatsoever and this resolution is the first indication of such opposition. The law was published prior to enactment and no disapproval in Togoland was evinced. Nor can the Administering Authority accept the contention that the law is ultra vires, although recourse to the Courts is open to the petitioners if they should wish to pursue this contention. As regards the accounts of cocoa marketing since 1939, the accounts of the wartime cocoa marketing organization have for the most part already been published in summary form. The audited accounts for the first year of operation of the Gold Coast Cocoa Marketing Board (i.e. those included in the Togoland report for 1948) were being published at the same time as the resolution was being prepared. A simple request to the Territorial Government would have resulted in the petitioners being provided with the figures. As already explained, no copies of the resolution or the telegram were provided to any officer of the Territorial Government. No objection has been raised by farmers and others in Togoland to any of the uses to which funds derived by cocoa marketing have been put, though these have all been made public, nor do the petitioners make any suggestions as to how the money could be better spent. In the opinion of the Administering Authority, the money is being spent in the interests of all the inhabitants of the Territory and the Gold Coast alike and, in the absence of any constructive suggestions, no major changes in the cocoa marketing organization are contemplated at the moment. If, however, the petitioners should wish to propose some other scheme for the organization of cocoa marketing and the disposal of surplus funds they are at liberty to make suggestions to the Cocoa Marketing Board (a step to which they have never had recourse) and due weight would certainly be given to them. The General President, the President, the Vice-President and the Chairman of the Association are illiterate and this more direct way of endeavouring to obtain redress of grievances, real or imagined, does not appear to have been suggested to them by the Association's literate officials.

Communications in Togoland (Paragraphs 5 and 6)

The position regarding the roads in Togoland is described in the annual report on that Territory for 1948 - in the answer to question No. 113. The amount of money available for maintenance of roads was greatly increased during the financial year 1948/49 and the results of this improved standard of maintenance should become apparent before long.

The improvement in telegraph and telephone communications is planned in the ten year development plan and will be carried out as soon as funds and materials allow. The postal service is considered adequate for the amount of postal matter despatched.

/The construction

The construction of the Kadjebi/Aharansu/Papaase road was approved some time ago and had actually been started at the time the petition was prepared - a fact of which many of the signatories could not but have been aware. The implications of this paragraph are therefore false. Nevertheless if the farmers care to assist in the construction of this road by voluntary effort their assistance will be gratefully accepted.

Medical facilities (Paragraph 7)

The Trusteeship Council is already aware of the admittedly inadequate medical facilities in Togoland and is also aware that the Administering Authority is doing its best to recruit the staff necessary to improve these facilities. A full description of the position is contained in the report on the Territory for 1948.

Boundaries (Paragraph 8)

No tribal feuds have arisen as a result of the international boundary between the two Togolands and no tribal feuds are, so far as is known, impending as a result of it.

Trade (Paragraphs 9 and 10)

No restrictions whatsoever are placed on the movement of the people of Togoland under United Kingdom Trusteeship. Nor are any restrictions placed on sales of produce by farmers in the Territory (the special arrangements affecting cocoa and kernels affect the produce only after sale by farmers) except in so far as, in certain towns, rules made by Native Authorities restrict sales, for health reasons, to established market places. No Government laws restrict the time for selling produce except that main and mid crop cocoa has to be sold during the months declared to cover these two seasons.

The import licensing system which is in force in Togoland is the same as that in force in the Gold Coast and in most parts of the sterling area. It is, however, being progressively relaxed, goods are arriving in increased quantities and black market transactions are accordingly on the wane.

Education (Paragraph 11)

This paragraph is little short of fantastic, as a comparison with the section on education in the report on Togoland for 1948 shows. In view of the vagueness of this allegation, it is not proposed to recapitulate here the Administering Authority's policy and the progress achieved. It is perhaps sufficient to point out that 37 out of 113 petitioners appear to be literate a fact which in itself goes some way to disprove the petitioners' contention.

Visiting Mission (Paragraph 12)

The organizers of this petition are fully aware that a Visiting Mission is due to come to Togoland in 1949. This paragraph can only be regarded as

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intended to convey to the few who are unaware of this fact the impression that the Mission is coming at the request of the Association.

C. THE TELEGRAM

The first point of note about the telegram is that it does not follow closely the grievances of the farmers listed in some detail in the resolution but contains a number of additional complaints. It can be inferred from the fact that the first name under the telegram is his, that the telegram was prepared by Mr. Ashie Nikoi who, as has already been explained, is not a native of Togoland.

Shortage of medical staff

Only one Government Medical Officer was stationed in Togoland in 1948. By the time this resolution was composed, two Government Medical Officers and one private practitioner were in the Territory.

Shortage of dispensaries

While dispensaries are still comparatively few it is not true to say that there is none. A list is provided in the answer to question 186 in the report for 1948 on the Territory. In any thinly populated rural area, people have to travel considerable distances on foot and by motor lorry to get medical aid.

"No public schools"

All schools in the territory are public in the sense that they are open to all members of the public without discrimination. Many school buildings are in fact owned by the local authorities. It is not considered that the fact that most schools are managed by the Missions makes them inferior in any way to state-administered schools.

"Population decreasing owing to malnutrition"

This is very far from being the case. As can be seen from Appendix I to the 1948 report the population of the Territory has more than doubled in the twenty-six years since the Mandate was assumed. Steps are being taken to encourage and enable the people of the Northern Section to adopt more balanced diets. It is doubtful if, in the area from which the signatories come, there is any malnutrition.

"Laws made by the Governor-in-Council"

This is largely incorrect: there are two Legislative authorities for Togoland - the Gold Coast Legislature (under the 1946 Constitution) and the Governor of the Gold Coast (under the 1923 Order in Council). The Governor rarely enacts ordinances and then only in matters of Native Administration concerning only the Southern Section or the whole of the Northern Territories. For example during the three years 1946-1948 inclusive 108 Ordinances were enacted in the Gold Coast of which 93 affected Togoland. Of these 93, only 2 (containing amendments to the Native Administration Laws) were enacted by the

/Governor

Governor for the Southern Section of Togoland under the powers contained in the 1923 Order-in-Council, and none was enacted by the Governor specially for the Northern Territories. Where Ordinances are enacted by the Governor, public opinion is sounded regarding the policy to be adopted and the text of the legislation is published in draft before enactment. Moreover the new Council, which is to be established shortly in Togoland, will be given an opportunity of deliberating all new bills. Only in the case of subsidiary legislation for the whole of the Gold Coast does the Governor-in-Council make regulations and orders. Just as in the United Kingdom power to make Regulations and Orders is conferred upon Ministers by Acts of Parliament, so power to make Regulations and Orders is conferred by Ordinances upon the Governor in Council. This power is restricted to the extent permitted by the Legislature and the power to make Regulations and Orders exercised in respect of Togoland is not more extensive than that used in respect of the Colony and Ashanti with the approval of the Legislative Council.

The Cocoa Marketing Board

The position of this Board is described above.

Cutting-out of cocoa trees infected with "swollen shoot" disease

There have been five small recorded outbreaks of swollen shoot disease in the cocoa farms in the Ho area. Of these, four have been initially treated by the cutting-out of all cocoa trees infected with swollen shoot, and this was done in each case at the request of the farmers themselves and without any form of compulsion whatsoever. Rehabilitation grants have been, or will be paid to the farmers concerned in exactly the same way as such grants are paid to cocoa farmers in the Gold Coast. In none of these cases was it necessary to remove more than 73 trees.

A survey of all the cocoa areas of Togoland is being conducted to ascertain the amount of cocoa infected by swollen shoot. This survey is under the charge of an Agricultural Survey Officer who is stationed at Jasikan, in Togoland, and has two survey teams working under him. There has been no opposition from any of the Togoland farmers to the work of the survey teams.

This is a matter affecting cocoa farmers very closely and it is certain that if the signatories of the resolution held strong views on this matter it would have been mentioned in the resolution. This is, however, not the case. It was only mentioned in the telegram, the terms of which the farmers do not appear to have agreed. The reason for this is that opposition to the treatment of swollen shoot is a political idee fixe of Mr. Nikoi.

/D. SUMMARY

D. SUMMARY

As already stated, the main point of the petitioners is their opposition to the Cocoa Marketing Board. The benefits brought by this organization and its method of operation and accounts are dealt with at length in the report of Togoland for 1948. Moreover the Visiting Mission will be welcome to study its operations at first hand if this is considered desirable. Meanwhile the Administering Authority is satisfied that the grievances of the petitioners are more imagined than real, that they are not representative of the feelings of the farmers of the area and that no action by the Trusteeship Council is called for.
