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SPECIAL REPORT OF THE UNITED NATIONS VISITING MISSION TO TRUST
TERRITORIES IN WEST AFRICA, 1952, ON THE EWE AND TOGOLAND
UNIFICATION PROBLEM

Letter dated 25 October 1952 from the Chairman of the Visiting
Mission to the Secretary-General

I have the honour to transmit to you herewith, in accordance with resolutions 424 (X) and 465 (XI) of the Trusteeship Council, and in accordance with rule 99 of the Rules of Procedure for the Trusteeship Council, the Special Report of the Visiting Mission to the Trust Territories in West Africa, 1952, on the Ewe and Togoland unification question.

I have pleasure in informing you that this report has been unanimously adopted by the members of the Visiting Mission on 25 October 1952.

The Mission has decided to release this report seven days after its receipt at Headquarters.

(Signed) R. A. PEACHEY

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1/ Note by the Secretariat: In view of the time required for printing of the maps referred to, they will be issued subsequently in an addendum to this document.

FOREWORD

1. On 18 January 1952, the General Assembly adopted resolution 555 (VI) on the Ewe and Togoland unification problem. By this resolution the General Assembly recommended that the Trusteeship Council arrange for the dispatch to the Trust Territories of Togoland under United Kingdom administration and Togoland under French administration of a special mission, or alternatively for its next periodic visiting mission to these two Trust Territories to devote sufficient time to the problem to study it thoroughly. The General Assembly requested the Trusteeship Council to instruct the mission to submit a detailed report on the problem, including specific recommendations, to the Council for consideration at its eleventh session. The Trusteeship Council was requested to submit to the General Assembly, at its seventh regular session a special report covering all aspects of the problem.
2. At its 389th meeting, on 3 March 1952, the Trusteeship Council decided, by resolution 424 (X) that the visiting mission to the Trust Territories of Togoland under United Kingdom administration and Togoland under French administration should leave the United Nations Headquarters in August 1952 so as to arrive in the Territories not later than 1 September and that it should submit its report on the Ewe and Togoland unification problem in time for consideration by the Trusteeship Council at the second part of its eleventh session to be convened not later than 7 November 1952.
3. The Trusteeship Council, after having decided, at its 409th meeting, that one mission should visit the four Trust Territories in West Africa, approved at its 410th meeting a proposal that the Mission should leave New York on 20 August and that, after spending a month in the two Togolands, should start drafting its special report on the unification problem so as to have it completed by 15 October 1952.
4. At its 427th meeting, the Council appointed the following persons as members of the Visiting Mission:
 - Mr. Roy A. Peachey (Australia) - Chairman
 - Mr. Robert Scheyven (Belgium)
 - Mr. H. K. Yang (China)
 - Mr. Roberto E. Quirós (El Salvador)

5. At its 453rd meeting, on 22 July 1952, the Trusteeship Council adopted resolution 465 (XI) by which it requested the Visiting Mission to investigate and submit a special report on the Ewe and Togoland unification problem. By the terms of this resolution the Council also inter alia directed the Visiting Mission:

"to investigate and to report as fully as possible on the steps taken in the four above-mentioned Trust Territories towards the realization of the objectives set forth in Article 76b of the Charter, taking into account the terms of General Assembly resolution 321 (IV) of 15 November 1949;

"to give attention, as may be appropriate in the light of discussions in the Trusteeship Council and in the General Assembly and of resolutions adopted by them, to issues raised in connexion with the annual reports on the administration of the four Trust Territories concerned, in petitions received by the Trusteeship Council relating to those Trust Territories, in the reports of the first periodic Visiting Mission to the Trust Territories in West Africa and in the observations of the Administering Authorities on those reports;

"to accept and receive petitions without prejudice to its acting in accordance with the rules of procedure and to investigate on the spot, after consultation with the local representatives of the Administering Authorities concerned, such of the petitions received as in its opinion warrant special investigation."

6. The full text of General Assembly resolution 555 (VI) dealing with the Ewe and Togoland unification problem is as follows:

"The General Assembly,

"Noting that, in accordance with the General Assembly resolution 441 (V) of 2 December 1950, the Trusteeship Council has devoted a special chapter of its annual report to setting forth the steps undertaken in connexion with the Ewe and Togoland unification question;

"Noting in particular the endorsement by the Trusteeship Council of the decision of the Administering Authorities concerned to terminate the activities of the Standing Consultative Commission and to establish a Joint Council for Togoland Affairs to advise them on matters of common concern to the two Trust Territories; and to assist in harmonizing development in these Territories;

"Noting that the Trusteeship Council also recommended that the two Administering Authorities ensure that the scope of responsibilities of the proposed joint council be sufficiently broad to enable it to exercise its functions with respect to all questions of common concern to the people of the two Trust Territories, including questions of political, economic, social, educational and cultural development;

"Noting that the Trusteeship Council further recommended that the method of determining the composition and selecting the members of the joint council be such as to ensure, if possible, the participation of the major groups in the two Trust Territories;

"Having examined the arrangements made by the two Administering Authorities concerned for the establishment and operation of the joint council as set out in document A/C.4/198;

"Having considered the oral representation made in regard to these arrangements by the representatives of the All Ewe Conference, the Joint Togoland Congress and the Comité de l'Unité togolaise;

"1. Notes the objections raised by those representatives against the proposed arrangements in respect of, firstly, their inadequacy as a means of solving the Ewe and Togoland unification problem and, secondly, their failure to ensure equitable and democratic representation of all sections of the population;

"2. Notes with concern, from the statements made by those representatives in amplification of petitions received from the Trust Territories, the atmosphere of tension which appears to exist in the Territories as a result of the delay in arriving at an adequate solution, and notes also the statements in a different sense made by the representatives of the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord du Togo sous administration française;

"3. Notes further the comments of the two Administering Authorities concerned on the observations of the petitioners;

"4. Urges the two Administering Authorities concerned and the peoples involved to exert every effort to achieve a prompt, constructive and equitable settlement of the problem, taking fully into account the freely expressed wishes of the peoples concerned;

"5. Recommends to this end that the Administering Authorities consult fully with the various parties and groups concerned before constituting the proposed joint council, with a view to devising satisfactory procedures for the election of representatives to the Council;

"6. Recommends that the Administering Authorities, in consultation with the representatives of the peoples concerned, extend the functions and powers of the joint council to enable it to consider all aspects of the Ewe and Togoland unification problem and to make recommendations thereon;

"7. Recommends, in view of the urgency of this problem, that the Trusteeship Council devote more intensive attention to all aspects of it affecting the two Trust Territories;

"8. Recommends further that the Trusteeship Council, at its tenth session, arrange for the dispatch to the Trust Territories concerned of a special mission, or alternatively, for its next periodic visiting mission to these two Trust Territories to devote sufficient time to the problem to study it thoroughly including the functioning of the proposed joint council, and to submit to the Trusteeship Council a detailed report thereon, including specific recommendations, which shall take full account of the real wishes and interests of the peoples concerned;

"9. Requests the Trusteeship Council to instruct the Mission so dispatched to submit its report to the Council for consideration to its eleventh session;

"10. Requests the Trusteeship Council to submit to the General Assembly at its seventh regular session a special report covering all aspects of the problem."

7. The Mission, accompanied by seven members of the Secretariat,^{1/} departed from New York by air on 18 August 1952 and arrived in Togoland under French administration on 21 August 1952. It visited Lomé from 21 August to 25 August; Accra, Gold Coast, the seat of the Government of Togoland under United Kingdom administration, from 25 August to 28 August; Togoland under United Kingdom administration from 28 August to 9 September; and Togoland under French administration from 9 September to 25 September.
8. During its visit to Togoland under United Kingdom administration and Togoland under French administration, the Mission received the full co-operation of the Administering Authorities concerned. It was able to see anybody and anything it wished. It undertook strenuous programmes in both Territories and

^{1/} Mr. J. J. Cebe-Habersky, Principal Secretary; Mr. Ludwik Sternback, Miss J. Brown-Harrop, Mr. F. T. Liu, Assistant Secretaries; Mr. Eliezer Sameh, Administrative Officer; Mr. G. Margoulies, Interpreter; Miss P. Lacerte, Stenographer.

was able to follow nearly all of them although heavy rains caused some inconveniences.

9. The Mission appreciated the confidence the people of the two Trust Territories had in the United Nations as evidenced in the number of communications and memoranda submitted to it during its visit. As it was physically impossible for the Mission to acknowledge receipt of each communication, the Mission would like to state that in receiving and examining all these documents it never for a moment forgot the solemn obligations and responsibilities imposed upon it by its terms of reference.
10. The Mission wishes to express its sincere appreciation to the large number of people who assisted it in its work. It received generous hospitality and a cordial welcome from the two Administrations and the peoples of the Territories visited. The Mission wishes to thank His Excellency Sir Charles Arden-Clarke, Governor of the Gold Coast, and Monsieur Péchoux, Commissaire de la République française au Togo sous tutelle française, and, through them, the peoples of the Two Trust Territories for their kindness and co-operation. In expressing its thanks, the Mission would like to make special mention of the assistance given it by Mr. M. de N. Ensor and Monsieur Aubanel, who served as liaison officers with the Mission for Togoland under United Kingdom administration and Togoland under French administration, respectively.
11. The special report of the Visiting Mission to Trust Territories in West Africa, 1952, is hereby submitted to the Trusteeship Council in accordance with its terms of reference.

Ngaoundéré
Trust Territory of the Cameroons
under French administration
25 October, 1952.

PART ONE

CHAPTER I

ITINERARY OF THE MISSION

12. The itinerary of the Mission is set forth below^{1/}:

<u>Date</u>	<u>Place</u>	<u>Remarks</u>
1952		
21 August	Lome ^{2/}	<ul style="list-style-type: none">- Arrival of the Mission by plane in Togoland under French administration- Meeting with the <u>Commissaire de la République française au Togo</u>- Meeting with the Senator and the Deputy of Togoland under French administration to the French Parliament- Oral hearings- Meeting with French officials
22 August	Lome'	<ul style="list-style-type: none">- Oral hearings- Meeting with French officials
23 August	Davié Tsevié	<ul style="list-style-type: none">- Meeting with Chiefs.- Oral hearings
24 August	Lome'	<ul style="list-style-type: none">- Oral hearings- Meeting with French officials- Meeting with the Co-Chairman of the Joint Council for Togoland under French administration

^{1/} This itinerary refers only to the activities of the Mission in connexion with its work on the Ewe and Togoland unification question. A full itinerary of the Mission will be included in its reports on Togoland under French administration and Togoland under United Kingdom administration.

^{2/} Throughout Togoland under French administration the Mission met numerous members of the Assemblée Territoriale and the Conseils de Circonscription. During its visit in the Trust Territory, these bodies were not in session.

<u>Date</u>		<u>Place</u>	<u>Remarks</u>
25 August	-	Lome	- By air to Accra
25 August	-	Accra	- Arrival in Accra, Gold Coast - Meeting with H.E. the Governor, the Prime Minister and the Minister for Defence and External Affairs
26 August	-	Accra	- Press conference - Meeting with members of the Working Committee of the All Ewe Conference
27 August	-	Accra	- Meeting with Ministers of the Gold Coast Government
28 August	-	Accra	- By air to Tamale
	-	Tamale	- Meeting with the Acting Chief Regional Officer of the Northern Territories and with other British officials
29 August (first group)	-	Nalerigu	- Meeting with the Nalerigu Local Council, the Na-Yiri, Paramount Chief of the Mamprusis, and local chiefs
(first group)	-	Nakpanduri	- Meeting with Chiefs and Elders of Nakpanduri and members of the East Agolle Local Council
(second group)	-	Tamale - Bawku - Pusiga	- Because of rain and impossibility of crossing the river, the group returned from Bolgotanga to Tamale.
30 August	-	Tamale	- First group returned from Nalerigu and Nakpanduri - Meeting with the Acting Chief Regional Officer of the Northern Territories and other British officials
31 August	-	Tamale	- Left for Yendi and arrived in Togoland under United Kingdom administration
	-	Yendi	- Attendance at reception given by the Ya-Na, Paramount Chief of the Dagombas

<u>Date</u>	<u>Place</u>	<u>Remarks</u>
1 September	- Yendi	- Meeting with the Government Agent, Dagomba
(first group)	-	- Meeting with the Yendi Local Council
(second group)	- Saboba	- Meeting with the Ya-Na, Paramount Chief of the Dagombas, and local chiefs
2 September	-	- Oral hearings
	- Bimbilla	- Meeting with the Bimbilla-Na, Paramount Chief of the Nanumbas, and sub-chiefs and elders
	- Kpandai	- Meeting with the Alfai Local Council
		- Meeting with the Assistant-Government Agent (Salaga)
		- Oral hearings
	- Kete Krachi	- Meeting with the Krachiwura, sub-chiefs, and the Krachi Local Council
3 September	- Wurupong and Ahenkro	- Meetings with the Ayonkodo Native Authority and the Nkonya Adaurantu Convention People's Party
(first group)	- Kpandu	- Attendance at a public rally organized by the Togoland Congress
(second group)	-	- Oral hearings
		- Meeting with petitioners from Togoland under French administration
		- Meeting with the Akpini Local Council
		- Meeting with five sub-chiefs of the Kpandu area
		- Oral hearings
4 September	- Anfoega-Akukome	- Meeting with the Anfoega Local Council, local chiefs and the Anfoega Duonenyo Organization

<u>Date</u>	<u>Place</u>	<u>Remarks</u>	
4 September	- Vakpo-Afeyi	- Meeting with the Ablode Local Council	
	- Dafo	- Visit to the Dafo Preventive Station and meeting with the Collector of Customs	
		- Oral hearings	
	- Ve Koloemu	- Meeting with Chiefs	
	- Hohoe	- Meeting with the Paramount Chief, Divisional Chiefs, Subdivisional Chiefs, and elders of the Gbi State (Division)	
	- Meeting with four chiefs from Togoland under French administration		
5 September	- Jasikan	- Meeting with the Buem Native Authority, the Buem State Council and the Borada Youth Progress Union	
		- Meeting with the Regent of Buem and local chiefs, and oral hearings	
	- Ahamansu	- Meeting with the Papasehene and Ahamansuhene	
	- Kadjebi	- Visit to the Kadjebi Preventive Station	
	- Oral hearings		
		- Meeting with the Buem-Akan Local Council	
6 September (first group)	- Kpandu	- Oral hearings	
	(second group)	- Vane	- Meeting with local chiefs
	(second group)	- Amedzofe	- Oral hearings
	(second group)	- Dzolopuita	- Meeting with the Yingor Local Council and oral hearings

<u>Date</u>		<u>Place</u>	<u>Remarks</u>
8 September	-	Ho	- Meeting with the Asogli Local Council, Chiefs, the Co-Chairman of the Joint Council from Togoland under United Kingdom administration and local people
			- Attendance at a public rally organized by the All Ewe Conference
			- Meeting with the Anyigbe Local Council and chiefs
			- Meeting with the United Nations Association and the Asogli Youth League
9 September	-	Ho	- Meeting with the Acting Regional Officer, Southern Section
	-	Nyive	- Visit to the Nyive Preventive Station
			- Oral hearings
			- Left the Trust Territory of Togoland under United Kingdom administration
	-	Kpadape'	- Arrived in the Trust Territory of Togoland under French administration
	-	Palime'	- Oral hearings
10 September	-	Palime'	- Oral hearings
			- Meeting with the <u>Commandant de Cercle</u> and other officials
	-	Gadja	- Meeting with the Chief
11 September	-	Akata	- Oral hearings
	-	Kponvie'	- Oral hearings
	-	Atakpame'	- Oral hearings
12 September (first group)	-	Atakpame'	- Oral hearings
(second group)			- Interview in the Office of the <u>Juge de Paix a Attributions correctionnelles limitées d'Atakpame' et de Sokode'</u>

<u>Date</u>		<u>Place</u>	<u>Remarks</u>
12 September	-	Atakpamé	- Meeting with the <u>Commandant de Cercle</u> - Oral hearings
13 September	-	Agbandi	- Meeting with the Chief
(first group)	-	Blitta	- Oral hearings
(second group)	-		- Meeting with the Chief and oral hearings
	-	Sotouboua	- Oral hearings
14 September	-	Sokodé	- Oral hearings
(first group)	-		- Interview with the <u>Juge de Paix à Attributions correctionnelles limitées d'Atakpamé et de Sokodé</u>
(second group)	-	Bassari	- Meeting with the Paramount Chief, Chiefs, and oral hearings
(second group)	-	Kabou	- Meeting with chiefs and oral hearings
(second group)	-	Guérin-Kouka	- Meeting with the Paramount Chief, Chiefs, and oral hearings
15 September	-	Sokodé	- Meeting with the <u>Commandant de Cercle</u>
	-	Koumondé	- Meeting with Chiefs
	-	Bafilo	- Meeting with Chiefs and oral hearings
	-	Lama-Kara	- Meeting with the Paramount Chiefs of the Cabrais and the Lossos
16 September	-	Lama-Kara	- Oral hearings
	-	Niamtougou	- Meeting with the Chief
	-	Kandé	- Meeting with chiefs
17 September	-	Mango	- Meeting with the Paramount Chief of the Tchokossis - Visit to the frontier post - Visit to the prison

<u>Date</u>		<u>Place</u>	<u>Remarks</u>
18 September	-	Bombouaka	- Meeting with the Paramount Chief of the Mobas and chiefs
	-	Dapango	- Meeting with the Paramount Chief, chiefs, and oral hearings
			- Visit to the frontier post
	-	Pana	- Meeting with chiefs
19 September	-	Mango	- Left for Sokodé
	-	Sokodé	- Arrival in Sokodé
20 September	-	Sokodé	- Oral hearings
	-	Blitta	- Meeting with the Chief of Blitta
	-	Nuatja	- Attendance at a reception given by the Chief
21 September	-	Lomé	- Meeting with French officials
22 September	-	Lomé	- Meeting with French officials
	-	Attitogon	- Oral hearings
	-	Agomé Glozou	- Because of rain and bad state of roads, group reached only Alouencou and returned to Anécho
	-	Anécho	- Oral hearings
	-	Vogan and Togoville	- Started to Vogan and Togoville but because of rain and bad state of roads, group had to return to Anécho.
23 September	-	Lomé	- Interview with the Judge; checking of the prison register
	-		- Visit to the Customs Headquarters in Lomé
	-		- Visit to the Customs Post at Aflao
	-		- Visit to the Police Frontier Post at Aflao

<u>Date</u>		<u>Place</u>	<u>Remarks</u>
23 September (second group)	-	Vogan	- Meetings with the Chiefs of Vogan and Kouvé
(second group)	-	Togoville	- Meeting with the Chief
(first group)	-	Lomé	- Oral hearings - Meeting with the Co-Chairman of the Joint Council for Togoland under French administration - Press Conference
(second group)	-		- Meeting with the Chamber of Commerce
24 September	-	Lomé	- Oral hearings - Meeting with French officials - Meeting with the <u>Commissaire de la République française au Togo</u>
25 September	-	Lomé	- Left the Trust Territory of Togoland under French administration by plane for Douala

CHAPTER II

METHOD OF WORK

Introductory

13. In accordance with its terms of reference, the Visiting Mission investigated as thoroughly as it could within the time available to it the three following problems: (a) the demands for unification in its various forms, (b) the Joint Council for Togoland Affairs, and, (c) the frontier difficulties caused by the international boundary.

14. In addition to these three problems, the Mission also investigated certain complaints concerning alleged measures taken against supporters of the Comité de l'Unité togolaise and Juvento in Togoland under French administration.

Following is a brief description of the methods used by the Mission in carrying out these investigations.

Demands for unification

15. In order to determine the views and real aspirations of the populations concerned regarding unification, the Mission devoted a large part of its time to conducting oral hearings. In each town it visited in the two Togolands and in many villages along the roads it took, the Mission heard leaders of the main political parties, elected members of representative bodies, traditional chiefs and other individuals.

16. The views of the population were further made known to the Mission through written communications. During its stay in the two Togolands, the Mission received 2,899 communications concerning the unification question, which in accordance with Rule 84, paragraph 2 of the revised Rules of Procedure for the Trusteeship Council, were considered by the Mission as intended for its own information. A classification of these communications may be found in the Annex I of the present report.

17. The Mission also attended four mass meetings organized by political parties in Togoland under United Kingdom administration. Three of these meetings were organized by the Togoland Congress, in Kpandū, Hohoe and Jasikan, on 3, 4 and 5 September 1952 respectively and one was sponsored by the All Ewe Conference in Ho on 6 September 1952.

18. The Mission did not take part in any mass meeting in Togoland under French administration. Shortly after its arrival in Lomé, on 21 August 1952, the Mission received an invitation to attend a mass meeting organized by the Comité de l'Unité togolaise and the All Ewe Conference in Lomé on 23 August 1952. Later, in a meeting with the Senator and Deputy to the French Parliament, Messrs. Ajavon and Grunitzky, the Mission was informed by these two representatives, who are also members of the Parti togolais du Progrès, that the Comité de l'Unité togolaise was attempting to form a mass rally centred in Lomé, although both political parties, the Comité de l'Unité togolaise and the Parti togolais du Progrès, had been requested by the Administration before the Mission's arrival not to hold mass meetings because of the possible threat to public order. They told the Mission that if it accepted invitations to attend the mass meeting in Lomé organized by the Comité de l'Unité togolaise, the Parti togolais du Progrès could also demonstrate its strength and this could lead to bloodshed and even "a state of civil war". After thorough consideration of the question, the Mission decided to adhere to its original plan of devoting its first four days in Lomé to conducting oral hearings and receiving written communication. It was made clear that this decision was taken without prejudice to any decision which the Mission might take on the question of attending mass meetings when it returned to Lomé, and the leaders of the Comité de l'Unité togolaise and the Parti togolais du Progrès were so informed.

19. Meanwhile, on the behalf of the Mission, the Chairman orally requested a positive assurance from the Administration that public order could be maintained should the Mission decide in the future to attend mass meetings. Although the leaders of the major political parties were aware of the fact that the Mission had attended mass meetings in Togoland under United Kingdom administration, no invitations to mass meetings were received by the Mission when it returned to Togoland under French administration. The question therefore of attending mass meetings in Togoland under French administration was not raised further.

20. In addition to hearing the populations concerned, examining written communications received and attending mass meetings, the Mission held full discussions on the unification question with representatives of the local authorities in the two Territories.

Joint Council for Togoland Affairs

21. The Joint Council was not in session during the Mission's stay in the two Togolands, but the Mission had interviews with the Co-Chairmen and certain members of the Council in both Territories. It also ascertained the position of the main political parties on the subject through oral hearings and 19 written communications, a classification of which may be found in Annex I to the present report.

22. The Mission discussed the Joint Council with representatives of the local authorities in the two Togolands. The local authorities provided the Mission with very complete documentation on the subject, including the minutes of the sittings of the Council, the list of its members and the statistics concerning the elections to the Council.

Frontier difficulties

23. The frontier difficulties caused by the international boundary received the most careful attention of the Mission which visited the main customs posts along each side of the frontier, questioned the officers in charge of these posts and consulted the customs seizure books. The Mission also paid attention to road facilities crossing the boundary and the health services in the frontier area. It also visited the headquarters of the customs services in both Territories.

24. The Mission further sought the views of the inhabitants in the frontier area, and the complaints regarding frontier difficulties received through oral hearings and written petitions were given due consideration in the Mission's investigation on the subject.

Allegations concerning measures taken against supporters of the Comité de l'Unité togolaise and Juvento in Togoland under French administration

25. In Togoland under French administration, the Mission received through oral hearings and written communications, a considerable number of complaints concerning alleged measures taken by the French authorities against supporters of the Comité de l'Unité togolaise and Juvento.

26. A number of these allegations referred to past events such as the incidents of Vogan and Agbetiko which the Trusteeship Council has already examined. Others were too vague to warrant or permit investigation. But whenever the

Mission received a complaint which in its opinion warranted special investigation on the spot, it conducted as thorough an inquiry as it could within the time available. When such a complaint was received, the Mission requested specific observations from the local authorities. It also questioned the complainants in oral hearings whenever possible. In case of complaints concerning alleged arbitrary arrest and imprisonment, the Mission held interviews with the Magistrate of the ressort and consulted the prison register.

27. The Mission considers that the subjects raised above should be dealt with in the general report on Togoland under French administration. However, in view of the publicity which some of these allegations have received in the international Press and their possible relation to the unification question, the Mission has annexed to the present report, as Annex II, a summary of the most important allegations and the relevant observations of the local authorities.

PART TWO

CHAPTER I

LAND AND PEOPLE

28. The Togolands comprise two relatively narrow strips of land running almost due north from the Gulf of Guinea, the great bay formed where the West African coast curves roughly parallel with the Equator. Only Togoland under French administration touches the coast itself; it has a coastline barely 32 miles (50 kilometres) long, without harbours but with wharf facilities on the open shore at Lomé, the principal town of the Territory. The southern border of Togoland under United Kingdom administration lies inland -- a sharp "Z"-shaped line running westward to the Volta River, leaving between it and the sea a wedge of territory that forms part of the Gold Coast Colony.

29. From where it touches the Volta River in the South, the border of Togoland under United Kingdom administration with the Gold Coast runs north along the line of the river until the approximate centre of the Trust Territory is reached. All this way the river forms a more or less natural frontier, dividing Togoland under United Kingdom administration from the Ashanti area of the Gold Coast in particular, and passable by road-ferries only at three points. North of Kete-Krachi the border follows for some distance the River Daka, a tributary of the Volta, and the smaller Kulusulu River, but then cuts across the country peopled mainly by the Nanumba, Dagomga and Mamprusi tribes of Togoland under United Kingdom administration and the Northern Territories of the Gold Coast. Finally, it turns eastward along the Haute-Volta, a French overseas Territory, to meet the border of Togoland under French administration.

30. The border between the two Trust Territories which runs from North to South follows part of the way the River Oti, winds through the hilly country that characterizes the south-central part of the Togolands and finally across the flat southern plains stretching towards the coast. In the case of Togoland under French administration, the last part of this frontier is not with Togoland under United Kingdom administration but with the "wedge" of the Gold Coast Territory mentioned above.

31. In the East, Togoland under French administration makes its frontier with Dahomey, a French overseas Territory. From the coast this frontier follows the Mono River for approximately 64 miles (100 kms) but then takes a series of mostly sharp, straight lines, across areas of sparse population, for the greater part of its remaining length.
32. The Togolands are less than 350 miles long. The Territory under United Kingdom administration has an area of 13,041 square miles and that under French administration an area of approximately 21,235 square miles (about 55,000 square kilometres).
33. Their populations are 409,890^{1/} and 1,014,669^{2/} respectively. Taken together the two Territories cover an area of some 34,250 square miles and embrace a population of some 1.4 million. These peoples are almost entirely African; Europeans have not settled in the Territories in the permanent sense, and their enterprise, outside of the government services and the religious missions, is almost exclusively confined to the import and export trade.
34. The number of tribes or tribal groups which are actually divided by the frontier is small considering the multiplicity of tribes which inhabit the two Trust Territories. The outstanding case is that of the Ewe people, of whom 375,939 live in the contiguous parts of the Gold Coast, 138,996 in the Southern Section of Togoland under United Kingdom administration, and 175,929 in the Southern part of Togoland under French administration.^{3/}
35. Apart from these, there are in Togoland under French administration, 57,936 Minas and 130,516 Ouatchis and Fons, and certain other tribes who, while speaking dialects akin to the Ewe language, are not regarded by the French authorities as Ewe-speaking people.

1/ Mid-year estimates for 1952 made by Government Statistician's office.

2/ Of whom 1,465 are European and assimilés - Annual Report, 1951, on Togoland under French administration.

3/ According to the official records of the Trusteeship Council, second session (13th meeting) the number of Ewe-speaking people in Togoland under French administration amounted to some 290,000.

36. Other tribes who live in Togoland under United Kingdom administration and Togoland under French administration are: Konkombas, 53,381 in Togoland under United Kingdom administration and 17,971 in Togoland under French administration (in the Cercles of Sokodé and Mango); B'Mobas or Mobas, 29,209 in Togoland under United Kingdom administration and 59,354 in Togoland under French administration (in the Cercle of Mango); Kotokolis, 6,952 in Togoland under United Kingdom administration and 49,165 in Togoland under French administration (in the Cercle of Sokodé); Chokosis, 10,216 in Togoland under United Kingdom administration and 11,706 in Togoland under French administration (in the Cercles of Mango and Sokodé); Bassaris, 6,881 in Togoland under United Kingdom administration and 27,590 in Togoland under French administration (in the Cercle of Sokodé).^{1/}
37. Other important tribes living in Togoland under United Kingdom administration are, in the North, the Bagombas (41,748), the Kusasis (22,387), the Busangas (7,478), and, in the South, the Asantos (26,672) and Akwapins (3,709).
38. Other important tribes living in Togoland under French administration are, in the North, Cabrais (173,281, in the Cercles of Lama-Kara, Sokodé and Atakpamé),^{2/} Gurmas (50,531, in the Cercle of Mango), Lossos^{2/} (35,383, in the Cercles of Lama-Kara and Sokodé), Lambas (30,460, in the Cercles of Mango and Lama-Kara), N'Gan-Gams (12,696, in the Cercle of Mango); and, in the South, Akpossos (41,121 in the Cercle of Atakpamé) and Anas (21,101, in the Cercle of Atakpamé).^{3/}
39. The languages spoken in both Togolands are many and varied and almost every tribe speaks a language or dialect of its own.

^{1/} Figures quoted are taken, for Togoland under United Kingdom administration, from the Gold Coast Census of Population, 1948, Report and Tables, London, 1950; for Togoland under French administration, from pamphlets on each Cercle prepared by the French Administering Authority for the Mission.

^{2/} Information received from the Administering Authority on the Cercle of Atakpamé gives joint statistics for Cabrais and Lossos,

^{3/} See ethnic sketch maps of the Trust Territories, Annexes III and IV.

CHAPTER II

BACKGROUND OF THE EWE AND TOGOLAND
UNIFICATION PROBLEM

"Ewe" petitions, 1947

40. During its second session, in 1947, the Trusteeship Council examined seven petitions from the All Ewe Conference and from Mr. Augustino de Souza, Lomé, requesting that "Eweland" be unified under a single administration. The petitioners protested that the division was an injustice from a social, cultural, economic, political and educational points of view and that the placing of the Ewe people under two different Administering Authorities with differing policies impeded the development of their country as a whole. The Council granted the representative of the All Ewe Conference an oral presentation in support of the written petitions.

Joint memorandum of 17 November 1947

41. The Administering Authorities concerned presented their observations on the petitions in a joint memorandum^{1/} in which they outlined the economic, fiscal and cultural measures they proposed to take to alleviate the difficulties caused by the existence of the frontier between the two Trust Territories. It was stated that a Standing Consultative Commission for Togoland Affairs would be established to give effect to these measures. The Commission would be composed of the Governor of the Gold Coast and the Commissaire de la République of Togoland under French administration as joint Chairmen, and two representatives of the inhabitants from each Trust Territory as members. The two Governments considered that a solution based on the grouping into one unit of the Ewe-populated areas presented no obvious advantages, since a territorial unit based on such a tribal community could not under any circumstances possess a national character in the modern sense of the word, and that a re-uniting of the two Togolands as a whole, while probably offering a broad enough basis for a future self-governing country, would seem to create more difficulties than it would solve, because any advantage which the Ewes in the South might gain would in the opinion of the two Administering Authorities, be more than counter-balanced by disadvantages

to tribes in the North of Togoland under United Kingdom administration where the boundary drawn under the mandate system made possible a unified administration of certain tribes which had hitherto been divided between the Northern Territories of the Gold Coast (British) and Togoland (German). The memorandum pointed out further that one of the Ewe areas lay in the Gold Coast and was therefore outside of the scope of the International Trusteeship System.

Trusteeship Council resolution 14 (II)

42. During the same session, the Council adopted resolution 14 (II) of 15 December 1947, which inter alia noted that the petitions of the All Ewe Conference represented the wishes of the majority of the Ewe population and that the Administering Authorities recognized the point of view of the Ewe people; welcomed the measures proposed by the Administering Authorities; noted further that the representative of the All Ewe Conference considered these measures as inadequate; recommended that the Administering Authorities foster the association and co-operation of the Ewe people; and invited the Administering Authorities to consult with each other and with the Ewe representatives with a view to evolving further measures for fulfilling the wishes of the Ewe people as expressed in the petitions.

Petitions

43. During its third to seventh sessions, the Council received numerous petitions concerning the Ewe question. The first group of these petitions requested the unification of "Eweland" and repeated the arguments previously presented to the Council in the petitions from the All Ewe Conference. They demanded the immediate unification under one administration of the Ewe-inhabited area lying between the Volta River in the Gold Coast and the Mono River in the Trust Territory of Togoland under French administration.

44. The second group requested the unification of the two Togolands and presented in general the same arguments and reasons for their demand as those put forward for the unification of "Eweland". They complained that the partitioning of German Togoland into two areas under two different Administering Authorities left no scope for the future political independence of the Territory as a whole and cited instances of the economic and social hardships resulting from the existence of the frontier between the two Territories.

45. The third group opposed the unification of Eweland and favoured the maintenance of the status quo.

Report of the 1949 Visiting Mission

46. In its special report of 17 February 1950^{1/} on the Ewe problem, the United Nations Visiting Mission to West Africa reviewed the background of the problem, the work of the Anglo-French Standing Consultative Commission, the organizations concerned with the question of unification, and the scope of unification requested in the various demands. The Mission suggested that the Council should recommend to the Administering Authorities not only to continue the efforts they were making to reduce or even abolish the customs barriers complained of by the inhabitants of both Territories, but also to increase their collaboration with a view to unifying and co-ordinating, as far as possible, the legislation and methods applied in both Territories in respect of fiscal, economic, cultural and educational matters and health, transport and public service in such a way as to eliminate at least the non-political aspects of the problem. They would thus be able to satisfy what then appeared to be the wishes of the majority of the population in the South of both Territories and to guide their political development towards the reconstitution of the former Togoland, either as an independent state or as an autonomous unit within a larger federation.

47. The Mission felt that details of an over-all plan should be left to the Council and to expert hands, but should, above all, await the attitude in principle of the two Administering Authorities. Its suggestions, therefore, could only be on very broad lines. In that sense, the Mission felt that there were three wide avenues through which a solution could be found, namely: a political solution within the framework of the two existing Togolands; an economic solution within the framework of the two existing Togolands; or a general solution to be sought within a wider political and economic framework including the two Togolands.

48. The Mission considered that the Anglo-French Standing Consultative Commission for Togoland set up in 1948, on which African members represented the populations of the two Territories, was a most valuable institution which might be further developed. It showed the desire of the Administering

Authorities to give every possible satisfaction to the wishes of the inhabitants of both Territories.

49. In closing its observations, the Mission felt that it was its duty to point out that the problem had attained the force and dimensions of a nationalistic movement and that a solution should be sought with urgency in the interest of peace and stability in that part of the world.

Joint memorandum of 19 June 1950

50. The Governments of France and the United Kingdom submitted their observations on the Mission's report on the Ewe problem in a joint memorandum.^{1/} They noted, inter alia, that the Visiting Mission had not felt able to propose any concrete solution in their report. In the light of the report, they themselves remained of the opinion that there was no one political solution which readily offered itself as being clearly preferable to the present state of affairs. They considered that no further progress could be made towards a solution of the problem until it had been possible to establish the real wishes and interests of all the peoples of Togoland under French and United Kingdom administration. The Administering Authorities therefore decided to take steps to consult the representatives of the peoples of both Territories in this matter, and to make use of the Standing Consultative Commission as the instrument for consulting the representatives of the peoples and ascertaining the real wishes and interests of the people. The functions of the Commission had hitherto been limited to the adjustment of frontier difficulties and the supervision of co-operation between the two Trust Territories. The Administering Authorities had decided that the function of the Commission should now be expanded and that it should be charged with the responsibility of submitting to the two Governments its views as to the practical means of satisfying within the framework of French and United Kingdom administration the wishes of the inhabitants of all parts of the two Trust Territories and that its membership should be greatly enlarged so as to make it fully representative of all the peoples of both Territories.

51. During the seventh session of the Trusteeship Council (summer 1950), the Administering Authorities clarified the terms of reference of the Enlarged Consultative Commission envisaged by the joint memorandum noted above to the effect that the Commission would be entitled to submit to the two Governments its conclusions concerning practical means whereby the various points of view could be satisfied within the framework of the United Kingdom and French administrations, not precluding the unification of any parts of the two Trust Territories.

52. The Administering Authorities decided that the Enlarged Consultative Commission should be composed of the Governor of the Gold Coast and the Commissaire de la République as its Co-Chairmen, each Chairman being assisted by an official vice-chairman who would, when necessary, act for him, and forty-five members of whom seventeen were representatives of the people of Togoland under United Kingdom administration (fifteen elected representatives and two delegates of the two political parties of Southern Togoland under United Kingdom administration, namely the All Ewe Conference and the Togoland Union), and twenty-eight were representatives of the people of Togoland under French administration (including twenty-six elected representatives and two delegates of the two political parties, namely, the Parti togolais du Progrès and the Comité de l'Unité togolaise). These numbers were to be regarded as provisional.

53. Since the Commission thus reconstituted would be a comparatively large body, the Administering Authorities intended to suggest that the Commission might appoint a Working Committee presided over by the two Vice-Chairmen which would meet more frequently than the full Commission to study in detail specific questions referred to it by the Commission. It was intended to arrange for elections to take place at an early date, so that the new Commission could start work without delay.

Trusteeship Council resolution 282 (VII)

54. At its seventh session (summer 1950), the Trusteeship Council granted oral hearings to five representatives, one from the All Ewe Conference, two from the Togoland Union, the Natural Rulers of Western Togoland and the

Togoland Farmers' Association; one from the Parti togolais du Progrès, and one from the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo.

55. On 14 July 1950, the Council adopted resolution 250 (VII) in which it took note of the plans put forward by the Administering Authorities to ascertain the real wishes and interests of the inhabitants of all parts of the two Trust Territories; noted in particular that the Consultative Commission was required to make a "detailed study of the representations which have been or may be made" and that the Commission was not precluded from submitting to the Administering Authorities recommendations for the "unification of any parts of the two Trust Territories"; expressed the hope that the Administering Authorities would take all appropriate steps to ensure that the Consultative Commission would equitably represent the different sections and groups of the two Trust Territories; requested the Administering Authorities concerned to inform the Council at its next session of the steps which had been taken to give effect to the plan for the expanded Consultative Commission, and to submit to the Council a progress report on the details of the Consultative Commission; and, recommended that the Administering Authorities concerned should take all the necessary and appropriate measures in order to ensure that, until a definitive settlement was reached, the common traits and traditions of the Ewe people in the two Trust Territories were preserved.

Method of election to the Enlarged Consultative Commission

56. The General Assembly at its fifth session, in resolution 441 (V) of 2 December 1950, took note of complaints made by the President of the Comité de l'Unité togolaise in a petition to the Secretary-General against the methods of election prescribed by the Administering Authority of Togoland under French administration and an allegation that persons had been arrested and imprisoned because they wished to have indigenous customs observed in the elections; it also took note of comments to the contrary contained in other related petitions, and of declarations made on these matters by the representative of France in the Fourth Committee; it recognized the great

importance of the Ewe problem and emphasized the importance of finding an adequate solution as soon as possible and in full accordance with the real wishes and interests of the people concerned; in particular, it impressed upon the Administering Authorities the necessity of conducting elections to the Commission in a democratic manner that would ensure a true representation of the people; it recommended that the Administering Authority of Togoland under French administration investigate promptly the practices complained of in the petition referred to above and in other petitions on the subject, with a view to ascertaining whether the methods of election which had been applied ensured that the views of all sections of the population were faithfully reflected, and report thereon to the subsequent session of the Trusteeship Council for such action as the Council might consider appropriate.

57. At its eighth session (January 1951), the Council had before it petitions from the All Ewe Conference, the Comité de l'Unité togolaise, the Togoland Union, as well as the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo. In their petitions the first three of these organizations maintained and elaborated upon the complaints previously made against the electoral methods, their contention being that these methods were intended to bring about the domination of anti-unification points of view in the Commission, instead of making it properly representative of the public opinion as a whole. They indicated unwillingness to participate in the work of the Commission as reconstituted. On the other hand, the petitions emanating from the opposing groups sought to refute the allegations made by the others and to show that the Commission had been constituted as to ensure equitable representation of all concerned. They claimed that the real reason for the unco-operative attitude of the pro-unification groups was their fear of being shown to represent only a minority point of view.

Report of the Procureur général Baptiste

58. At that session, the Administering Authority of Togoland under French administration submitted a report^{1/} on the results of an investigation into the methods used in the election of the Enlarged Consultative Commission which it

had carried out in pursuance of General Assembly resolution 441 (V). The report was supported by an oral statement by the Procureur général Baptiste to whom the Administering Authority had entrusted the investigation. The conclusions arrived at by the Procureur général were as follows: first, that the present tribal stage of development of the great majority of the inhabitants of the Trust Territory, only a two-stage electoral system would enable everyone to express his opinion, and in that respect the two-stage system actually applied to the election of members of the Commission was therefore absolutely democratic; and, secondly, that the elections as they had been conducted in practice had ensured in fact and in law the equitable representation of all sections of the population and complied with resolution 250 (VII) adopted by the Trusteeship Council on 14 July 1950.

Establishment of the Enlarged Consultative Commission

59. In a statement made by the representative of the United Kingdom in the Trusteeship Council,^{1/} on behalf of both Administering Authorities concerned, detailed information was given as to the establishment and proceedings of the first session of the Enlarged Consultative Commission. It was stated that as the Comité de l'Unité togolaise, in Togoland under French administration, had refused to take part in the second stage of the election and to nominate the representative to the seat allotted to it as a party, that Territory was consequently represented at the first session by twenty-nine instead of thirty delegates. In the case of Togoland under United Kingdom administration, five of its seventeen members, including the delegates of the All Ewe Conference, did not attend the session. The representative of the United Kingdom, after having made an analysis of the statements made in the Enlarged Consultative Commission, came to the conclusion that the majority of the people was opposed to any change in the existing system of administration of the two Trust Territories, although the failure of certain groups to take part in the Commission made it impossible to elucidate fully the divergent points of view. The two Governments were however willing to provide the All Ewe Conference

and the Comité de l'Unité togolaise with a further opportunity to take their place on the Commission; they had decided to offer eight seats to the latter party on the basis that it would probably have won six in the election (the two additional seats being required in order to preserve the original proportions of the Commission) and to make a proportionate increase of five in the number of seats allotted to Togoland under United Kingdom administration.

60. On 8 March 1951, the Council adopted resolution 306 (VIII) by which it noted the statements made by the Administering Authorities regarding the electoral methods; considered that these methods had represented an effort to enable the sections of the population concerned to express their opinions; noted that certain groups in the two Trust Territories did not find it possible to take part either in certain stages of the elections or in the proceedings of the Enlarged Consultative Commission; noted that the Administering Authorities proposed to take steps in order to encourage these groups to take part thereafter in the work of the Commission; urged these groups to co-operate with the Administering Authorities in their efforts to seek a solution of the problem; regretted that a satisfactory solution of the problem had not yet been reached, notwithstanding the delays involved; drew the attention of the Administering Authorities to the necessity of seeking a solution with the utmost expedition; invited the two Administering Authorities to continue their efforts to solve the problem in the spirit of the resolution of the Trusteeship Council of 14 July 1950; recommended, whether or not the composition of the Consultative Commission was completed, that the Administering Authorities formulate as soon as possible substantive proposals for a practicable solution of the question and inform the Council accordingly not later than 1 July 1951.

61. At its ninth session (summer 1951), the Council had before it a total of 96 petitions on the subject. In general terms, petitions emanating from pro-unification groups indicated and explained a continued unwillingness on the part of these groups in both Trust Territories to take part in the work of the Consultative Commission as reconstituted, continuing to claim that the

Commission had been so formed as to make it impossible to be a representative body. Moreover these petitions renewed their demands for unification, including a resolution adopted by a joint congress of pro-unification groups in both Togolands, requesting that the United Nations should send an independent commission to investigate and supervise free and democratic elections or preferably to hold a plebiscite, and should fix a period of five years during which Togoland would be prepared for self-government or independence. On the other hand, the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo maintained that the true wishes of the populations had been expressed through the proceedings of the Enlarged Consultative Commission, which indicated a strong opposition by an overwhelming majority of the peoples of both Trust Territories to any change in the existing administrations before self-government was achieved. They requested that the Trusteeship Council should close the Ewe case.

Joint memorandum of 5 July 1951

62. At the same session, and in accordance with the resolution adopted by the Council at its eighth session, the two Administering Authorities concerned presented a joint memorandum^{1/} in which they gave an account of the further functioning of the Enlarged Consultative Commission, a statement of the conclusions which they had reached from its proceedings and from further consideration of the problem, and an announcement of the decisions which they had made as to its solution.

63. In this memorandum, the two Governments confirmed the fact of the continued abstinence from the work of the Consultative Commission of the principal groups favouring unification and expressed regret at the failure of these groups to take advantage of the opportunity to express their views in the Commission.

64. The Administering Authorities stated that they regarded as fundamental to the consideration of the problem and to any proposals for its solution, the following principles: (1) the proposals must pay full regard to the known wishes of the peoples and command general acceptance or, at any rate,

^{1/} Documents T/931 and T/931/Add.1

acceptance by a large majority; and, (2) any change in the political organization in the Territories must be practicable from the economic and fiscal aspects as well as on political grounds.

65. The Administering Authorities stated that much had been accomplished in the four years in which the matter had been before the Council to alleviate the difficulties caused by the presence of the frontier. As a result of extensive concessions which had been made there was now complete freedom of movement of persons and only the minimum restraint in other traffic; no significant complaints of difficulties caused by the frontier had been brought to the notice of the two Governments in 1950. Further progress in the field of economic, cultural and fiscal measures was possible, and the two Governments had already given earnest and urgent consideration to the implementation of recommendations made by the Consultative Commission in this respect and had put into effect a number of decisions.

66. They recognized, however, that such practical steps could not yet be regarded as completely satisfying the aspirations of the peoples concerned. They were fully conscious that the existence of two separate administrations exerted a sundering influence on those peoples of the two Trust Territories who felt natural ties of kinship. They had reached the decision, based on the fullest possible consultation with the people, that it was conclusively demonstrated that no solution involving an alteration of boundaries or of political allegiance could currently be proposed which commanded the general assent of the peoples of the two Territories or even the agreement of a majority. They were equally satisfied that no change of this nature could be undertaken which did not raise a fresh set of problems, whether political, economic or fiscal, in place of those which they were then considering.

67. Within the framework of existing boundaries, however, there was scope for closer relations between the peoples of the two Territories. The Administering Authorities had noted with considerable interest and with full sympathy a reference which the Enlarged Consultative Commission had made to the desirability of harmonizing the policy of development in the two Trust Territories as an essential corollary to their advancement towards self-government. They pointed out that in Togoland, as in West Africa

as a whole, developments and changes were going on at a rapid pace in all fields, and that on both sides of the Togoland frontier important developments were in progress in the shape of regional and local government and in the manner of participation by the inhabitants in the administration of public affairs.

68. In order to associate the people more directly with their efforts to ensure congruity between these developments, the Administering Authorities stated that they had decided that a joint body of representatives of the two Trust Territories should be created which would be an effective instrument for the purpose. Although it was clear that any such new body could have no executive or legislative power extending over both Trust Territories, it should nevertheless be a meeting place of representatives of the people of the two Togolands where views on the development of the respective Territories could be exchanged and co-ordinated, the measures of development in every field harmonized and stimulated. Meeting at regular intervals, it would have the opportunity of discussion and consultation with the senior administrative and technical officers from each side, would consider and advise the two Administering Authorities jointly on the planning and implementation of programmes of economic and social development and frontier amelioration measures, and would advise them also on the projects of common interest on which they considered it necessary that funds should be expended. The Administering Authorities expressed the belief that in this way the legitimate aspirations of the peoples of the Trust Territories would be assured and any prejudice to their interests avoided during the period of their advance towards self-government.

69. The two Governments concluded their joint memorandum with an analysis of the various unification proposals and the reasons for their rejection of them, maintaining that the unification of the Ewe people did not represent the common desire of any more than a minority of the population of the area which would be comprised in such a unification and, moreover, enjoyed no support from the people of the remaining areas of the two Trust Territories; and that the immediate unification of the two Togolands was also not favoured

by a majority. They also cited the practical difficulties and disadvantages of either of these forms of unification. They stated further that the possibility of a solution by unification under a joint Anglo-French authority, which had not actually been proposed, would raise practical difficulties and that even if these could be surmounted, the solution would not satisfy the Ewe groups. They also opposed the use of a plebiscite as a means of determining the wishes of the people, stating that it would be impossible to place the matter before the voters in a way which could be beyond misunderstanding and confusion and which would avoid subsequent charges of inadequate presentation of misrepresentation.

Trusteeship Council resolution 345 (IX)

70. At its ninth session (summer 1951), the Council held a discussion in which the representatives of France and the United Kingdom made further statements in elaboration of their joint memorandum, and heard the representatives of the Togoland Congress and the Parti togolais du Progrès. The Council then adopted resolution 345 (IX) of 24 July 1951 in which it concurred with the views of the Administering Authorities that there would seem to be no reason for continuing the existence of the Consultative Commission, and approved their proposal to establish a Joint Council to advise them on matters of common concern to the people of the two Trust Territories, including in particular the Ewe problem. The Council then recommended that the two Administering Authorities proceed with their plans immediately to establish such a Joint Council in order that it might have functioned for a sufficient period of time for the Visiting Mission to Trust Territories in West Africa in 1952 to form an evaluation of its accomplishments; that they ensure that the scope of responsibilities of the Joint Council be sufficiently broad to enable it to exercise its functions in respect of all questions of common concern to the people, including questions of political, economic, social, educational and cultural development; and that the method of determining the composition and selecting the members of the Council be such as to ensure, if possible, the participation of the major groups in the two Territories. The Council

also urged all elements of the population to co-operate in the establishment and operation of the Joint Council, in order that its decisions might fully reflect the views of all concerned; requested the two Administering Authorities to report as soon as possible on the action taken pursuant to the current resolution; and reaffirmed the recommendation contained in the resolution of the eighth session that they take all necessary and appropriate measures to ensure that, until a definite settlement was reached, the common traits and traditions of the Ewe people be preserved.

71. After resolution 345 (IX) was adopted by the Trusteeship Council and before the General Assembly took up the Ewe question at its sixth session in 1951, thirty-five petitions and communications were received on the same question.

Sixth session of the General Assembly

72. During the sixth session of the General Assembly in 1951, the Fourth Committee, in connexion with its consideration of that part of the report of the Trusteeship Council dealing with the Ewe and Togoland unification problem, granted oral hearings to representatives of the All Ewe Conference, the Joint Togoland Congress, the Comité de l'Unité togolaise, Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo.

Joint memorandum of 10 December 1951

73. At this session, the Administering Authorities submitted a joint memorandum^{1/} setting forth the arrangements which they had made for the establishment of the Joint Council for Togoland Affairs.^{2/}

Resolutions adopted by the General Assembly and the Trusteeship Council in 1952

74. On 18 January 1952 the General Assembly adopted resolution 555 (VI).^{3/}

75. At its tenth and eleventh sessions (January and June 1952), the Trusteeship Council adopted resolutions 424 (X) and 465 (XI) which define the terms of reference of the Mission with regard to the Ewe and Togoland unification question.^{3/}

^{1/} Document A/C.4/198

^{2/} See Part III, Chapter II of this report.

^{3/} See text in the "Foreword" to this report, paragraph 5.

Information contained in Annual Reports for the year 1951

76. In the annual reports for 1951, the two Administering Authorities informed the Trusteeship Council on the further development of the Ewe and Togoland unification question.

77. In the annual report on Togoland under United Kingdom administration, reference was made to petitioners from the Trust Territory who appeared twice before the Trusteeship Council and once before the Fourth Committee of the United Nations General Assembly during the year. On the last occasion it was noted that the demand for Ewe unification was made with less emphasis than the demand for the unification of the two Togolands. This change of emphasis, it was stated, came as rather a surprise to the supporters of Ewe unification in the Territory but it seemed likely to receive their reluctant acceptance. The demand for the unification of the two Togolands continued to be firmly opposed by the people of the Northern Section; in fact they were demanding more firmly than ever that their area should be completely integrated into the Northern Territories of the Gold Coast.^{1/}

78. With regard to Togoland under French administration, it was stated that the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo continued to support the present regime and requested the progressive development of the Territory towards self-government within the French Union. Certain elements among them viewed with interest the problem of unification, but thought that it might be considered only after the achievement of self-government. Both the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo had sent several petitions to the United Nations in which they protested against the activities of the Comité de l'Unité togolaise and requested the outright shelving of the Ewe question.^{2/}

^{1/} Annual report for Togoland under United Kingdom administration, 1951.

^{2/} Annual report for Togoland under French administration, 1951.

PART III

CHAPTER I

EXAMINATION OF CONDITIONS IN THE TWO TRUST TERRITORIES

TOGOLAND UNDER UNITED KINGDOM ADMINISTRATION

Constitutional Developments

79. Since the visit of the last Mission, far-reaching reforms in the Gold Coast Constitution, which is also the Constitution of the Trust Territory, have taken place. These developments have been fully explained in the reports of the Administering Authority to the United Nations and have been the subject of special study by the Committee on Administrative Unions of the Trusteeship Council, so that for the purposes of this report it is necessary to recall them only in brief.

80. The new constitutional arrangements provide for an Executive Council, with elected Africans in the majority, which is the principal instrument of government policy, a legislature with authority and powers over the whole of the Gold Coast and the Trust Territory; the introduction of universal adult suffrage, direct in certain urban areas (of the Gold Coast), but in two stages in the rural areas and not applicable to the Northern Territories. These organs formulate government policy and enact legislation for Togoland as if it were part of the Gold Coast. Togoland is not represented in them as a Territory

but parts of Togoland form electoral constituencies (in the South) or are represented in the electoral college (in the North) of the combined Territories.

81. Ultimate executive and legislative powers are held in reserve by the Administering Authority and the Constitution contains a clause intended to render void legislative provisions repugnant to the Trusteeship Agreement. The Administering Authority also retains responsibility for external affairs and defence, finance and justice.

82. These reforms have been accompanied by reforms in the local government system and regional administration, and by an intensified programme of Africanization of the Civil Service.

83. Reorganization of the local government structure in which the whole system of Native Authorities was replaced by a more modern and democratic local government structure with enhanced local powers and diminished dependence on traditional institutions was inaugurated during 1951 and 1952, and at the time of the Mission's visit was almost completed. The local councils are composed in general of two-thirds elected members and one-third traditional members. They have taken over the powers of the former Native Authorities and the Minister of Local Government may vest in them any of a very wide range of powers extending over the fields of public order, agriculture, forestry, regulation of trade and industry, operation of regulation of markets, land conservation, building and town planning, education and public health. Each council finances its operations from an obligatory local basic rate or tax, from other rates and fees, from government grants and from loans.

84. The traditional "State Councils" (assemblies of chiefs, elders and others) have been entirely separated from the new local councils under the State Councils (Colony and Southern Togoland) and the State Councils are empowered under these Ordinances to discharge ceremonial and customary functions.

85. The local councils (and similar urban councils set up only in the Gold Coast for the time being) elect members to the District Councils, having authority over wider areas. The District Councils have the same ratio of traditional to representative members and derive revenues from precept on the local council, from government grants and from loans. There is no difference in the methods used in the election of members to the local councils between the Northern Territories and the Gold Coast Colony and the Southern Section of the Territory, every adult, regardless of nationality, being eligible to vote provided he has resided for six months out of the twelve months preceding his application to register in the area of the local council and is liable to pay local tax. Any person can stand as a candidate in the elections, provided he is nominated in writing by three voters of his local ward.

86. At the time of the Mission's visit, 9 local councils out of the 15 envisaged for the Southern Section had been established. In the Northern Section, all 17 local councils had been established (including 5 overlapping with the Gold Coast). No district councils had been established in the Southern Section but four district councils, of which three overlapped into the Gold Coast, had been established in the Northern Section.

87. Under the regional arrangements, the Gold Coast is divided into five major regions. Togoland falls within two of these regions, the Northern Section forming part of the Northern Territories region and the Southern Section part of the new Trans-Volta Togoland Region which incorporates all areas which are traditionally Ewe-speaking in the Gold Coast and the Trust Territory together with some 65,000 non-Ewes in the extreme north of the region.

88. The Southern Togoland Council which was established in 1949 to provide a meeting place for representatives of the Native Authorities in the Southern Section "for the purpose of deliberating upon matters affecting the welfare and interests of persons" in that Section, will be superseded by the Trans-Volta Togoland Council, the scope of which will cover the new region when the re-organization of the local government system is completed. The Southern Togoland Council also formerly acted as an electoral college to choose the Section's Territorial member of the Legislative Assembly. Under the 1952 amendment to the Constitution, the Trans-Volta Electoral College will take over this function and will elect three territorial members to the Legislative Assembly from the new region. The college will comprise one member from each local authority within the region, elected by the traditional members of such local authority. At least one of the territorial members to the Legislative Council is to be a native of Southern Togoland and a chief, or owe allegiance to the stool of a chief in Southern Togoland.

Political Parties

Togoland Union

89. As reported by the previous Visiting Mission, this party was established in Togoland under United Kingdom administration in 1943, having as its aim the unification and independence of the two Trust Territories within the shortest possible time. In a memorandum addressed to the Mission dated 1 September 1952, the Union protested against the administrative integration of the Trust Territory with the Gold Coast and stated that under the guise of such a union the Administering Authority was gradually achieving the annexation of the Trust Territory to the Gold Coast. It also stated that the

Administering Authority had no plans for the separate evolution and development of the Trust Territory as a distinct entity towards independence in accordance with the terms of the Charter and the Trusteeship Agreement, and pointed out that as the Southern Togoland Council had been dissolved, its place being taken by the new Trans-Volta Togoland Region Council, the Trust Territory now had no separate institutions of its own. It also claimed that under the new constitutional arrangements in the Gold Coast, which allowed for a virtual African Government, the Administering Authority was no longer the United Kingdom but the Government of the Gold Coast. It demanded therefore the complete abolition of political association and administrative union with the Gold Coast and asked for the independence of the two Trust Territories as one entity. The independent Territory might then federate with the Gold Coast.

90. Attached to the memorandum of the Togoland Union was a draft constitution for the unified Territory.

Togoland Congress

91. The Congress is an association of political parties having a similar platform to the Togoland Union, such as the Togoland Youth Organization and the Togoland National Farmers' Union.

All Ewe Conference

92. The All Ewe Conference was established during the Second World War. Its basic aim remains the same as reported by the previous Visiting Mission, namely to effect the re-unification of the Ewe peoples which are at present divided between the Gold Coast, Togoland under United Kingdom administration and Togoland under French administration.

93. The Conference now believes that progress towards the realization of its final aim can best be achieved by supporting at present the request for the unification and independence of the two Trust Territories. The reason given for supporting this request is that all previous efforts such as the establishment of the Standing Consultative Commission, the Enlarged Consultative Commission and the Joint Council for Togoland Affairs have completely failed in solving the question of Ewe unification. A second reason is that by unifying the two Territories, the Northern peoples will not be cut off from access to the sea which was one of the objections to the formation of a United Eweland.

94. In putting forward "concrete proposals for the solution of the Ewe problem", the Conference recalled in a memorandum addressed to the Mission and dated 22 August 1952:

(1) Our recognition of the fact that that part of Eweland which now forms the south-eastern portion of the Gold Coast - the Volta Triangle - does not fall within the competence of the present Visiting Mission;

(2) Our expressed view that unification of Togoland would bring the Ewe people a step further in the re-unification of the Ewe people and their homelands, without separating us from other tribes in the North and thus denying them access to the sea;

(3) That the majority of all parties are agreed on the unification of Togoland as an independent state; and,

(4) That the aim of the Trusteeship System as recognized and subscribed to by all Member States of the United Nations is to bring up rapidly all Trust Territories to the stage of self-government or independence.

95. The Conference then proposed a five-year programme of unified administration of Togoland to be carried out by the United Nations.

96. The Togoland Union, Togoland Congress and the All Ewe Conference presented a joint declaration to the Mission together with those political parties in Togoland under French administration which also advocate unification and independence of the Trust Territories.^{1/} The declaration inter alia read as follows

"We demand the Trusteeship Agreements relating to Togoland under French Trusteeship and Togoland under United Kingdom Trusteeship shall forthwith be amended to give effect to the following:

1. The present Administering Powers, France and Great Britain, shall hand over sovereignty which they are at present exercising on behalf of the indigenous inhabitants to the United Nations.

2. A United Nations High Commission be appointed with full powers to direct administration of a Unified Togoland for a period of five years at the end of which Togoland shall be proclaimed an independent sovereign State".

^{1/} See section on Togoland under French administration, paragraph 196. Political parties concerned: Comité de l'Unité togolaise and Juvento.

Convention People's Party

97. This party was formed in 1949 by the present Prime Minister of the Gold Coast. The general policy of the party as far as the Gold Coast is concerned, is to achieve Dominion status within the British Commonwealth of Nations, at the earliest possible date. In so far as the Trust Territory is concerned, the party envisages closer association with the Gold Coast but is not necessarily opposed to unification. It may be noted that a resolution adopted by the Convention People's Party, Southern Togoland Region, on 30 August 1952, inter alia resolved:

- (1) That Togoland under United Nations Trusteeship continues to associate itself with the Gold Coast which is on the verge of self-government;
- (2) That the United Nations bring pressure to bear on the French Administering Authority to raise Togoland under French trusteeship to the same economic, social and political level as Togoland under United Kingdom trusteeship;
- (3) That we still consider the Togoland unification demand as a paramount one, so far as it is the expressed wish of the majority of the inhabitants of the two Trust Territories;
- (4) That as the ethnological, linguistic, cultural and economic aspects of the two Togolands are closely linked with those of the Gold Coast, the two Togolands so united should be a federal unit to the Gold Coast;
- (5) That the British Colonial system which made provision for an ultimate government of the people, by the people and for the people was appreciated.

Findings in the Field: Views on unification

Northern Section

98. There are in this Section parts of three administrative districts coinciding with tribal groupings which extend horizontally across the Northern Territories of the Gold Coast and the Trust Territory. The northernmost district of Mamprusi-Kusasi coincides with the area occupied by the Mamprusi, Kusasi, B'moba, Konkomba, Busanga and Yanga tribes. The Mamprusis are the ruling tribe in the area. The district headquarters are situated at Gambaga and the seat of the paramount chief of the area (Na Yiri) is in the neighbouring town of Nalerigu, both towns being in the Gold Coast. The Kusasi area which is in the extreme North of the Territory is administered from a sub-district at Bawku.

99. Coming South the next district is Dagomba, which comprises the large Dagomba State and the smaller Nanumba State, the inhabitants of which are closely akin. The Nanumba State is entirely within the Trust Territory. Other tribes in the area are the Konkomba, Komba, Bodasu, Kukumbang and Chakosi. The district headquarters and the seat of the paramount chief of the Dagombas (Ya Na) are both situated at Yendi in the Territory. The Paramount Chief of the Nanumbas (Bimbilla Na) resides in Bimbilla.

100. The small remaining area of the Northern Section forms part of the Gonja district, by far the greater part of which is in the Gold Coast. District headquarters and the seat of the Paramount Chief of the Gonjas (Yabumwura) are at Damango, in the Gold Coast. In the part of the district lying within the Trust Territory, however, there are few Gonjas and there is a move on the part of some Nawuris living in the area to be transferred from the Northern Section to the Southern Section. Other tribes in the area are the Basaris, Chokosis, Dagombas, Konkombas, Kotokolis and Nchumuris.

101. As noted at the time of the Mission's visit, all the local and district councils in the Northern Section had been established. There are four district councils, again mainly based on tribal groups covering areas in the Northern Territories of the Gold Coast and the Trust Territory.

102. The following are the district councils and the local councils in so far as they concern the Trust Territory:

<u>Area</u>	<u>District Council</u>	<u>Local Council</u>	<u>Headquarters</u>
Mamprusi-Kusasi	{ Mamprusi (headquarters)	(Agolle*	Bawku
		(East Agolle	Tempane
South Mamprusi	{ Nalerigu	(Nalerigu *	Nalerigu
		(Yunyoo	Yunyoo
		(Bunkpurugu	Bunkpurugu
Dagomba	{ Dagomba (headquarters) { Yendi)	(Yendi	Yendi
		(Chereponi	Chereponi
		(Gushiegu*	Gushiegu
		(Kworli	Kworli
		(Mion*	Sambu
	{	(Sunson	Sunson
	{	(Yelsori	Zabzugu

* Only partly in Togoland.

<u>Area</u>	<u>District Council</u>	<u>Local Council</u>	<u>Headquarters</u>
Dagomba	(Nanumba	(Bimbilla	Bimbilla
	((headquarters	(Dakpan	Dakpan
	(Bimbilla)	(Juo	Wulesi
Gonja	(Gonja/Volta	(Alfai	Kpandai
	((headquarters	(
	(Damongo)	(Kpembe*	Kpembe

* Only partly in Togoland.

103. The following were the views expressed to the Mission within each area:

Mamprusi-Kusasi

104. Two members of the Mission visited Gambaga, Nalerigu and Nakpanduri, in this area on 29 August 1952 and met with the Na-Yiri attended by a large gathering of sub-chiefs, elders and people, heard representations from the Nalerigu Local Council and from Chiefs and elders of Nakpanduri and members of the East Agolle Local Council. All expressed the desire to maintain the unity of the Mamprusi tribe and requested that the "artificial" boundary between the Gold Coast and the Trust Territory be eliminated so that that part of the Mamprusi district lying within the Trust Territory be completely unified with the adjoining part in the Gold Coast. It was stated that any attempt to split the tribe by unifying the two Trust Territories would not only cause trouble, but would retard the progress of the Mamprusis.

105. Two members of the Mission attempted to reach Bawku to consult with the Bawku Wabu and Pusiga Wabu, chiefs of the B'mobas and the Kusasis, and with members of the Agolle Local Council but were unable to reach the area because of the impossibility of fording the river close to Bolgatanga.

Dagomba

106. At Yendi on 31 August the Mission met with the Ya Na, his chiefs, elders and people and members of the Yendi Local Council. A joint memorandum was presented the Mission in which it was recalled that protests against the division of the Dagomba State into two parts, one in the Gold Coast and one in the Trust Territory, had been made to the first Mission but after three years no result had been obtained in abolishing the frontier. Their view remained the same, that it should be abolished. It was emphasized that the Dagomba people had no connexion with Ewe affairs and that their cases should

not be considered together. In no circumstances did the Dagomba people wish to participate in any move for the unification of the two Trust Territories. They stressed that they hoped the present Mission would be the last to visit their area. The Chairman and members of the Yendi Local Council emphasized the urgency of the demand for the complete unification of the Dagomba people and asked that the sign-post indicating the division of the Trust Territory and the Gold Coast be removed.

107. In the Dagomba area there are about 44,000 Konkombas, Saboba, close to the frontier between the two Trust Territories being the centre of this tribe in Togoland under United Kingdom administration. Two members of the Mission visited Saboba on 1 September 1952 and heard views expressed by chiefs and elders to the effect that they wished to have improved road-communications with the Konkombas living in Togoland under French Administration where the paramount chief resides.

Nanumba

108. The Mission attended a gathering called by the Bimbilla Na in Bimbilla at which many sub-chiefs, elders and people were present, as well as the Chairman of the Nanumba District Council, on 2 September 1952. A joint address of welcome was given in which it was stated that the Nanumbas were not interested in the Joint Council and had objected to its establishment. The aim of the Nanumbas was to become part of the Northern Territories of the Gold Coast and they wished to remain under British administration, just as they had ever since the end of the First World War.

Gonja

109. As noted, only a small part of the Gonja district falls within the Trust Territory. The area is occupied by Basaris (1,863), Chokosis (211), Dagombas (232), Gonja (436), Konkombas (2,281), Kotokolis (510), Nawuris (1,195) and Nchumurus (250).

110. The Gonja minority forms the ruling class, but there was dissatisfaction on the part of the Nawuris who were mercenaries under the Gonjas, that they did not get enough recognition under the former Gonja Native Authority.

111. In the elections to the Alfai Local Council the following were returned:

Basaris	4
Chokosis	0
Dagombas	0
Gonjas	3
Konkombas	5
Kotokolis	0
Nawuris	5
Nchumurus	0

Total 17

112. There are also 4 traditional members of the Council, 3 of whom are Gonjas and 1 Nawuri. The Nawuris claimed all four seats.

113. Three of the six Nawuris on the Local Council are strongly anti-Gonja, the other three including the traditional member who was appointed by the Gonjas are pro-Gonja.

114. The Mission was informed by the Administering Authority that about 40 per cent of the Nawuri population supports the Gonjas and 60 per cent does not.

115. In the meeting with the Alfai Local Council in Kpandai on 2 September 1952, the three anti-Gonja Nawuri members asked that the Kpandai area (i.e. that part of the Gonja district lying in the Trust Territory) be transferred to the Krachi area in the Southern Section of the Territory and also presented a memorandum asking for unification and independence of the two Togolands. They walked out of the meeting when the Chairman of the local council put to the vote whether the Kpandai area should remain as part of the Gonja district or be transferred to the Southern Section. The rest of the Council members voted in favour of staying within the Gonja District and it was later stated by a member of the local council that the majority of the Alfai people were strongly against the unification movement and that the desire of the people was to demand, together with the people of the neighbouring areas in the Gold Coast, self-government within the British Commonwealth.

Southern Section

116. As noted above, at the time of the Mission's visit 9 out of the 15 local councils envisaged for the Southern Section had been established. The following are the local councils in the Section:

<u>Area</u>	<u>District Council</u>	<u>Local Council</u>	<u>Headquarters</u>
Krachi		Krachi	Kete Krachi
Kpandu		Buem/Akan	Kadjebi
		Buem/Lefana*	Borada
		Togo/Plateau*	Ahenkro
		Likpe/Lolobi*	Akpafu-Mempeasem
	2 or 3 District	Gbi/Hohoe*	Hohoe
	Councils*	Akpini	Kpandu
	(details not yet	East Dain*	Golokwati
	determined)	Ablode	Vakpe Afeyi
		Anfoega	Akukome
		Yingor	Dzɔloputa
		Anyigbe	Kpetɔe
Ho		Asogli	Ho
		Djigbe	Matse Have
		Adaklu*	(Not yet fixed)

* Not yet established.

117. The Administering Authority informed the Mission that the Togoland Union had been instrumental in delaying the establishment of the Buem/Lefana (headquarters, Borada), East Dain (headquarters, Golokwati), Togo/Plateau (headquarters, Nkonya Ahenkro) and the Gbi/Hohoe local councils, because it did not wish the elections to take place until after the Joint Council for Togoland Affairs had been established. Strong representations from the people of the Buem/Lefana and the Togo/Plateau local councils areas were however made, the Administering Authority stated, when the instruments of other local councils were published fixing 16 August as the election date, asking that their elections also be held on 16 August. By that time the change was impossible, but it was decided to begin the registration of electors in all four areas, the people being told that if registration was successful, the dates of the elections would be moved forward. Registration in all areas was very successful and it was intended to move forward all four elections to 30 September, the first possible date.

118. The Gbi/Hohoe Local Council area however, led by Mr. Antor (Togoland Union) strongly protested and since the Government Agent had promised not to move the election date forward without their agreement, he did not do so. The election date for Gbi/Hohoe was therefore fixed for 31 October. The other three local Council elections were to be held on 30 September as suggested.

119. The date for the elections to the Likpe/Lolobi Local Council (Akpafu-Mempeasem) immediately east of and adjoining Hohoe, were not fixed at the time of the Mission's visit, but the reason for their not being so was not given by the Administering Authority.

120. Of the 544 communications received by the Mission requesting the unification and independence of the two Togolands, the majority came from Hohoe and the areas to the North of Hohoe - New Ayoma, Borada, Jasikan and Kadjebi.

121. The following are the views orally expressed to the Mission by political leaders, chiefs, local council members and people of the Southern Section in the local council areas on the question of unification.

(Population in area below - Brong divisions of Krachi, mainly Nchumurus)

Krachi Local Council area (population 31,600)

Headquarters: Kete Krachi.

122. The Krachi Local Council area covers almost the whole of the Krachi sub-district, except for the South-West corner.

123. The Mission met with the Krachiwura, paramount chief of the sub-district, his sub-chiefs, members of the Krachi Local Council and a large gathering of people, at Kete Krachi on 2 September 1952.

124. In a joint memorandum from the Local Council, the Krachiwura, chiefs, elders, people and various organizations in the Krachi area, it was stated that the peoples of Krachi desired no change in Government and preferred to progress in close association with the Gold Coast which was on the "threshold of political emancipation".

(Population in areas below - Miscellaneous non-Ewe groups)

Buem/Akan Local Council area (population 23,000)

Headquarters: Kadjebi.

125. The Mission visited Kadjebi, which is a principal cocoa buying centre, and Ahamansu, roadhead in the new cocoa-growing region in this area on 5 September 1952. The area consists of the northernmost part of the former Buem Native Authority. It heard addresses from chiefs of Ahamansu and Dedi Papase, the President of the Local Council and from the Vice-President of the Kadjebi Co-operative Society.

126. The President and members of the local council and the chiefs stated that the problem of Ewe and Togoland unification had retarded their progress and that they wished to have closer association with the Gold Coast, especially with the Akans and Ashantis. On the other hand, the Vice-President of the Co-operative Society supported the demand for unification of the Trust Territories. His reason for doing so appeared to be based on dissatisfaction with the prices received from cocoa in Togoland under United Kingdom administration.

Buem/Lefana Local Council area (population 8,000)

Headquarters: Borada

127. At the time of the Mission's visit on 5 September 1952, the local council had not been established, for reasons given above. The area is in the south-eastern part of the former Buem Native Authority.

128. The Mission visited Jasikan which lies within the area and which is an important commercial and cocoa buying centre lying between the two main cocoa-growing areas. The town was the headquarters of the former Buem Native Authority.

129. It was evident on arriving in the town that feeling in this area was strongly divided between support for the Togoland Union and Congress platform and the Convention People's Party platform. The Mission was met on entering the town by two large groups of people, each holding their respective placards and shouting their respective slogans, "Ablode" (Togoland Congress) and "Freedom" (Convention People's Party). The Mission attended meetings with these groups at opposite ends of the town.

130. At the first meeting, organized by members of the Buem Native Authority, the Buem State Council and the Borada Youth Progress Union, determination was expressed to have no more changes of administration. It was emphasized that the Trust Territory had had long contact with the Gold Coast and under the new constitution was nearer to self-government than it would be if it had to experiment with a new administration. Complaints were made about frontier difficulties however, and it was stressed that the Territory should continue to have good relations with Togoland under French administration.

131. At the second meeting, organized by the Togoland Congress and also attended by other members of the Buem Native Authority including the Regent of the Buem State, unification and independence for the unified Territory was requested. It was stated that the Territory, when independent, "would continue in the best neighbourly relations with the Gold Coast."

132. After these meetings, the Mission intended to visit the local co-operative society, but seeing the beginnings of trouble between the two opposing factions which had gathered outside the society, left Jasikan.

Togo/Plateau Local Council area (population 10,000)

Headquarters: Ahenkro

133. The Nkonya Division of the former Ayonkodo Native Authority and the South-western part of the Buem Native Authority form this area. The establishment of the local council had been held up for the reasons given above.

134. The Mission visited Wurupong and Ahenkro and heard addresses from members of the Ayonkodo Native Authority and the Nkonya Adaurantu Convention People's Party. In both localities the Mission was surrounded by gatherings of people holding placards stating "We condemn unification. Togoland and the Gold Coast will continue to be one".

135. The first address urged that the two Trust Territories should continue to be administered separately until self-government was reached, urged the United Nations to exercise more supervisory power over the Administering Authorities so that they would hasten self-rule, asked that frontier difficulties be reduced to a minimum and that if the Gold Coast achieved self-government before Togoland, Togoland should be granted self-government as an integral part of the Gold Coast.

136. The second address emphasized that Togoland was being trained in self-government with the Gold Coast and any change would retard its progress. Support for unification was however also given.

Likpe/Lolobi Local Council area (population 7,000)

Headquarters: Akpafu-Mempeasem

Gbi/Hohoe Local Council area - (population 8,000)

Headquarters: Hohoe

137. Neither of these local councils had been established at the time of the Mission's visit.

138. The Mission did not visit the Likpe/Lolobi area but visited Hohoe, which is the headquarters of the Togoland Union and its associated organizations and main commercial and cocoa buying centre of the Trust Territory on 4 September 1952. The Mission attended a meeting organized by the Togoland Congress at which many local chiefs, elders and people of the area were present. It was stated that there was a growing feeling among the population that the United Nations was under the control of the United Kingdom and France and that if the wishes of the population were really to be taken into account, the Mission should recommend the unification and independence of Togoland, the appointment of a United Nations Commissioner to whom the French and United Kingdom Governments should hand over the administration, and the appointment of an Advisory Council. It should further recommend a target date of five years or less after which the unified Togoland would be proclaimed an independent sovereign state.

Population in areas below predominantly Ewe

East Dain Local Council area (population 16,000)

Headquarters: Golokwati

139. This local council has not yet been established for the reasons given above. It lies immediately to the South of Hohoe.

140. Two members of the Mission stopped at Ve Koloenu, in this area, on 4 September 1952 and met a local chief together with a large gathering of people who asked for unification and independence.

Akpini Local Council area (population 11,600)

Headquarters: Kpandu

141. Kpandu is the headquarters of the Kpandu sub-district, seat of the paramount chief of the Akpini State (which position was occupied by a regent at the time of the Mission's visit) and seat of the local council.

142. The Mission on 3 September 1952 attended a mass meeting in the town organized by the Togoland Congress, held oral hearings, met with the Akpini Local Council and five sub-chiefs of the Kpandu Division of the Akpini State.

143. Opinion on the question of unification was evidently very divided. On the way to the mass gathering which the Mission attended first, it was met by

noisy groups of both Togoland Congress supporters and Convention People's Party supporters. The mass meeting was attended by many chiefs of the area and a large number of unification supporters. The mass meeting was attended by many chiefs of the area and a large number of unification supporters shouting "Ablode" and holding unification placards. Mr. Antor (Togoland Union) speaking on behalf of the chiefs and people present emphasized the necessity for the unification and independence of both Togolands. Addresses in support were also made by chiefs. At the oral hearing the Mission heard inter alia a divisional chief of Kpandu who complained that after the first Visiting Mission had left, the area had been invaded by the Convention People's Party who had completely confused the political situation.

144. At the meeting with the Akpini Local Council, a joint memorandum was presented by the Chairman in the name of the Akpini, Anfoega and Ablode Local Councils. This memorandum which appeared to be a compromise between the views of the Togoland Union and its associated organizations and those of the Convention People's Party, condemned on the one hand the arbitrary partition of Togoland and asked for unification and independence, and, on the other hand, stated that pending peaceful solution of the Togoland unification problem, the Trust Territory should maintain administrative union with the Gold Coast. The creation of the Trans/Volta Togoland Region was appreciated as a mark of goodwill on the part of the United Kingdom Government in the solution of the Ewe unification problem.

145. During the meeting, the Chairman of the Council was asked whether the memorandum was representative of the views of all members of the Council. One member of the Council, a supporter of the Togoland Union, stated that he had not previously seen the contents but having read it did not object. Another supporter of the Togoland Union complained of the recent activities of the Convention People's Party in the area which, he stated, had caused great disunity among the people. He also complained that the Convention People's Party was a foreign political organization.

146. The five Kpandu sub-divisional chiefs which the Mission met next deplored the noisy activities of the Togoland Congress, stating that many people had been brought from outside the area to attend the meeting. They praised the work of the Convention People's Party and considered it expedient to co-operate

with it, in order to progress with the Gold Coast towards self-government.

147. On 6 September 1952, two members of the Mission met with Executive members of the Convention People's Party, Southern Togoland Region, at Kpandu. Two memoranda were presented, one from the Convention People's Party and the other from the Zikpuitor and councillors of the Kpandu paramount stool, senior divisional chiefs and the paramount Queen Mother of Kpandu. It was stated inter alia by the former that the Convention People's Party envisaged a united and self-governing West Africa and therefore did not oppose the unification of the two Trust Territories, but rather endorsed its implementation.

148. The second memorandum expressed appreciation of the efforts made by the Administering Authority and stated that shouts for Togoland unification could lead nowhere. The wish of the (Kpandu) people was to have closer administrative union with the Gold Coast. Great tasks lay ahead of the Territory and its people, but with the co-operation of a benevolent Gold Coast Government they could be surmounted. The local government system which had recently replaced the Native Authorities was already a land-mark and would be a training ground for real "self-rule". Finally, it was claimed that the Ewes in Togoland under French administration were living in abject conditions and great difficulties were placed on the Ewe people by the existence of the frontier. It was hoped that the United Nations would give early and sympathetic consideration to their plight.

Anfoega Local Council area (population 5,000)

Headquarters: Akukome

149. The Mission visited Akukome on 4 September 1952. It met with the members of the local council, local chiefs and people of the area.

150. Two addresses were made to the Mission, the first from Anfoega Chiefs and the second from the Anfoega Duonenyo Organization. The first, while endorsing en bloc the views presented at the meeting with the Akpini local council, added inter alia that Togoland without economic security would be politically unstable and that it was not prepared for a national government. It was considered that the Administering Authority should continue the tutelage of the Trust Territory. The second memorandum emphasized the necessity for unification of both Togolands and condemned the introduction of artificial

boundaries which split the Trust Territories. After unification the people should choose their own government, but from the present political atmosphere it was clear that the unified Togoland should be administered by the Gold Coast, which was the most progressive and advanced government heading towards self-rule in Africa.

Ablode Local Council area (population 14,000)

Headquarters: Vakpo Afeyi

151. The Mission visited Vakpo Afeyi on 4 September 1952 and attended a meeting with the Ablode Local Council.

152. A resolution was submitted in the name of the Council which appeared to be a compromise between the Convention People's Party and Togoland Union views; it recommended inter alia that the Trust Territory maintain political, economic and social union with the Gold Coast until self-rule was achieved; asked that an over-all development of the Trust Territory, in uniformity with the Gold Coast, be recommended; that the arbitrary partition of the Trust Territory be condemned; that a democratic system of government, preferably the British system, as against the French, be granted to the unified Togoland.

Yingor Local Council area (population 15,000)

Headquarters: Dzolopuita

153. Two members of the Mission, on 6 September 1952, visited Vañe, Amedzofe and Dzolopuita, in this area.

154. At Amedzofe a memorandum from local chiefs who supported the platform of the Togoland Congress was received. It was also stated that theoretically Togoland had been entrusted to the United Kingdom, but in practical terms the Gold Coast Government was administering the affairs of Togoland.

155. At Dzolopuita a joint memorandum was presented from members of the local Council and local chiefs of the area in which it was stated that since the visit of the first Mission, many grievances of the people had been redressed and the Trust Territory was now well on the way to self-government. They believed in closer association with the Gold Coast, with a view to eventual self-determination, and did not feel that a separate Government for the two Trust Territories would realize the goal. They however, felt deep concern for the "maltreatment being meted out on our brothers in the other part", and for this reason requested the unification of the two Trust Territories under British rule.

Asogli Local Council area (population 11,700)

Headquarters: Ho.

156. Ho will be the headquarters of the new Trans/Volta Togoland region and is also the headquarters of the Ho Sub-District.

157. In Ho the Mission attended on 8 September 1952, inter alia, a meeting of the Asogli Local Council, a public rally organized by the All Ewe Conference and a meeting with the Asogli Youth League.

158. At the meeting with the Asogli Local Council a memorandum was read in the name of the members and local chiefs. The joint platform of the Togoland Congress and the All Ewe Conference was endorsed, it being requested that the two Trust Territories be unified and placed under United Nations administration with a time-limit of five years before independence was granted. Two members of the Council stated however, that complete unification of the Ewe peoples under British administration should be accomplished and that until the question of Ewe unification was settled they wished that the administration of the Trust Territory with the Gold Coast continue. They also condemned the alleged persecution committed by the French authorities against the Ewes in Togoland under French administration. Replying to questions put forward by the Mission, it was stated that all members of the Council supported the request for unification of the two Trust Territories, except the two members who had submitted the separate address.

159. At the public rally arranged by the All Ewe Conference, which was quiet and orderly, addresses were given by members of the Conference from Togoland under French administration, Togoland under United Kingdom administration and from a member from the Gold Coast. The first speaker emphasized the desire for Ewe unification and the second alleged that there was no political freedom in Togoland under French administration. The Trans/Volta Region member (Gold Coast) while recognizing that the Mission had no competence to deal with the Gold Coast, expressed his support for Togoland unification and independence.

160. Farewell addresses were given by representatives of the All Ewe Conference and the Togoland Congress. The All Ewe Conference representative stated that the Conference would continue to fight for freedom and independence.

161. The Asogli Youth League complained of the comparatively slow development of the Territory, but stated that it appreciated the liberty given the people in Togoland under United Kingdom administration. The League asked the United Nations to draw up a plan to accelerate progress for the Territory towards independence within the shortest possible time.

Djigbe Local Council area (population, 15,800)

Headquarters: Matse Have

162. This area was not visited by the Mission. It lies in the South-west corner of the Trust Territory.

Adaklu Local Council area (population 7,400)

Headquarters not yet determined.

163. At the time of the Mission's visit the local council had not been established. The Mission did not visit this area which lies in the extreme South-central part of the Territory.

Anyigbe Local Council area (population 11,200)

Headquarters: Kpetoe

164. This area is in the extreme South-eastern part of the Trust Territory.

165. On 8 September 1952 while still in Ho (see above) the Mission received a delegation of six members from this Council.

166. Two addresses were heard, one from the President and members of the local council, and the other signed by the President in his capacity as Chief of the Agotime Division of the Asogli State.

167. In the first it was stated that Togoland under United Kingdom administration now enjoyed all the privileges and amenities bestowed by the new Constitution and appreciation was also expressed for the formation of the Trans/Volta Region. The desire therefore, was for the Trust Territory to develop in close association and co-operation with the Gold Coast until full self-government was achieved.

168. The second memorandum was along the same lines. It was added that the demand for complete unification of all the Ewes was an urgent need, made even more urgent by recent events in Togoland under French administration. It concluded by asking for unification of Togoland under United Kingdom

administration and before a solution was found by the United Nations for the Ewe-Togoland unification, that the administrative union of Togoland, under United Kingdom administration with the Gold Coast should continue.

TOGOLAND UNDER FRENCH ADMINISTRATION

Constitutional Developments

169. As in Togoland under United Kingdom administration, constitutional reforms have recently been introduced in Togoland under French administration.
170. Togoland under French administration is one of the Associated Territories under the French Constitution of 1946 and forms part of the French Union. It elects one deputy to the Assemblée Nationale, two representatives to the Conseil de la République and one representative to the Assemblée de l'Union française.
171. Within the Territory the Commissaire de la République, representing the Président de la République, promulgates the applicable laws and decrees. He is assisted by a Conseil Privé consisting of appointed indigenous notables and heads of administrative services. According to the new proposed law for Togoland under French administration which will probably be discussed by the Assemblée Nationale at the end of the year, half of the members of the Conseil Privé will be directly elected by the Assemblée Territoriale.
172. Independently of the legislative power of the French Parliament over the Territory and of the statutory powers of the President of the French Republic, the Commissaire has certain statutory powers which he exercises by issuing orders and decisions. In certain defined cases, however, he is required to submit these orders and decisions for the consideration of the local assembly.
173. The Constitution recognizes the existence in each of the overseas Territories of a local council elected by universal suffrage.
174. The Administering Authority informed the Mission that according to the new proposed law which will probably be discussed at the end of this year in the French Parliament the powers of the Assemblée will be enlarged and the Assemblée will become an "assemblée légiférante" in the framework of the existing laws and decrees.
175. In 1951 a new system of elective conseils de circonscription which supplanted the conseils de notables came into being. They are considered by the Administering Authority as a most important step in the progress of the Territory towards autonomy.
176. Six towns in the Territory have already been given the status of commune-mixte. Each possesses elected conseil municipal (or commission municipale) in practice wholly composed of indigenous persons.

177. Elections held in 1951 for the Assemblée Nationale and the Assemblée Territoriale were governed by the laws of 5 October 1946 and 23 May 1951. The latter law brought about certain changes in the electoral system which had been used for the first time in 1946. While two electoral colleges were maintained - one for French citizens and the other for indigenous inhabitants - the categories of persons entitled to vote in the second college were extended by the addition of mothers of two children and heads of families. Further, the new law made possible an increase in the number of commissions appointed to revise the electoral lists and in the number of voting places, facilitated voting by illiterates by providing for ballot papers in different colours according to different candidates, gave candidates or political parties representation on the commissions for revision of lists and for distribution of electoral cards in the voting places, and allowed an additional month for the annual revision of the lists.

178. The same electoral categories applied to the renewal of 9 December and 30 December (in the case of the Lomé district) of the membership of the Assemblée Territoriale with the difference that the two colleges voted separately. In the first, or French citizens' college, all six seats involved were won by a single list of candidates pledged to defend "local interests".

179. The electoral system applying to these elections underwent further revision at the beginning of 1952, when the French Parliament adopted the law of 6 February whose principal provisions are the establishment of a single electoral college, the extension of the electoral body (to include all heads of households) and the determination of electoral districts. The powers of the Assemblée Représentative elected in December 1951, expired on 30 March 1952 and fresh elections were held on that date in conformity with the new law. The suppression of the double-college system also provided a single electoral body to choose the two members of the Conseil de la République, previously chosen separately by the French and indigenous sections of the Assemblée Représentative. The Administrative Authority informed the Mission that application of the dispositions of the new law of 6 February 1952 which would be made during the next annual revision of electoral lists (between December 1952 and March 1953) would constitute a new decisive step in the direction of universal suffrage of adult population. This would bring a further increase of electors in Togoland.

180. The elections of the municipal commissioners in the communes mixtes and of the new conseils de circonscription have different statutory bases. In the former case election was by direct universal suffrage. In the second case direct universal suffrage was not used as in the more highly developed municipalities, but a system of "universal suffrage by two stages" was used. These elections were conducted as follows: at the first stage each village designated, in accordance with the customs in use for the designation of village chiefs, one secondary elector for the village and one for each 100 inhabitants. At the second stage the secondary electors thus designated, constituted the electoral college which elected the actual members of the council for the district concerned.

181. The results of the elections to the Assemblée Territoriale which were conducted in March 1952 show that the number of registered voters increased to 50,915 (41,904 voters cast their votes) and that out of 15 seats allotted to the South 6 seats were won by the Comité de l'Unité togolaise, 5 by the Parti togolais du Progrès, one by the Union des Syndicats (pro-Comité de l'Unité togolaise), 3 by the Union pour la Défense des Intérêts locaux (2 of which were pro-Comité de l'Unité togolaise and 1 pro-Parti togolais du Progrès). In the North all 15 seats were won by the Union des Chefs et des Populations du Nord Togo.

182. The results of the elections to the conseils de circonscription were conducted in August-September 1951 and according to the information received from the Administering Authority these elections being strictly local were less marked than others by political considerations. The results of these elections were as follows: In the South, 48 seats were won by the Parti togolais du Progrès and 22 by the Comité de l'Unité togolaise, while in the North all 82 seats were won by the Union des Chefs et des Populations du Nord Togo.

183. The Mission was in possession of the petition of the Comité de l'Unité togolaise of 28 May 1952^{1/} as well as of a communication from a group of delegates of the Assemblée Territoriale dated Lomé, 23 September 1952. The Mission also gave an oral hearing to some of these delegates on 23 September 1952.

1/ T/PET.7/311.

184. As to the elections to the Assemblée Territoriale, it was alleged during the oral hearing and in the communications referred to above, that:

1. The electoral lists are restrictive. In Togoland under French administration, with a population of 1,014,669, 50,000^{1/} persons were put on the electoral lists, while for instance in Dahomey with a population of about 1,400,000, more than 400,000 persons were put on the electoral lists.
2. The electoral lists are not prepared in accordance with the rules in force. It depends on the interpretation given by the French administration how the various categories of persons entitled according to the law to be put on electoral lists, are defined.
3. The electoral cards are distributed with the exception of those for the town of Lomé by the chefs de cantons or the chefs de villages and not by the electoral commissions.
4. The parties which are in opposition to the French administration were not allowed to conduct freely their electoral campaign; manifestations in streets and public places were prohibited, public meetings depended on the previous authorization of the French administration; use of loud-speakers on cars was prohibited, etc.

185. The main complaint raised in the same communications and oral hearings as to the elections to the conseils de circonscription was that the secondary electors were chosen by the chiefs of villages who received instructions from the commandants de cercle so as to ensure that only elements docile to the Administration would be elected.

186. Commenting on the fact that the Territory is part of the French Union, the representatives of the Comité de l'Unité togolaise declared^{2/} that the French government by setting up new institutions in Togoland "aimed at creating a facade behind which the old regime of authoritative administration would continue and that it had no real intention of promoting the political development of the Territory; that the Assemblée Territoriale was an institution common to all the French overseas territories in Africa; that it was inadmissible that the

^{1/} Exactly 50,915.

^{2/} Memo dated 22 August 1952

extension to Togoland of legislative powers should be conditioned by the possibility of extending them to other territories which obviously were less politically mature than Togoland, and that there was conflict between the conception of the French Union and the principles of Chapters XII and XIII of the United Nations Charter since the French Union advocated for the overseas territories the idea of assimilation, not self-government or independence.

187. On the other hand the representatives of the Parti togolais du Progrès stated^{1/} that as long as the representatives of the Comité de l'Unité togolaise won a majority in elections they did not object to any election results or to any election procedure, but since they lost the elections in 1952 they claimed that the elections were fraudulent. The people of the Territory had lost confidence in the Comité de l'Unité togolaise because they had made false promises as for instance the abolition of the head-tax and claimed that the United Nations would bring immediate independence to the Territory. They also stated that the Territory, with the help of France, experienced steady and progressive improvement and evolution in all fields including the political field. Therefore, they wished that the Territory pursue its development within the framework of the French Union.

188. It may be recalled that the Trusteeship Council did not completely resolve the question of wider implications which the association of Togoland in the French Union may have in regard to its advancement towards self-government or independence. In its special report on administrative unions involving Trust Territories^{2/} the Trusteeship Council took note of a number of explanations given by the representative of the Administering Authority, among them, in summary, the following:

(a) In case of any conflict between the Constitution and the Trusteeship Agreement, the terms of the latter would prevail by virtue of Article 26 of the Constitution, which lays down the principle of superior authority of diplomatic treaties to that of French domestic legislation.

(b) The Constitution, in defining the relations between the legislative and executive powers, cannot fail to have an indirect influence on the

^{1/} In Lomé, 22 August 1952.
^{2/} Document T/1026.

manner in which Togoland is administered and in which the laws are applied to it; but it does not define their status which is established exclusively by the International Trusteeship System;

(c) Article 75 of the Constitution states that modifications of the status of the members of the Union and passage from one category to another within the framework established in Article 60 may take place only as a result of a law passed by the Parliament after consultation with the territorial assemblies and the Assembly of the French Union. It is not possible to give a categorical interpretation of this article in the event that the population of the Territory may seek a national status outside the French Union.

189. An earlier statement by the representative of the Administering Authority as to the right of the inhabitants eventually to make their own decision was reaffirmed. The statement was as follows:

"With regard to political emancipation in particular, it is self-evident that when the Trusteeship System comes to an end, the populations under Trusteeship will have the option, if they so desire, to achieve their aspirations outside the French Union. It must also be noted however, that membership of the French Union itself offers the populations concerned opportunities whereby they can develop either in accordance with their desire to be united with France in a single community, with equal rights and duties, or with their wish to achieve national autonomy or independence in the form of a State freely associated with the French Republic by treaty".

190. The Trusteeship Council arrived at the opinion that there is no evidence to indicate that the practical operation of the administrative arrangements is incompatible with the Charter and the Trusteeship Agreement; and that the interpretation which the French representative had given concerning the relationship of the Territory to the French Union would appear to be consistent with the provisions of the Charter and the Agreement. It stated, however, that it did not feel competent to appraise the theories of constitutional law which may underlie the arrangements between the Trust Territory and the French Union.

Political parties

191. The main political parties at present active in Togoland under French administration are the Comité de l'Unité togolaise, the Mouvement de la Jeunesse togolaise, the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo. The first two advocate immediate unification under

a United Nations High Commissioner and independence within five years, while the two others are opposed to immediate unification under a United Nations High Commissioner.

192. Their platforms and views on the question of unification may be summarized as follows:

193. The Comité de l'Unité togolaise is the main political party in Togoland under French administration which supports unification of the two Trust Territories. It was founded in 1941, became a political party in 1946 when its standing committee was reformed under the direction of Mr. de Souza. The position of the party with regard to unification appears to have changed since 1949. At that time the policy of the Comité de l'Unité togolaise was mainly the unification of the Ewe peoples, although the Visiting Mission in 1949 observed that in 4 petitions it had received from members of the Comité de l'Unité togolaise of Atakpamé, Sokodé and Mango, unification of the two Togolands was requested. Now it completely supports the demands for unification and independence of the two Trust Territories. The reasons for the change of position as given in a memorandum of 22 August 1952 addressed to the Visiting Mission were as follows:

"The local administration spread rumours about the Comité de l'Unité togolaise, in particular that the Comité movement was pro-British and aimed at the annexation of Togoland to the Gold Coast; stirred up non-Ewe tribes, mostly in Northern Togoland, by stating that the Ewe people sought to create an Ewe State excluding the other tribes. To thwart this propaganda, detrimental to our cause, we sought a basis for agreement with the other tribes of Togoland and even with the Parti togolais du Progrès, that is the unification of the two Togos and independence.

The unification of Togoland which seems to be within the purview of the United Nations will not solve entirely the Ewe problem but will allow the re-uniting of three-quarters of the Ewe population. Independence will avoid the choice of an administering power which has brought distrust between the two present Administering Authorities and disunion and divergent views between various indigenous elements.

Independence will eliminate competition of foreign interests and facilitate thereby the bringing together of the indigenous inhabitants who are at present divided by the Administering Powers. Independence will force leaders of the various parties and groups to work in freedom for the very interest of their country without being compelled to have always in mind the danger of discontenting their masters, the Administering Powers."

194. The Mouvement de la Jeunesse togolaise, or "Juvento", is a political organization established in Togoland under French administration in 1951, although it has presented no candidates of its own in past political elections. It is mainly composed of young men who formerly belonged to the Comité de l'Unité togolaise and who considered that this party did not show enough dynamism in its action.

195. The Juvento's position regarding unification is similar to that of the Comité de l'Unité togolaise, although it wishes to put more emphasis on the demand for complete independence.

196. Both these political parties joined with the Togoland Congress and the All Ewe Conference in presenting a joint declaration to the Mission as referred to above, asking for unification of the Trust Territories and independence within 5 years.^{1/}

197. The Parti togolais du Progrès is a political party founded in 1946 in Togoland under French administration. Its position regarding unification can be summarized as follows:

- (a) It opposes the unification of the Ewes;
- (b) It accepts the principle of the unification of the two Togolands under the condition that the unified Togoland be placed under French administration;
- (c) It opposes immediate independence of Togoland as an attempt of the Comité de l'Unité togolaise to incorporate Togoland with the Gold Coast;
- (d) It wants Togoland to pursue its progressive development within the framework of the French Union.

198. The party explains that it is opposed to the unification of the Ewes because the creation of an Ewe State would mean the disintegration of Togoland and would further deprive the northern tribes of any access to the sea. It accepts the principle of the unification of the two Togolands under the express reservation that the British minority should be integrated into the French majority, all the more so as the largest town as well as the railway and other facilities are in Togoland under French administration.

^{1/} See para. 96.

199. Regarding independence, the party is opposed to the demand for immediate independence as premature. It considers that political independence depends on economic independence. As Togoland's resources are limited, it has to become a member of an economic partnership. Such a partnership exists in the French Union.

200. The Union des Chefs et des Populations du Nord Togo is a political organization in the North of Togoland under French administration. Its position regarding unification is very much the same as that of the Parti togolais du Progrès. In addition to the reasons given by the Parti togolais du Progrès, it stated that it is opposed to immediate independence of Togoland because if Togoland were granted independence, the South would dominate the less-developed North.

Findings in the field: Views on unification

201. The following were the views expressed to the Mission on the question of unification within the cercles of Togoland under French administration.

Cercle of Lomé

202. The Cercle of Lomé is divided into two subdivisions - Lomé and Tsévié - and covers an area of approximately 3,000 km² (population 159,414); it is inhabited mostly by Ewes (124,264), Minas (9,371), and Ahoulams (8,360).

203. There are two communes mixtes in the cercle, one at Lomé and the other at Tsévié. There is also a municipal commission in Lomé composed of 10 members and one in Tsévié composed of 12 members.

204. The Cercle of Lomé elected 5 members to the Assemblée Territoriale, one of whom is a member of the Comité de l'Unité togolaise, one of the Union des Syndicats and 3 of the Union pour la Défense des Intérêts locaux. The memorandum of the delegates to the Assemblée Territoriale of 23 September 1952 was signed by all the 6 Comité de l'Unité togolaise delegates, the delegate from the Union des Syndicats and by 2 out of 3 delegates of the Union pour la Défense des Intérêts locaux.^{1/}

^{1/} See para. 181.

205. Eight members were elected to the Conseil de circonscription of Lomé; 5 were elected from the Comité de l'Unité togolaise and 3 from the Parti togolais du Progrès.

206. To the Conseil de Circonscription of Tsévié, 9 were elected from the Parti togolais du Progrès and 6 from the Comité de l'Unité togolaise.

207. The Mission held two meetings in the Cercle of Lomé with the Commissaire de la République française, several meetings with French officials, a meeting with the Senator and the Deputy of the Territory to the French Parliament, two meetings with the Co-Chairman of the Joint Council for Togoland under French administration, an interview with the Judge, and attended many meetings with chiefs and local people, both in the Lomé and Tsévié subdivisions.

208. The Mission heard various views on the Ewe and Togoland unification question which followed in general the arguments set out by the main political parties.

209. The various points of view expressed by those who wished Togoland under French administration to develop progressively within the framework of the French Union can be summarized as follows:

(a) The only way to be chosen was that of pacifism and legality, so that the Territory might realize the objectives of the International Trusteeship System. It would be useless at this stage in the evolution of the Territory to destroy the results of 30 years of French administration and it should therefore continue its progress within the French Union.^{1/}

(b) The Territory could not gain independence before it had achieved a sound economic basis. Independence should be given to Togoland under French administration within the framework of the French Union, since only then would the peoples be able to enjoy essential political rights and profit from all the economic possibilities of the whole French community without obligation to pay the expenses of a separate administration.

(c) The principle of unification of the two Togolands had however always been endorsed. At the end of World War I, German Togoland

1/ Local section of the Parti togolais du Progrès, Lomé, 22 August 1952.

was divided into two unequal parts: one-third of it was placed under British mandate and the remaining under French mandate. Equity demanded that Togoland should be re-unified. All Togolandese having the interests of their country at heart should seek an adequate procedure whereby unification could be achieved without prejudice to either party. But should unification of Togoland be achieved, it would be logical to incorporate Togoland under United Kingdom administration into Togoland under French administration, which was a viable unit. It was in Togoland under French administration that the capital and the only harbour of the country were situated and where the only railways were. The Territory also possessed economic strength and had a complete administration of its own.^{1/}

(d) In principle no one was against the eventual unification of both Togolands, but the majority of the people were against Ewe unification.^{2/}

(e) The All Ewe Conference had been created in the Gold Coast and had acquired a regional nationalistic character. Its aim was the reunion of all Ewes under United Kingdom administration. The Ewe union would perpetuate racial divisions, an aim which should be eliminated. If the Ewe Territory were unified, the North would lose access to the sea.^{3/}

(f) The unification movement was not a genuine movement; it was a movement created by the people from the neighbouring territories under United Kingdom administration who wanted to annex Togoland under French administration to the Gold Coast.^{3/}

210. The various points of view expressed by the supporters of unification can be summarized as follows:

(a) The Ewe territory was divided into three parts and should be reunited. Until self-government or independence was achieved both Territories should continue to be administered by the French and British authorities respectively, but there should be a High Commissioner appointed by the United Nations who would have responsibility above the two administrations.

^{1/} Statement of the representative of the Parti togolais du Progrès 22 September 1952.

^{2/} Local section of the Parti togolais du Progrès, Lomé, 22 August 1952 and the Women's Section, Lomé, 22 August 1952.

^{3/} Representatives of the Parti togolais du Progrès, Lomé, 22 August 1952.

He would, in the five-year period before self-government was achieved, see that elections were carried out fairly and supervise the general administration. If it were not possible to have a United Nations High Commissioner then the people could submit a draft constitution providing for a Joint Assembly with headquarters in Lomé. After gaining self-government or independence, the unified Territory might be federated with the Gold Coast.^{1/}

(b) Independence of united Togoland should be achieved step by step. Independence of the country would not mean the expulsion of Europeans, since they had much to contribute to the Territory, but the people should govern themselves and decide how their revenue should be spent. The present export-import policy of the Administering Authority depended on the interests of the Metropolitan country and not of Togoland. If independence was achieved, the Territory itself would decide how to conduct trade and how to dispose of foreign exchange.^{2/}

(c) In case of unification, the Mamprusis, Dagombas and Nanumbas would be split from their people in the Gold Coast but if the unified Territory were to achieve self-governing status, it could form a federation with the Gold Coast.^{2/}

(d) Unification, which was supported by the whole population, was the immediate aim. Improvements in economic, social or educational fields without unification were of no importance.^{3/} Only those who were working for the Administration, or were chiefs dependent on the Administration, were against it.^{4/} The members of the Parti togolais du Progrès who were not working for immediate independence of Togoland were Government officials and many of them were French citizens.^{5/}

Cercle of Anécho

211. The Cercle of Anécho covers an area of approximately 2,400 km², (population 184,233) and is inhabited mostly by Minas (47,921) and Ouatchis (124,096). Minas

^{1/} Chiefs from Anécho, at Lomé, 21 August 1952.

^{2/} Statement of the Comité de l'Unité togolaise, Lomé, 24 August 1952.

^{3/} Natural Rulers of Tsevié, 23 August 1952, and others.

^{4/} Comité de l'Unité togolaise and Juvento, Lomé, 24 August 1952

^{5/} Juvento, Lomé, 24 August 1952.

originate from the Gold Coast and occupy the whole zone of lagoons in the South of the Cercle, i.e. the cantons of Glidji, Porto Seguro, Anécho and Aklakou; they have also created some villages along the Mono River, such as Tokpli, Agome-Glozou, Agome-Séva and Agbetko.^{1/} Ouatchis originate from Nuatja and belong to the Fon race. They occupy the rest of the Cercle.^{1/}

212. There is, in this Cercle, a commune mixte at Anécho (population 5,927). The Cercle of Anécho elected 5 members to the Assemblée Territoriale. All the elected members were supporters of the Parti togolais du Progrès.

213. The Mission received several communications complaining of the way in which elections were carried out particularly in this Cercle. It was stated that the Administering Authority refused to put more than 8,000 members of the Comité de l'Unité togolaise on the electoral lists and that the Commandant de Cercle put fictitious names and persons who did not meet the necessary requirements on the lists.

214. Twenty members were elected to the Conseil de Circonscription of Anécho. All were members of the Parti togolais du Progrès.

215. The Mission held several oral hearings with the Chiefs and people of the Anécho Cercle.^{2/}

216. The first group heard was headed by the Prince Regent of Anécho who stated inter alia that the people of Lomé could not act as spokesmen for Anécho without his mandate and that they could not ask for unification of the Anécho area with the Ewes since the people of the area were not Ewes. He also stated that Togoland had not yet attained such a degree of development that it could attain independence. He pleaded that the Trusteeship Council recommend that the

^{1/} Information received from the Administering Authority.

^{2/} In view of some communications received by the Mission which were critical of the itinerary arranged by the Administering Authority in the Cercle, the Mission decided to change its itinerary and visit in addition Agome-Glozou and Togoville. However, because of bad weather and bad roads the Mission could not pass over the Mono River and reached only Alouenou from where it had to return to Anécho. On the way back the Mission stopped at Afagnagan and sent a message to Agome-Glozou to tell the Chief that the Mission had been unable to reach the village because of bad weather.

French Government remain in the Territory until the Trust Territory was ready for independence.

217. The views of the Prince Regent were also endorsed by the Chief of Porto Seguro, the Municipal Councillors of the Town of Anécho, the Paramount Chief of Keta Gbadonoutou and several others. Some of them added that they would uphold unification of both Togolands but only under French administration, since any change in the administration would be disastrous to the population.^{1/} Some protested against the unification of the so-called Eweland. Generally speaking, this group endorsed the platform of the Parti togolais du Progrès.

218. When the Chairman of the Mission invited all those who wished to address the Mission to do so, the Prince Regent of Anécho objected to any person from the gathering addressing the Mission if the request was not cleared by him. He considered that any communication not signed by him should be considered as null and void. After the Chairman invited anybody who wished to address the Mission to speak up the Prince Regent asked for permission to take leave. Only after the Prince Regent and his entourage, as well as other people who had gathered in the court-room in which the Mission conducted the hearings had left, did another group of people who had waited outside, enter the court-room and present their views. They would not speak however, before the Prince Regent and his followers had left.

219. The principal speaker was the Paramount Chief of Glidji, who stated that he spoke in his own name and in that of his two sub-chiefs and his population. He explained the history of Togoland and stressed that only after the partition of Togoland was effected did trouble start in Togoland. In order to develop the country unification and independence were necessary. The aim of his people was not to be under the domination of any European country, but to govern themselves. Another chief stated that the Administering Authority in Togoland under French administration considered the members of the Comité de l'Unité togolaise as their enemies, but the aim of the people was to develop their individual institutions and their country. The Administering Authority did not

^{1/} Chiefs of the principal families of Anécho considered unification of both Togolands as the greatest calamity for Togoland, since the idea brought trouble and delayed the political, social and educational advancement of the Territory.

understand the members of the Comité de l'Unité Togolaise, who were not anti-French but wanted only unification and independence of the Trust Territory.

220. In Attitogon, the Mission received several communications and was welcomed by the Traditional Chief of the Canton of Attitogon, representative to the Assemblée Territoriale and vice-president of the Conseil de circonscription of the Cercle of Anécho, and by the local population. No member of the Comité de l'Unité togolaise was present, since the Comité de l'Unité togolaise has no organization in Attitogon.

221. In Vogan the Mission was greeted by a crowd of about 400 to 500 persons. The Chief stated that unification of both Togolands could be accepted only under French administration, that independence would serve only the more advanced Ewes who would occupy all administrative posts while the Ouatchis had not a single student abroad. Under these circumstances, independence would bring civil war.

222. The Mission asked whether any member of the Comité de l'Unité togolaise was present among the crowd which greeted the Mission, but was informed by the Chief of Vogan that none were present and that there were only some 300 members of the Comité de l'Unité togolaise in the whole village.

223. As the Mission had no time to go to Kouvé, the Chief of Kouvé came to Vogan. He stressed the backwardness of the Ouatchis which made them fear independence, profitable to the Gold Coast capitalists alone. The Ouatchis, he stated, were all in favour of the French administration.

224. In Togoville, where the Mission had been expected on the previous day, the Chief met the Mission alone because the village had not been informed in advance by the Administering Authority of the arrival of the Mission. The people however, gathered there by and by. The Chief stated that the Comité de l'Unité togolaise was not opposed to the French administration but wanted unification and independence after which the French people could stay if they so wished and continue to give their advice. Co-operation between the people of Togoland and France was necessary. Independence however, would allow Togoland to balance its economy by trading freely and directly with all countries and receiving foreign currencies.

Cercle of Klouto

225. The Cercle of Klouto covers an area of approximately 3,000·km² (population 55,312) and is mostly inhabited by Ewes (51,191). Some Ahoulans (793), Cabrais (590) and Minas (585) and others also live there.

226. In Palimé there is a Commune mixte. It is assisted by a Conseil municipal composed of 9 members (3 of whom are deputy-members).

227. The Cercle of Klouto elected 2 members to the Assemblée Territoriale; both were members of the Comité de l'Unité togolaise. The Comité de l'Unité togolaise complained that one of the members elected was still in prison for spreading false news during the electoral campaign.^{1/}

228. Twelve members were elected to the Conseil de circonscription, six of whom were from the Comité de l'Unité togolaise and six from the Parti togolais du Progrès.

229. The Mission held a meeting with the Commandant de Cercle and other French officials as well as several meetings with chiefs and local people.

230. In Palimé the Mission met with many persons from both political parties who endorsed their respective platforms as well as with one of the representatives of the Assemblée Territoriale.

Cercle of Atakpamé

231. The Cercle of Atakpamé covers an area of approximately 18,500 km² (population 107,165) and is divided into two subdivisions: the subdivision of Atakpamé (population 64,778) and the subdivision of Akposso-Plateau (population 42,387).

232. The subdivision of Atakpamé is inhabited mainly by tribes from the Mono Plain, these being Anas (21,101), Ouatchis and Adjias (18,881) and tribes originating from the North, these being Cabrais and Lossos (11,241). The subdivision of Akposso-Plateau is inhabited mainly by tribes from the Western part of the Akposso-Plateau, these being the Akebous and Akpossos (41,121).

1/ The Trusteeship Council adopted at its eleventh session resolution 639 (XI) inter alia requesting the Administering Authority to inform the Council of the results of the trial of Mr. Sam Klu and two other persons accused.

233. In the Cercle, there is a Commune mixte at Atakpamé. There is also a Commission municipale composed of twelve members.

234. The subdivision of Atakpamé elects 2 members to the Assemblée Territoriale and the subdivision of Akposso-Plateau one member, all three being members of the Comité de l'Unité togolaise.

235. Ten members were elected to the Conseil de circonscription of Atakpamé; nine of them were elected from the Parti togolais du Progrès and one from the Comité de l'Unité togolaise.

236. To the Conseil de circonscription of Akposso-Plateau, out of five members four were elected from the Comité de l'Unité togolaise and one from the Parti togolais du Progrès.

237. The Mission held a meeting in the Cercle of Atakpamé with the Commandant de Cercle, had an interview with the Juge de Paix à Attributions correctionnelles limitées d'Atakpamé et de Sokodé, and held several meetings with chiefs and local people. It heard in particular in Atakpamé and Blitta representatives from different political parties. One group of persons expressed the wish that Togoland under French administration pursue its development within the framework of the French Union and some stressed that they were not opposed to unification if both Togolands were unified under French administration. The second group expressed views similar to the political platform of the Comité de l'Unité togolaise. The Chief of the Canton of Blitta complained to the Mission that some of the communications received in the area however, upholding the platform of the Comité de l'Unité togolaise were signed in his name without his consent.

Cercle of Sokodé

238. The Cercle of Sokodé covers an area of approximately 11,800 km² (population 140,066) and is divided into two subdivisions, Sokodé (80,513 inhabitants) and Bassari (59,553 inhabitants).

239. The subdivision of Sokodé is inhabited mainly by Kotokolis (48,187), Cabrais (14,101) and Bassaris-Tchambas (5,839).

240. In the cercle there is one Commune mixte at Sokodé and there is also a Conseil municipal composed of 9 members.

241. The subdivisions of Sokodé and Bassari elect two representatives each to the Assemblée Territoriale and all four members belong to the Union des Chefs et des Populations du Nord Togo.

242. Thirteen members were elected to each of the Conseils de circonscription of Sokodé and Bassari and all of them were supporters of the Union des Chefs et des Populations du Nord Togo.

243. The Mission held a meeting in the Cercle of Sokodé with the Commandant de Cercle, had an interview with the Juge de Paix à Attributions correctionnelles limitées d'Atakpame et de Sokodé and held several meetings with chiefs and local people in both subdivisions of Sokodé and Bassari.

244. In the subdivision of Sokodé the Mission met with Chiefs, Members of the Assemblée Territoriale, political parties and people in Sotouboua, Sokodé, Koumondé and Bafilo. In these towns, with the exception of Sokodé, the Mission heard only the views that the Trust Territory should pursue its development within the framework of the French Union and praise for the Administering Authority, that is, support for the platform of the Union des Chefs et des Populations du Nord Togo. In Sokodé the Mission heard the President of the Comité de l'Unité togolaise and other persons subscribing to the platform of the Comité de l'Unité togolaise. Later the Mission heard allegations that signatures had been forged on some communications from Sokodé supporting the platform of the Comité de l'Unité togolaise.

245. In the towns of Bassari, Kabou and Guérin-Kouka in the Bassari subdivision the Mission met with supreme chiefs, representatives of the Assemblée Territoriale, Conseillers de circonscription and local people. All asked that Togoland under French administration continue to develop within the framework of the French Union. Some of them favoured unification of both Togolands but under French administration stating that they were opposed to any change of administration.

Cercle of Lama-Kara

246. The Cercle of Lama-Kara covers an area of approximately 2,500 km² (population 188,170) and is inhabited mainly by Cabrais (140,532), Lossos (34,466) and Lambas (10,702).

247. The Cercle elects six representatives to the Assemblée Territoriale and all are members of the Union des Chefs et des Populations du Nord Togo.
248. Twenty-six members were elected to the Conseil de circonscription and all are members of the Union des Chefs et des Populations du Nord Togo.
249. The Mission held several meetings in Lama-Kara and Niamtougou with paramount chiefs and chiefs. It heard views praising the Administering Authority. The Paramount Chief of the Lambas-Tambermas however, declared he was not opposed to unification if such unification were not under a foreign administration.

Cercle of Mango

250. The Cercle of Mango covers an area of 9,900 km² (population 180,764) and is divided into two subdivisions, Mango (64,133 inhabitants) and Dapango (116,631 inhabitants).
251. The subdivision of Mango is inhabited mainly by Lambas (19,758) N^oGan-Gams (12,696), Tchokossis (11,341) and Tambermas (6,894).
252. The subdivision of Dapango is inhabited mainly by Mobas (53,709) and Gourmas (50,531).
253. The subdivision of Mango elects two members and the subdivision of Dapango three members to the Assemblée Territoriale and all five members are supporters of the Union des Chefs et des Populations du Nord Togo.
254. Nine members were elected to the Conseil de circonscription of Mango and twenty-one to the Conseil de circonscription of Dapango and all are supporters of the Union des Chefs et des Populations du Nord Togo.
255. The Mission held several meetings in Mango, Kande, Bombouaka, Dapango and Pana with Paramount Chiefs, Chiefs, members of the Conseil de circonscription and people who all expressed the wish that Togoland develop within the framework of the French Union. As to the question of unification some of them stated that they were not opposed if Togoland under United Kingdom administration were joined with Togoland under French administration.

CHAPTER II
THE JOINT COUNCIL FOR TOGOLAND AFFAIRS
HISTORICAL BACKGROUND

Introductory

256. Since the Mission was asked by its terms of reference to make a special study of the Joint Council for Togoland Affairs, it proposes to deal in some detail with the events preceding the establishment of the Council when its proposed functions, powers and composition were first made known to the United Nations.

Functions and powers

257. The Mission recalled that the Administering Authorities explained to the Trusteeship Council in their joint memorandum ^{1/} of 5 July 1951 that while they could not envisage an acceptable solution (of the Ewe and Togoland unification problem) involving an alteration of boundaries or of political allegiance, they nevertheless considered that within the framework of existing boundaries there was scope for close relations between the peoples of the two Territories. The Administering Authorities also noted with interest a reference which had been made in the summary statement approved by the Enlarged Consultative Commission as to "the desirability of harmonizing the policy of development in the two Trust Territories as an essential corollary to their advancement towards self-government" and noted that it was on the basis of this consideration they proposed to set up the Joint Council.

258. The Administering Authorities continued in their joint memorandum that the new body would have the opportunity of discussion and consultation with the senior administrative and technical officers from each side and would consider and advise the two Administering Authorities jointly on the planning and implementation of the programme of development, economic and social, in the light of available resources and on all other practical questions relating to the

^{1/} Document T/931.

preservation of close connexion between the people on each side of the frontier together with any further amelioration of conditions caused by the existence of the frontier.

259. In resolution 345(IX), the Trusteeship Council recommended inter alia that the two Administering Authorities "ensure that the scope of responsibilities of the Joint Council be sufficiently broad to enable it to exercise its functions with respect to all questions of common concern to the people of the two Trust Territories, including questions of political, economic, social, educational and cultural development".

260. Five months later in the course of the sixth session of the General Assembly, the formal terms of reference of the Joint Council were made known in a further joint memorandum^{1/} submitted by the delegations of France and the United Kingdom on 10 December 1951, which also set out the proposed arrangements for the establishment of the Council. According to the joint memorandum, the terms of reference were as follows:

"To discuss and advise the Administering Authorities on the co-ordination of development plans in frontier areas, the amelioration of conditions caused by the existence of the frontier, and other matters of common concern to the people of the two Trust Territories." (paragraph 4)

261. Certain other paragraphs in the joint memorandum had a bearing on the powers and functions of the Joint Council. Under the heading "Financial arrangements", it was stated that:

"The Administering Authorities intend to seek the approval of the local legislative or representative assemblies for the allocation of funds to the Joint Council for expenditure on development projects concerning both Territories". (paragraph 5)

262. Again, under the heading of "Rules of Procedure" (paragraph 11) it was prescribed that any member of the Council might propose additional items for the agenda of a session. The two co-chairmen (chosen by the delegates from each Trust Territory from among their number) were required however, to decide whether

such items were within the Council's terms of reference. If they were, it still required the vote of three-quarters of the total membership of the Council for them to be placed on the agenda in accordance with the rule which required that "no motion, resolution or other matter will be considered as adopted unless it receives the votes of three-quarters of the total membership of the Council" (paragraph 8), that is by at least sixteen votes. This voting procedure had been prescribed, as the two Administering Authorities explained,^{1/} in order to avoid the injustice of placing the members from the larger Territory (fifteen members) in a position in which they would always be able to impose their will on the representatives of the smaller (six members).

263. The authority inherent in any advice to be given by the Joint Council to the Administering Authorities was not defined. As mentioned above, the Administering Authorities had stated previously that it would not be possible to give the Council executive or legislative power extending over the two Trust Territories. The Joint Council was specifically prohibited from altering its constitution, which embodied the decisions made by the Administering Authorities in respect of membership, terms of reference, chairmanship, sessions and voting (paragraph 9).

264. Questions were raised in the Fourth Committee of the General Assembly by some delegations concerning the apparent restrictiveness of the terms of reference and their apparent primary emphasis on development projects in frontier areas. The representatives of the two Administering Authorities explained that, on the contrary, the terms had purposely been made "broad and flexible" so that the work of the Council might develop with experience. Thus, the representative of the United Kingdom stated ^{2/} that the "other matters of common concern" which the Joint Council was empowered by its terms of reference to discuss and advise upon -

"of course included the questions of political, economic, social, educational and cultural development to which reference was made in

^{1/} Documents A/C.4/SR.226, paragraph 9; A/C.4/SR.229, paragraph 46.

^{2/} A/C.4/SR.226, paragraph 11.

resolution 345(IX) of the Trusteeship Council. To establish an over-rigid and over-detailed framework for the operation of a new body such as the Joint Council would be likely to frustrate the hopes of the two Administering Authorities that the responsible members of the Council would find it a fit instrument to further their legitimate common interests. It was characteristic of the arrangements that much was left to the political sagacity and initiative of the members themselves. He wished however, to stress the importance of one notable feature namely, the allocation to the Joint Council of funds to be spent at its discretion."

265. Comparing the Joint Council with its predecessor, the Standing Consultative Commission he stated ^{1/} that -

"The Joint Council had broader and more positive functions and had been designed to act as an effective and practical instrument in ensuring congruity between developments in all fields of common concern to the two Territories, and to stimulate harmonious progress".

Subsequently, the representative of France stated ^{2/} that the two Administering Authorities -

"had decided that the Joint Council's mandate should be very wide. It was true that the Council would not have legislative powers at the outset, but it would be able to act in entire freedom and to assemble all the data it required".

266. The immediate reactions of all the main political parties - all of which were represented before the Fourth Committee - were also made clear at the time. In the case of the general purposes and the terms of reference, their views may be summarized as follows:

(a) The representative of the All Ewe Conference and of the Comité de l'Unité togolaise said that the Joint Council's terms of reference, emphasizing as they did the frontier areas, seemed ever narrower than those of the former Consultative Commission and it did not coincide with the kind of body envisaged in resolution 345(XI) of the Trusteeship Council. He considered it unlikely that the Administering Authorities would go beyond the narrowest possible

^{1/} A/C.4/SR.226, para. 12.

^{2/} A/C.4/SR.229, para. 47.

interpretation of the terms of reference. He thought that "development plans in frontier areas" probably referred to such matters as roads and bridges linking the two Territories; and that the "amelioration of conditions caused by the existence of the frontier" included the solution of such innumerable problems as the movement of hardware, cows, etc., across the frontier. The previous Commission had had the same purpose and had been unable to solve the problems concerned. The establishment of the Joint Council would yield no concrete results and would not even constitute a first step towards the unification of the two Territories. ^{1/}

(b) The representative of the Joint Togoland Congress said that the Joint Council, which would possess no legislative authority, would be entirely powerless to settle the political, economic and other problems with which the populations of the two Territories were faced. ^{2/}

(c) The representative of the Parti togolais du Progrès thought that the establishment of a Joint Council might be tried; if it failed, the principal parties - the Comité de l'Unité togolaise, the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo and the parties of Togoland under United Kingdom administration - should enter into consultation with a view to reaching a solution of the Togoland problem and should make suitable proposals. ^{3/} Subsequently, the representatives of both the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo submitted a written memorandum ^{4/} stating, in respect of the terms of reference of the Joint Council, that "our party agrees with the terms of the [Joint Anglo-French] memorandum", and in addition proposed the inclusion of 'concerted action by the two Administering Authorities with a view to the abolition of the frontier between the two Togoland Territories'.

267. In resolution 555(VI) on the Ewe and Togoland unification problem the General Assembly subsequently recommended with regard to the functions and powers of the Joint Council "that the Administering Authorities, in consultation with the representatives of the peoples concerned, extend the functions and powers of

^{1/} A/C.4/SR.229, paragraph 24.

^{2/} A/C.4/SR.229, paragraph 44.

^{3/} A/C.4/SR.233, paragraphs 38 and 41.

^{4/} A/C.4/L.181.

the Joint Council to enable it to consider all aspects of the Ewe and Togoland unification problem and to make recommendations thereon".

Composition and establishment of the Joint Council

268. The Administering Authorities decided that the Joint Council should be comprised of twenty-one members in all: fifteen from Togoland under French administration and six from Togoland under United Kingdom administration.

269. In their joint memorandum ^{1/} the two Governments gave the following information as to the proposed methods by which the members from each Territory would be chosen:

(a) Togoland under United Kingdom administration

The Southern Togoland members will be elected by the Southern Togoland Council.

The Northern Togoland members will be elected by the Native Authorities.

(b) Togoland under French administration

The members from Togoland under French administration will be elected by each of the Conseils de circonscription and by the local Representative Assembly (Assemblée Territoriale).

270. In the Fourth Committee the representative of the United Kingdom said ^{2/} that the arrangements made in Togoland under United Kingdom administration were those which had stood the test of time in other elections and enjoyed the confidence of the people at large. The Northern and Southern Sections were roughly equal in population and each area was to have three out of the six seats, distributed on an equitable geographical basis. In Southern Togoland that aim was to be achieved by taking the Southern Togoland Council as an electoral college.

271. The representative of France stated ^{3/} that although the Comité de l'Unité togolaise had asked that the members of the Joint Council should be elected by direct vote of the population, the Administering Authority had not considered it

^{1/} A/C.4/198.

^{2/} A/C.4/SR.229, paragraph 45, and A/C.4/L.166.

^{3/} A/C.4/SR.229, paragraph 45, and A/C.4/L.166.

possible to grant this request as it was felt that it would jeopardize the success of the Joint Council to risk any conflict with the elective bodies already existing in the Territories. The system proposed was a balanced system which ensured fair guarantees that all elements of the population would be represented, both for Togoland as a whole and for the various districts. It would have been easy to conceive of other systems wholly in accord with democratic principles under which the law of the majority vote would have precluded any representation of minority elements. On the contrary, it was the desire of the Administering Authority to avoid this disadvantage by placing great emphasis on regional representation bearing in mind the fact that the Ewe question was in its origin essentially a regional question.

272. The representative of the United Kingdom also referred ^{1/} to a desire on the part of some political parties, especially in Togoland under United Kingdom administration, that there should be parity of membership between the two Trust Territories on the Joint Council. His Government believed that such an arrangement would have been unjust because one of the Territories was much larger both in area and in population than the other. On the other hand it would have been equally unjust for the members from the larger Territory to have been in a position always to impose their will on the representatives of the smaller Territory, and he explained the purpose of the Joint Council's voting rules as a safeguard in this respect.

273. The spokesmen of the Togoland political parties represented before the Fourth Committee expressed some criticisms and made some suggestions in respect of the proposed arrangements for establishing the Joint Council. They may be summarized as follows:

(a) The representative of the Comité de l'Unité togolaise and the All-Ewe Conference stated ^{2/} that the Conseils de circonscription which were to elect members to the Joint Council were not representative of the people because as a result of the methods used in the first stage of the two-stage election system by which they were elected, they consisted in effect of persons appointed by the Administration.

1/ A/C.4/SR.225, paragraph 9; and A/C.4/L.158.

2/ A/C.4/SR.228, paragraphs 76-78; A/C.4/SR.229, paragraph 43

(b) The representative of the Joint Togoland Congress stated ^{1/} that the Joint Council could not solve the problem of both Trust Territories so long as the representatives serving on it were elected in the manner described. Elections to the Council should be supervised by a special United Nations Commission. He claimed that the reason for giving Togoland under French administration a larger number of seats than the other Territory was that the representatives of the former Territory would be supporters of the French administration and would outvote the representatives from Togoland under United Kingdom administration.

(c) The representative of the Parti togolais du Progrès and of the Union des Chefs et des Populations du Nord Togo stated ^{2/} that the proposed membership and method of selection would undoubtedly reflect the true configuration of the two Territories, if all the political organizations in the Territories agreed to the method of selection. In view of the criticisms formulated by the representatives of the All-Ewe Conference and the Joint Togoland Congress, he suggested "that all members of the Joint Council from Togoland under French administration should be selected by the local Representative Assembly (Assemblée Territoriale) elected by universal suffrage. We suggest that a similar assembly should be established in Togoland under United Kingdom administration, the members of the Joint Council from that Territory being selected in like manner."

274. In the course of its resolution 555(VI), the General Assembly recommended, in this connexion, that the two Administering Authorities concerned and the people involved should exert every effort to achieve a prompt, constructive and equitable solution of the problem, taking fully into account the freely expressed wishes of the people concerned and "that the Administering Authorities consult fully with the various parties and groups concerned before constituting the proposed Joint Council, with a view to devising satisfactory procedures for the election of representatives to the Council."

^{1/} A/C.4/SR.228, paragraphs 73, 81.

^{2/} A/C.4/L.181.

FINDINGS OF THE MISSION ON THE JOINT COUNCIL

Introductory

275. The Mission arrived in the Trust Territories without information as to what consultations had been carried out with the peoples concerned on the final powers and functions of the Council, its composition and the methods of elections of the Council representatives, nor did it have any information on its practical operation.

276. It therefore officially approached both Administering Authorities and recalling resolution 465 (XI) of the Trusteeship Council and resolution 555 (VI) of the General Assembly, requested them to furnish the Mission with full information on measures which had been taken by them to "consult with the representatives of the peoples concerned in order to extend the functions and powers of the Joint Council to enable it to consider all aspects of the Ewe and Togoland unification problem and to make recommendations thereon", and to "consult fully with the various parties and groups concerned before constituting the proposed Joint Council with a view to devising satisfactory procedures for the election of representatives to the Council".

277. It also requested information on the practical operation of the Council. The following is the information received on these questions together with the comments of the various parties and groups concerned.

Functions and powers

278. No information was received from either Administering Authority on the consultations with the representatives of the peoples concerned to extend the functions and powers of the Joint Council. The functions and powers remained as indicated to the General Assembly at its sixth session.

279. Comments were however, received from the Co-Chairman of the Joint Council (Togoland under French administration), representatives of the Parti togolais du Progrès and the Comité de l'Unité togolaise in Togoland under French administration and from the Jasikan representative on the Council, and chiefs of the Awatime division in Togoland under United Kingdom administration.

280. The Co-Chairman from Togoland under French administration and the representatives of the Parti togolais du Progrès stated that all representatives on the Joint Council had complete freedom of expression and introduction without limitation on the agenda of the Council of any items they wished to be discussed. Therefore, they considered that the terms of reference were broad enough not only to discuss the general development of the Territory but also the question of independence and unification of both Togolands.

281. The representatives of the Comité de l'Unité togolaise stated that since the Trusteeship Council had passed its resolution at the ninth session recommending that the scope of responsibilities of the Council be sufficiently broad to enable it to exercise its functions in respect of all questions of common concern to the people, no steps had been taken to enlarge the competence of the Council.

282. The Jasikan representative objected that contrary to the recommendation of the General Assembly the Administering Authorities had cut down the terms of reference of the Joint Council. It was clear that the re-unification of Togoland not the amelioration of frontier difficulties was the objective of the people of Togoland. The Chiefs of the Awatime division also protested against the lack of power possessed by the Joint Council.

Composition and methods of election of representatives of the Joint Council
Togoland under French administration

283. On the subject of the composition and establishment of the Joint Council the French Authorities informed the Mission that as a consequence of General Assembly resolution 555 (VI) the various political parties of Togoland under French administration were consulted on the following matters:

(a) Composition of the Joint Council; number of members and distribution of seats between the two Trust Territories;

(b) For Togoland under French administration, the way the representatives to this Council should be appointed.

284. The parties consulted expressed the following views on the method of election:

(a) The Comité de l'Unité togolaise asked that the representatives of Togoland under French administration be elected by direct suffrage.

(b) The Mouvement de la Jeunesse togolaise ("Juvento") also asked that the representatives of Togoland under French administration be elected by direct universal suffrage and that there be parity of representation for the two Trust Territories.

(c) The Parti togolais du Progrès asked that representatives be elected by the Assemblée Territoriale and L'Union des Chefs et des Populations du Nord Togo asked that they be elected by the Conseils de Circonscription.

285. The Administering Authority explained that the suggestion of the Comité de l'Unité togolaise could not be adopted in view of the great material difficulties involved in the request. In addition the representative of the Administering Authority informed the Mission orally that the Territory, from April 1950 until 1952 had been through so many elections that it would have been unwise to conduct new elections to the Joint Council.^{1/}

286. Therefore, the original suggestion contained in the Franco-British joint memorandum that the representatives should be appointed on the one hand by the Conseils de Circonscription and on the other hand by the Assemblée Territoriale was adopted, thus effecting a compromise between the suggestions of the parties.^{2/}

^{1/} The following 6 general and 4 local elections were conducted in the Territory from April 1950 to July 1952:

- 9 April 1950 - Additional elections to the Assemblée Représentative to replace one delegate from the Circonscription of Anécho.
- 22 October 1950 - Elections to the Enlarged Consultative Commission for Togoland Affairs.
- 19 November 1950 - Additional elections to the Assemblée Représentative to replace one delegate from the Circonscription of Atakpamé.
- 19 November 1950 - Municipal election in Lomé and Anécho.
- 17 June 1951 - General elections to the Assemblée Nationale.
- 9 December 1951 - Elections to renew the Assemblée Représentative.
- 30 December 1951 - Second poll in the circonscription of Lomé.
- 30 March 1952 - Elections to the Assemblée Territoriale.
- 16 May 1952 - Elections of the Senator.
- June-July 1952 - Elections to the Conseils mixtes.

^{2/} The Mission understands the parties referred to to be the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord.

287. As to the representatives appointed by the Assemblée Territoriale the French authorities informed the Mission that the Assemblée Territoriale was first asked to appoint three representatives to the Joint Council. It was however brought to its attention that no elections should be held, as the Comité de l'Unité togolaise might find itself having no representative in the Joint Council. Instead, each of the three parties in the Assemblée Territoriale, viz. Comité de l'Unité togolaise, the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo was invited to appoint one representative. Each of them was free to choose its own representative either from its members in the Assemblée Territoriale or from outside members so as to be able to appoint the most representative personality.

288. The Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo appointed their representatives but the Comité de l'Unité togolaise refused repeatedly to do so (in the May-June and July sessions). The majority of the Assemblée Territoriale then decided to keep the third seat vacant at the disposal of the Comité de l'Unité togolaise in case it altered its attitude.

289. The Conseils de Circonscription were entitled to elect the remaining 12 representatives. The following rule was adopted to distribute these 12 seats as equitably as possible, taking into account the population figures.

"The Conseils de Circonscription shall elect at least one delegate each unless the population is less than one-half of the electoral quotient and provided that the circonscription be a subdivision. In the latter case the delegate from the cercle of which said circonscription forms part must be appointed by the joint members of those Conseils, constituting a single electoral college."

Thus the Conseils de Circonscription of Atakpamé and Akposso were jointly to elect one representative.

290. The 12 seats were distributed as follows:

Southern Part

Lomé	67,000 inhabitants	-	1 seat
Tsévié	88,000	"	1 seat
Klouto	53,000	"	1 seat
Anécho	184,000	"	2 seats
Atakpamé	106,000	"	1 seat

Northern Part

Sokodé	88,000 inhabitants	-	1 seat
Bassari.	58,000	"	1 seat
Lama-Kara.	188,000	"	2 seats
Mango.	58,000	"	1 seat
Dapango.	111,000	"	1 seat

291. No special conditions were laid for the candidates to fulfil and they were not necessarily to be Conseillers de Circonscription.

292. The Conseils de Circonscription met in ordinary session in the beginning of July 1952 and appointed representatives as follows:

<u>Circonscription</u>		<u>Political affiliation of the elected member</u>
Lomé	-	Comité de l'Unité togolaise
Tsévié	-	Parti togolais du Progrès
Anécho	-	Parti togolais du Progrès
Palimé	-	Comité de l'Unité togolaise
Atakpamé	-	Parti togolais du Progrès
Sokodé	-	Union des Chefs et des Populations du Nord Togo
Bassari	-	Union des Chefs et des Populations du Nord Togo
Lama-Kara	-	Union des Chefs et des Populations du Nord Togo
Mango	-	Union des Chefs et des Populations du Nord Togo
Dapango	-	Union des Chefs et des Populations du Nord Togo

293. Protests were received by the Mission from representatives of the Comité de l'Unité togolaise on the final methods of election adopted for the Joint Council and the Mission also had in its possession documents T/COM.7/L.2 and T/COM.7/L.4 stating that thousands of people from the Territory who met the qualifications for voting in the elections to the Conseils de Circonscription had not been placed on the electoral lists. If these lists were used for the election of representatives from Togoland under French administration to the projected Joint Council, it would enable the Administering Authority to "impose indirectly upon the population

representatives who would be willing to permit the Administering Authority to make the Joint Council what the Standing Consultative Committee once was."

294. The representative of the Comité de l'Unité togolaise who orally addressed the Mission and also sent various communications from its different branches developed the same arguments on the matter. It was stated that the elections to the Conseils de Circonscription were not democratic, since the chiefs who were tools in the hands of the Administering Authority in fact chose the secondary electors; thus the Conseils de Circonscription resulted in the majority of representatives being supporters of the French administration and were not representative of the people of the Territory.

295. As to the appointment of one representative by the Comité de l'Unité togolaise to which the party was entitled a representative of the Comité de l'Unité togolaise stated that they decided not to appoint him since he would in any case be in a minority on the Council.

296. The Co-Chairman of the Joint Council for Togoland under French administration stated^{1/} that, in his opinion, it was fair that the members of the Joint Council be elected by the Conseils de Circonscription and not by universal suffrage, as was suggested by the Comité de l'Unité togolaise. The Territory had been through so many elections that it was not necessary to have new elections based on universal suffrage since the Conseils de Circonscription were already elected in a democratic manner.

297. It was necessary to avoid the trouble in the Territory which would be caused if new elections were held. The Comité de l'Unité togolaise was dissatisfied with the elections because whenever this party was in minority it considered elections as fraudulent which was not the case.

298. The Comité de l'Unité togolaise in various communications and in oral hearings stated that the reason for non-co-operation of the Comité de l'Unité togolaise in the work of the Joint Council was because none of the requests submitted to the Administering Authority were accepted and because parity of representation between representatives from Togoland under United Kingdom administration and Togoland

^{1/} In Lomé, 25 August 1952.

under French administration was not granted; without such parity of representation the Council was not a workable institution.

299. On the other hand the Co-Chairman of the Joint Council from Togoland under French administration and members of the Parti togolais du Progrès^{1/} stated that the apportioning of seats between Togoland under United Kingdom administration and Togoland under French administration was just. It had been made on the basis of population figures in both Territories, the population of Togoland under United Kingdom administration being about 400,000 and that of Togoland under French administration being more than one million. In their opinion no change in the distribution of seats could be made.

^{1/} In Lomé, 24 August 1952.

Togoland under United Kingdom administration

300. As far as the British administration was concerned, in a memorandum from the Ministry of Defence and External Affairs, Accra, dated 5 September 1952, it was stated that in the Southern Section letters were sent to the Togoland Union, the Togoland Congress, the All Ewe Conference and to all Native Authorities and members of the Southern Togoland Council of Chiefs, forwarding them copies of the resolution and inviting their views on the method of election to be adopted. The Togoland Congress requested universal adult suffrage with the reservation that it should be limited to literate natives of Togoland. Other requests were that representatives should be "popularly elected", that they should be elected as for members of the Legislative Assembly, that they should include members of the Southern Togoland Council and in one case it was implied that they should all be elected by the Southern Togoland Council.
301. In the opinion of the Administering Authority elections by universal adult suffrage could not be carried out without the expenditure of much time and money and without interfering with local council elections and delaying the development of the new local government system. Limitation of the franchise to literate Togolandians would have involved a complete re-registration of electors and the disenfranchisement of the bulk of the population including in effect the whole of the Northern Section. The Administering Authority stated however that it was most conscious of the need to make the Council as representative as possible and accordingly adopted a system for the Southern Section giving votes to representatives of each Division, each Native Authority, the Southern Togoland Council and the three major political parties (the Convention People's Party, the Togoland Congress and the All Ewe Conference). Three separate electoral colleges were established for the Ho, Kpandu and Jasikan areas.
302. Certain memoranda addressed to the Visiting Mission protested against the electoral methods, stating that adult suffrage had been requested but that it had been refused. The All Ewe Conference referred to the formal letters which had been sent out to the political parties asking for their views on methods of election. They claimed no notice had been taken of the request for adult suffrage. Similar protests were received from various branches of the Togoland

Union, the Togoland Women's Association, the Togoland Youth Association, the representative of Jasikan, the representative of Ho and Co-Chairman of the Joint Council, the Pan-Ewe Union, Akpini Divisional Chiefs and the Yingor Local Council. 303. The details of the final electoral arrangements which the Administering Authority states were widely circulated in the Southern Section were inter alia as follows:

Votes to which representatives will be entitled

Divisions: Each division will be entitled to one representative who will have 1 vote per 1,000 persons, calculated according to the 1948 Census Tables.

Divisions with less than 1,000 persons will be entitled to one vote.

Native Authorities: Each Native Authority or Local Authority will be entitled to one representative in respect of every 5,000 persons, calculated according to the 1948 Census Tables; each representative will have three votes.

The Southern Togoland Council will be entitled to 15 votes at each Electoral College.

Each of the three principal political parties in the Trust Territory (i.e. the Togoland Congress, the All Ewe Conference and the Convention People's Party) will be entitled to 10 votes at each Electoral College.

Electoral Colleges

The Colleges will be constituted as follows:

HO - for Asogli and Awatime areas

Polling Station - Offices of the Southern Togoland Council

	<u>Representatives</u>	<u>Votes</u>
Divisions	38	66
Native Authorities	12	36
Southern Togoland Council	1	15
Political parties	<u>3</u>	<u>30</u>
Total . . .	<u>54</u>	<u>147</u>

KPANDU - for the Akpini, Anfoega, Attando and Ayonkodo areas

Polling Station - Magistrate's Court

	<u>Representatives</u>	<u>Votes</u>
Divisions	29	74
Native Authorities	13	39
Southern Togoland Council	1	15
Political Parties	<u>3</u>	<u>30</u>
Total . . .	<u>46</u>	<u>158</u>

JASIKAN - for the Buem and Krachi areas

Polling Station - Native Court

	<u>Representatives</u>	<u>Votes</u>
Divisions	15	79
Native Authorities	15	45
Southern Togoland Council	1	15
Political Parties	<u>3</u>	<u>30</u>
Total . . .	<u>34</u>	<u>169</u>

Qualifications of candidates.

The only qualifications are that the candidate must be a native of Southern Togoland and be able to speak and read the English language. Definitions of these qualifications will accord with the Gold Coast (Constitution) Order-in-Council.

Qualifications of representatives

Nil.

304. The results of the elections in the Southern Section were that in the Ho electoral college only 12 out of the 54 possible representatives attended with a voting strength of 26 out of the 147 possible votes. Seven nominations for candidates were received. In the Kpandu electoral college two candidates were presented, but one subsequently withdrew and the remaining candidate was elected unopposed, no voting having taken place. In the Jasikan electoral college, only six out of the possible 34 representatives took part in the elections with a voting strength of 48 out of the 169 possible votes. Three candidates were nominated. The Administering Authority states that in this area lack of interest in the Council was partly responsible for poor attendance in the elections.

305. The reasons for the high amount of non-participation in the other two electoral colleges in the Southern Section was stated by the Administering Authority to be mainly because of the lack of parity in representation in the Council as between the French and British members and it indicated that the majority of replies received in answer to its letters for views on methods of election had requested that parity representation be granted.

306. Comments heard by the Mission in the Southern Section on the composition of

the Joint Council from various political organizations and political leaders^{1/} were all highly critical of the lack of parity between the representatives from the two Trust Territories on the Joint Council. The All Ewe Conference pointed out that its representative had expressed the opinion in the Fourth Committee that if parity were not accepted the main object of the Joint Council would be defeated. The Council would have been a valuable institution if parity had been accepted (free democratic elections had been carried out and a seat provided for a United Nations observer) but in the existing circumstances the Conference had no option but to refuse to participate in the Council's work. It had become abundantly clear that it had been instituted to forestall all attempts to solve the Ewe problem on an equitable basis. The Togoland Union and the Convention People's Party also refused to participate in the elections to the Council.

307. The representative of Ho and Co-Chairman of the Council commented that the Council had been established ostensibly with the purpose of solving problems which affected the two Territories but was rendered unworkable before it ever came into being. From all appearances it would continue as a paper proposition unless parity were granted.

308. For the Northern Section of the Territory it was eventually decided that the new local and district councils lying within the Trust Territory in the Mamprusi, Dagomba/Nanumba and Gonja districts would be eligible to elect one member for each area. The chiefs and people of the Mamprusi and Dagomba/Nanumba districts however, on being invited by the Administering Authority to meet with a view to discussing the election of members to the Joint Council, stated emphatically that they wished to take no part in the proceedings of the Council and that they would not avail themselves of the opportunity to elect members.

309. Thus, consultations on the exact method of elections for these areas of the Northern Section apparently went no further than a preliminary invitation to discuss the matter.

310. The reason they refused to hold elections was due to their desire to be completely integrated with the adjoining sections of the Gold Coast and therefore wished to have nothing to do with matters concerning the two Trust Territories.^{2/}

^{1/} All Ewe Conference, Togoland Union, Togoland Women's Association, representatives of Ho, Jasikan and Kpandu on the Joint Council, Convention People's Party, Asogli Local Council, Liati Youth Association, Chief, Likpe Division, Akpini, Anfoega and Ablode Local Councils, Akpini Divisional Chiefs and Pan-Ewe Union.

^{2/} See also T/CCM.6/L.1

311. In the Gonja area an electoral college was formed with a representative from each local ward within the Alfai Local Council and one representative from the only Togoland ward in the Kpembe Local Council.^{1/} In the case of the two Alfai local wards in which no elections to the Council had taken place at that time, a total of 3 representatives were sent to the electoral college. There were 21 representatives altogether, 20 took part in the voting and the representative to the Joint Council was elected by 17 votes to 3.

312. Thus, out of the 6 seats allocated to Togoland under United Kingdom administration on the Joint Council, only four were filled.

Practical operations of the Joint Council

First sitting

313. The first sitting of the first session of the Joint Council was held in Icmé, on 1 August 1952.

314. Out of 15 members from Togoland under French administration only 14 were present as the Comité de l'Unité togolaise had not appointed its representative. Out of 6 members from Togoland under United Kingdom administration only 4 were present as the seats from the Mamprusi and Dagomba/Nanumba areas were not filled.

315. At the first meeting of the Council the representatives of the Government of the Gold Coast and of the French Government read messages from their respective Governments and inter alia stated that the two Administering Authorities had decided to make provision for credits of respectively ten thousand pounds and five million francs (C.F.A.) for each of the two Territories with a view to permitting the financing of various works and undertakings of an economic or social interest to be carried out in the frontier region or in neighbouring areas on the recommendation of the Joint Council.

316. It was then decided that the Co-Chairman from Togoland under French administration would preside the sessions of the Joint Council held in Togoland under French administration and that the Co-Chairman from Togoland under United Kingdom administration would preside at sessions held in Togoland under United Kingdom administration.

^{1/} Kpembe Local Council area mainly outside the Trust Territory.

317. The Chairman then suggested that the next meeting should be held on 5 August 1952 since most of the northern members from Togoland under French administration wished to return to receive the Minister of Overseas France while he was visiting their neighbourhood. The members from Togoland under United Kingdom administration objected to the interruption of the session but finally agreed to the postponement of the sitting "under strong protest".

Second sitting

318. The second sitting was held on 5 August 1952. At this sitting the representatives from Togoland under United Kingdom administration asked that they be allowed to make general statements before the adoption of the rules of procedure. After long discussion it was so decided by a vote of 17 to 1.

319. The Co-Chairman of the Council from Togoland under United Kingdom administration then put forward a motion in which he invited the Administering Authorities to seek the approval of the United Nations to introduce in the Council a system of representation whereby the members on the Council from Togoland under United Kingdom administration would have equal representation with members from Togoland under French administration.

320. The representative from the Jasikan electoral area, noting the lack of consultation on the part of the Administering Authority concerning the composition of the Council registered the following protest which was seconded by the representative from the Kpandu electoral area:

- "(i) That the proposition that the Joint Togoland Council be comprised of 15 members from Togoland under French administration and 6 members from Togoland under British administration is unacceptable to our constituencies and to Western Togoland as a whole.
- (ii) That as far as the British Trust Territory of Togoland is concerned we suggest with emphasis that the principle of parity of representation of the two Trust Territories of Togoland be maintained. British Togoland should return 15 members to the Joint Council and French Togoland should also return 15 members;
- (iii) That the selection of the 15 members allotted to each area is entirely the domestic affair of the area concerned.
- (iv) That the principle of parity of representation is the principle governing the representation of the several individual Nations in all international organizations.

- (v) That consideration of size of population and extent of national territory have nothing whatsoever to do with the equality of representation of member-States in the various organs of the United Nations.
- (vi) We, therefore, refrain from the activities of the Council until the Administering Authorities would comply with the interest and the freely expressed wishes of the people in our constituencies and Western Togoland as a whole."

321. The Co-Chairman of the Joint Council from Togoland under United Kingdom administration, speaking on behalf of the Ho (Asogli-Awatime) constituency then registered the following protest:

- "1. The proposal that the Joint Council for Togoland Affairs should comprise fifteen (15) elected members from French Trust Togoland and six (6) from British Trust Togoland is unacceptable and therefore must be scrapped.
2. That the Joint Council for Togoland Affairs cannot be recognized as anything but an official set-up where disparity of representation had been made the rule and not the exception.
3. That unless an equal number of members is returned from British Trust Togoland and from French Trust Togoland, any decisions that are taken at the Joint Council for Togoland Affairs will be regarded as not in their interest.
4. That unless there is a parity of representation instituted immediately their representative should not associate himself with any discussions and/or decisions that might take place at the Joint Council for Togoland Affairs."

322. These statements and the motion of the Co-Chairman from Togoland under United Kingdom administration were also seconded by the fourth member from Togoland under United Kingdom administration representing the Gonja electoral area.

323. During the same sitting two members from Togoland under French administration who were members of the Comité de l'Unité togolaise also made statements on non-co-operation in the Joint Council. The representative from the Palimé electoral district stated inter alia:

"The native elements in the Klouto district, in view of the 'régime de dirigisme électoral' well known in Togoland under French Trusteeship, disapprove of the composition of the existing Joint Council, a composition

such as will betray the inhabitants of Western Togoland to the will of the Eastern Togoland members on the Council appointed indirectly by the local administration. We enquire with some suspicion why the two Trustee powers have not wished to heed the opinions of the local political parties which, in petitions, telegrams or resolutions have asked that in accordance with the recommendations made by the Fourth Committee in December 1951, the two Togolands should be equally represented on the Joint Council.

It is possible to discard proportional representation without breaking any French law. In fact only 1,000 Metropolitan Frenchmen and naturalised French citizens in Togoland send a Senator to the Conseil de la République whereas 1,000,000 Togolanderns are authorized to elect only one Senator.

What is so fine and human in the United Nations Charter is that nations both large and small are equally represented. Indeed, all educated Togolanderns know that England and France would withdraw from the United Nations if China, India, the U.S.S.R. and the United States were to benefit from a system of proportional representation.

The majority of the people in the Klouto district think that an election based on universal suffrage is the only one possible under the circumstances, seeing that the Joint Council will have the power to discuss any political, economic or social question (vide the Trusteeship Council's resolution at the meeting of the Fourth Committee of the United Nations, at Paris)."

324. The representative from the Lomé electoral district stated inter alia:

"Bearing in mind the categorical statement made in December 1951 before the Fourth Committee of the United Nations by the representatives of all the political parties in Togoland who for the purpose of appointing members to the Joint Council unanimously demanded democratic elections,

Bearing in mind especially the suggestion made by the representative of the Parti togolais du Progrès that, prior to any decision being taken by the Administering Authorities, the principal political parties in Togoland should hold some kind of conference to consider how best people might be appointed to the Joint Council so as to make this Council truly representative,

Bearing in mind the United Nations resolution 555 (VI) which implies making the Joint Council an organization capable of showing the Administering Authorities the best means of settling all problems affecting the people of the two Territories,

Bearing in mind that the Fourth Committee's resolution calling for consultation of the people has not been followed, in that the Administering

Authorities have adhered strictly to their original plan,

Bearing in mind that the proposals and protests coming from most of the political parties in Togoland have been rejected,

Bearing in mind that the recent statements made in this connexion by the Minister of Overseas France at Anécho and Sokodé and to which the Dakar wireless station has given wide publicity amount to a rejection in advance of all decisions, resolutions, recommendations which may affirm the wish of the Togoland people not to form part of the French Union,

Bearing in mind that it is quite useless to bring together representatives from Western Togoland to talk to them about entering the French Union,

Since the fact of making this condition implicit in the consideration of the work before us amounts to a rejection pure and simple of all possibility of unification and independence,

And since under these conditions the Joint Council is not representative and is not competent to discuss and decide matters in the name of the people,

It is in consequence useless to come here and waste our time;

For these reasons it is requested that the Joint Council should be done away with and replaced by another elected by universal suffrage and with the same number of members for the two Togolands."

Third Sitting

325. At the third sitting of the Council, on 6 August 1952, the representative from the Bassari electoral district addressed the members from Togoland under United Kingdom administration and stated inter alia:

"...one cannot rightly speak about Togoland affairs without paying regard to majorities. These problems interest us from the north to the south, from the east to the west, all to the same extent. The Franco-British memorandum from which our Council has emanated has tried to find a place for all opinions. Insofar as you are minorities, you have agreed to come into the midst of this commission and thereby you have agreed to the system of representation. It would have been more loyal on your part to have declined the offer of representation which was made to you before our meeting. The attitude which you are now adopting is somewhat distressing, but we should not hide from you that our position is as strong as yours. If we are opposed from some quarters, we must, and it is in the interests of all of us that we should, reconcile our various opinions and thereby in the presence of the administering authorities, we could work for the good of our two countries. The work of the United Nations will always be in vain if we do not all give proof of our goodwill and of our good faith.

Members of the opposition, whom nothing satisfies, let us remain as we are. Since we cannot hope to live one day as brothers in the midst of one community, let us at least live in peace and live as good neighbours."

326. The Chairman of the first session of the Council (Co-Chairman from Togoland under French administration) addressing the Co-Chairman from Togoland under United Kingdom administration stated inter alia:

"The people of Togoland under United Kingdom Trusteeship consider that on this Council there should be an equal number of members from both sides. Why? Because they fear that they may be in the minority when we come to discuss questions on which our points of view differ. But as regards the basic matters on the agenda, I do not see any item on which our interests are likely to clash. You all know, since each of you has so assured me, that the administering authorities are prepared to carry out the work which we asked them to do in the interests of our countries. If we succeed in getting the administering powers to carry out the works which we have requested, it will always be something gained for our country, a stage forward in the carrying out of works which are necessary for the progress of our country. And so, as an individual, as a citizen of Togoland, you have no right to let slip the chance of getting the administering Authorities to carry out these works. You are behaving, in fact, like those who from personal interests, do not wish their country to progress. You would personally bear responsibility in the history of this country for having retarded its evolution. If, when we have finished discussing the item dealing with public works, we come to questions which give rise to differences of opinion, let it be then that British councillors put forward their views and leave the chamber, should they so wish; it would still be allowed. I therefore invite them to reconsider their position and to adopt whatever attitude seems to them to be the best; the most worthy of a Togoland citizen who loves his country."

327. After some discussion the representative from the Anécho electoral district read the following resolution:

"In view of the attitude adopted by the members from Togoland under United Kingdom Trusteeship, who think they can refuse to continue attending the Joint Council for Togoland Affairs as long as the existing constitution of this Council remains unaltered we greatly deplore that they should have deliberately assumed the responsibility of taking such a grave step.

Bearing in mind that, when our colleagues from Togoland under United Kingdom Trusteeship came to Lomé for the first session of this Council they were perfectly aware of the Council's composition, and they knew perfectly well that no such important alteration to the rules could be made in the course of the session;

Bearing in mind that such an alteration in no way reflects the opinion of the majority of the Joint Council;

Bearing in mind that the composition of the Joint Council is altogether sound and democratic since it corresponds to the respective populations of the two Togolands and is reflective of an undisputed fact;

Bearing in mind that certain schemes, looked forward to by the people, now run the risk of being adjourned when this Council ends its session,

We protest most vehemently against this unspeakable attitude;

We earnestly request our colleagues from Togoland under British Trusteeship to reconsider their decision;

Let us, in any case, pursue the work of this Council until we reach the end of the agenda in such a way as to safeguard the interests of the people whom we represent; and let us express the hope that the administering authorities will take the closest note of the conclusions we reach in the course of this debate."

328. The four members from Togoland under United Kingdom administration then left the Council and were followed by the two members from the Klouto and Lomé electoral districts (Togoland under French administration).

Fourth sitting

329. At its fourth sitting which took place on 8 August 1952 and which was not attended by any member from Togoland under United Kingdom administration, nor by two of the members from Togoland under French administration (Klouto and Lomé electoral districts) the motion of the representative from the Anécho electoral district was adopted by all present.

330. The Council then adopted its rules of procedure and began to discuss the report of the two Administering Authorities on economic, social and cultural recommendations of the Enlarged Standing Consultative Commission adopted at Ho from the 15th to the 17th of May 1951.

331. Certain recommendations of committees of the Enlarged Standing Consultative Commission had a bearing on the question of frontier difficulties: food supplies, exchange control, freedom of trade, co-operative societies and motor traffic.^{1/}

^{1/} The first four of these recommendations were adopted by the Economic Committee and the last one by the Social and Cultural Committee of the Enlarged Standing Commission (Ho, May 1950).

332. Concerning the recommendation on food supplies reading: "There should be free movement between the Territories of foodstuffs without restriction as to quantity, provided that restrictions might be applied if supplies were not plentiful in the Territory of origin and the retention of reasonable customs duties for supplies in commercial quantities", the representative of the French Administering Authority stated that the restrictions on food supplies had been greatly relaxed since 1948 because:

(a) By resolution of 11 September 1948 the Representative Assembly permitted all local foodstuffs in non-commercial quantities to be exported or imported over land without payment of any dues or taxes and, subject to certain reservations permitted the import and export of other local products and articles without restriction as to quantity.

(As regards commercial quantities the export of foodstuffs is subject to the formality of paying customs and licence fees with a corresponding surrender of the foreign exchange obtained.)

(b) The restriction on the export of live animals had been lifted by the local decree of 16 March 1952, in so far as it affected sheep, goats and pigs.

In addition, the above-mentioned resolution declared that anyone (residing in Togoland under French administration) having agricultural interests on the other side of the frontier was authorized to export free of all tax foodstuffs grown by himself.

In conclusion the existing regulations very largely corresponded with the recommendation made by the Commission and it was considered that it was not possible to go any further in view of the wide scope of the concessions and the flexible manner in which the regulations were applied - so much so that no complaint had arisen for over a year.

The representative of the British Administering Authority declared that there was normally no control over the quantity of local foodstuffs which could be moved across the frontier in either direction and no import or export duty was payable.

333. As to the recommendation on exchange control reading: "It should be possible for an individual to carry across the frontier in cash up to £100 or 50,000 francs CFA", both Administering Authorities stated that it was not

desirable at present to permit the free transfer of money exceeding £60 and noted the suggestion made by members of the Joint Council that merchandise which left a Territory should be evaluated so as to allow a corresponding amount of currency to enter it. The representative of the Gold Coast Government also promised to ask the Customs Office whether it would be possible to allow the free transfer up to £300.

334. As to the recommendation on freedom of trade reading: "There should be complete freedom in the movement of goods of all kinds including agricultural produce between the two Territories", the representative of the French Administering Authority stated that the question of exchange control was quite beyond the sphere of Togoland Affairs. Consequently, the French administration could do no more than adhere for the present to the concessions already obtained and applicable to foodstuffs, live animals, timber, household articles, ordinary glassware, pottery and medicines.

335. As to the recommendation on co-operative societies reading: "Persons living in one Territory should be allowed to become members of co-operative societies in the other Territory and to sell their produce through such societies", both Administering Authorities stated that the request could not be granted as far as cocoa and coffee were concerned, since these cash-crops were subject to special controls and depended on the marketing system in force in Togoland under United Kingdom administration. There was no objection to persons living in Togoland under French administration being members of British Co-operative Societies or people living in Togoland under United Kingdom administration being members of French Co-operative Societies.

336. As to the recommendation on motor traffic reading: "The time-limit for vehicles from British Togoland remaining in French Togoland should be raised from 24 hours to one week", the representative of the French Administering Authority stated that it was not at present possible to consider increasing the maximum period during which vehicles from Togoland under United Kingdom administration could stay in Togoland under French administration. In fact it was to be presumed that a certain number of transport owners from Togoland under United Kingdom administration would profit from a measure of this kind in such a way as to carry goods beyond Lomé and Palimé - this would at one and the same

time be contrary to the existing regulations and would prejudice the interests of transport owners in French Togoland, especially since their competitors would escape the payment of taxes and licence fees. It would be necessary to put into effect some extremely costly means of control to make it possible to reduce the evasion to which the inclusion of such a concession would lead.

337. The other recommendations discussed by the Council referred to acquisition of land, use of vernaculars, school curricula, secondary education, mass education, hospitals and dispensaries, water supplies and roads.^{1/}

338. Concerning the recommendation on acquisition of land reading: "Any restriction on the acquisition of land in either Territory should not apply to natives of the other territory", both Administering Authorities stated that individual requests would be treated favourably. The Administering Authority responsible for Togoland under United Kingdom administration added however that the recommendation was contrary to the Trusteeship Agreement.

339. Concerning the recommendation on the use of vernaculars reading: "Each vernacular should form a compulsory subject in all primary schools of Togoland under United Kingdom Trusteeship and the South of Togoland under French Trusteeship; in the centre and north of Togoland under French Trusteeship parents should have the option of vernacular education for their children", the representative of the French Administering Authority pointed to the difficulties which would be encountered in the implementation of this resolution because of the multiplicity of local dialects which frequently occurred within a single class, the lack of suitable textbooks, the complaints from relatives in certain areas who feared that a serious study of these difficult languages could not be made without detriment to the other subjects of instruction and the lack of interest on the part of pupils. At present instructions of the vernaculars was given under the following conditions:

(a) The Lomé Secondary College: Optional classes in Ewe (followed by about 10 pupils out of 300).

(b) In the Primary Schools: Lessons in ethics, hygiene, housecraft or agriculture given in the vernacular. Singing lessons also make considerable use of traditional songs.

^{1/} The first of these recommendations was adopted by the Economic Committee and the others by the Social and Cultural Committee of the Enlarged Standing Consultative Commission (Ho, May 1951).

Lastly, in adult and mass education classes the lessons, as long as it was necessary were given in the vernacular. Nevertheless in the case of adult classes it was reported that the majority of those who took part insisted that instruction be given them in French as soon as possible.

The representative of the British Administering Authority stated that vernaculars were already compulsory subjects in all primary schools.

340. Concerning the recommendation on school curricula reading: "Education over a wide range of subjects should be developed as fast as possible in both Territories", both Administering Authorities agreed to the recommendation made.

341. Concerning the recommendation on secondary education reading: "The number of scholarships for secondary and higher education should be increased in both Territories and in Togoland under French administration the maximum age limit for entry into secondary schools should be raised", both Administering Authorities stated that the number of scholarships had increased in both Territories and the representative from Togoland under French administration added that the age limit for entry into schools was conditioned by the number of pupils to be admitted. He stated that the request of the Council had been noted.

342. Concerning the recommendations on mass education, hospitals and dispensaries, water supplies and roads reading:

"(i) In Togoland under French Trusteeship mass education should be developed and in Togoland under United Kingdom Trusteeship resident tutors should be appointed to ensure that mass education courses are followed up;

(ii) Hospitals and dispensaries should be developed in both Territories and in Togoland under United Kingdom Trusteeship medical services should be free of charge;

(iii) Water supplies should be developed to the maximum in both Territories;

(iv) The standard of maintenance of the roads in both Territories should be very greatly improved: main roads should be tarred; ferries in Togoland under United Kingdom Trusteeship replaced by bridges as soon as possible; and the number of trans-frontier road links should be increased;"

both Administering Authorities pointed to the improvements which had been made in their respective Territories and in the case of water supplies the

representative from Togoland under French administration declared that the request of the Council would be noted; as to roads, the Chairman of the Joint Council asked that the roads in Togoland under French administration be improved and brought to the standard existing in the metropolitan territory.

343. After having discussed the report of the Enlarged Standing Consultative Commission^{1/} the Council discussed the question of joint scholarships and decided to request both Administering Authorities to maintain the principle of scholarships under the condition that the students be recruited by competitive examination in which they should prove that they knew the language of the country to which they would be going and that four students receive scholarships each year.

344. The decision of the Council was noted by the representative of Togoland under French administration.

Fifth sitting

345. At its fifth and last sitting which took place on 9 August 1952 the last item of the agenda, "Study of public works of economic and social interest to be effectuated on the boundary of both Trust Territories or near it within the limit of funds specially allotted to the Joint Council", was discussed. The Council established a detailed list of various public works, mainly roads connecting the two Trust Territories, construction of a railroad from Assahoun to Hohoe, telephone connexions and building of dispensaries and veterinary control posts.

346. Immediately afterwards the representative chosen by the Assemblée Territoriale du Togo proposed the following motion which was adopted by all present:

"Now that the first session of the Joint Council for Togoland Affairs is coming to an end we, the members from Togoland under French Trusteeship are thankful for the opportunity given us to study problems of common interest to the people of the two Territories and to express our views on them and make our recommendations; we once again deplore the failure of our colleagues from Togoland under United Kingdom Trusteeship to deem it their duty to carry on with the tasks we began together; we believe we have brought to a satisfactory conclusion the tasks which had devolved upon us and that we have achieved positive results; we believe that our attitude has been the only one really in conformity with the expressed interests of those whom we represent; we require the Administering Authorities to turn our wishes and recommendations into the fullest

^{1/} No resolution on the subject was adopted.

measure of concrete results; we are particularly insistent that in no circumstances should there be any alteration in the present numerical composition of the Council and that the number of members should remain proportional to the population of each Territory; in any event we do not think that a minority's theatrical demonstrations could cast doubt on principles inspired by sound sense and reason. We firstly invite the Administering Authorities to hasten, and in fact never to let up on, the task of political, economic and social development which confronts each administration in the zone under its care and secondly, to pay the greatest attention to questions of common interest to the people of the two Territories."

347. Thus, the Joint Council ended its first session without taking up the question of allocation of the grants of £10,000 and 5 million francs (CFA) placed at the disposal of the Joint Council by the Gold Coast Government and the French Government respectively.

Views expressed to the Mission on the importance
of the Joint Council

348. The following are the main views expressed to the Mission orally and in several communications on the importance of the Joint Council.

349. The representative of the French Administering Authority declared that:

"An experiment was made with the Joint Council. The Comité de l'Unité togolaise undoubtedly showed great reluctance to share in the work of the Council, which might well have achieved results. If all the necessary explanations were given, a stable Joint Council could be established which would meet in normal conditions and would solve the petty but irritating questions of the country and thus improve the situation. Moreover, if the Administering Authorities pay attention to the resolutions of the Joint Council and really try to deal with matters brought to their attention there can be little doubt that those who have boycotted or deserted the Council would return to it. It is simply a question of will-power and persuasion; the actual facts and the efficacy of measures taken must be explained to the people. Any suitable solution in such circumstances can only be achieved by unending patience and profound commonsense which will make the population understand that a real solution is being sought."^{1/}

350. The representative of the British Administering Authority declared that the Joint Council could do some very good work especially in removing difficulties caused by the existence of the frontier.

^{1/} Note by the Secretariat: The text of paragraph 349 appears in French in the Mission's report as transmitted by it to Headquarters.

351. The Co-Chairman of the Joint Council and several members of the Council from Togoland under French administration considered the Council as a most useful, workable and important organ which could settle many questions of mutual concern and which could aid the development of both Territories. They considered that it should be maintained.

352. The representative of the Parti togolais du Progrès stated that the Council was a satisfactory body which might be considered in the future as the nucleus of a parliament of a unified Togoland.

353. One of the communications on the Joint Council received by the Mission also contained a similar appraisal of the Council as well as a suggestion that the Council should be transformed into a Legislative Assembly for Togoland, which should be placed under joint French and United Kingdom trusteeship.

354. Representatives of the Comité de l'Unité togolaise and of the All Ewe Conference considered that the Joint Council might have been a valuable institution if parity of representation between Togoland under United Kingdom and under French administration had been guaranteed and if free democratic elections based on universal adult suffrage had been conducted.

355. The Comité de l'Unité togolaise representative also stated that the party had taken into consideration the consequences of non-participation in the Joint Council and supposed that if it refused to co-operate then the Administering Authorities would go ahead and establish the Council which would accordingly be dominated by members supporting the Administration. However, the Comité de l'Unité togolaise had confidence in the United Nations and knew, moreover, that a Visiting Mission would shortly be coming to the Territory and would see the situation as it was. It was therefore better not to participate in the Council where the views of the Comité de l'Unité togolaise would be in the minority and wait instead to appeal to the Visiting Mission.

356. On the other hand the Togoland Union and the Ewe Youth Action Movement stated that they would accept no more Joint Committees or Councils which might be proposed by the Administering Authorities and stated that the Joint Council enjoyed neither the confidence nor the co-operation of the people. They considered the Council as a half measure and would accept nothing less than independence.

CHAPTER III

FRONTIER PROBLEMS

Introductory

357. The existence of the boundary which separates the two Togolands has created since the end of the First World War economic, social and cultural hardships especially in the Southern Section, which have received special emphasis in petitions submitted to the Trusteeship Council since 1947.

358. In a joint memorandum of 17 November 1947 concerning the Ewe petitions, the Administering Authorities of the two Trust Territories noted that in the seaports of Lomé and Keta and the inland districts of Klouto and Kpandu, it was common to find families who owned houses and land on both sides of the Franco-British frontier.^{1/} The two Administering Authorities recognized that the division of the Territories inhabited by the Ewe people and other tribes was the source of certain difficulties. In order to alleviate these difficulties they agreed on certain measures which, in their opinion, would meet the wishes of the people concerned. Furthermore, they agreed to "consult together in order to establish within a fixed period of time a conventional zone designed to remove all the disabilities resulting from the customs frontier",^{1/} taking into consideration "the necessity to ensure that the establishment of this zone would not prejudice the principle of exchange control between French and British Territories in Africa".

359. The Joint Anglo-French Standing Consultative Commission for Togoland Affairs which was set up on the basis of this agreement devoted special attention to the problem of the boundary.

360. The first United Nations Visiting Mission to the Trust Territories in West Africa concluded in its special report on the Ewe problem that the existing frontiers were a hardship, economically, socially and culturally, to the inhabitants of the southern sections of both Togolands and to some extent also to the inhabitants of the other sections.^{2/}

^{1/} Document T/58

^{2/} Report of the United Nations Visiting Mission to Trust Territories in West Africa and related documents, p. 82

361. The Governments of France and the United Kingdom submitted their observations on the Mission's report on the Ewe problem in a joint memorandum of 19 June 1950.^{1/} They stated inter alia that they had consulted together regarding the establishment of a Conventional Zone in the area of the two Trust Territories without prejudice to existing arrangements for exchange control between French and British Territories in Africa and during 1949 a Joint Anglo-French Working Party of experts was set up and made a study on the spot on the practicability of establishing such a Zone. After careful consideration of the problem in the light of the report submitted by the Working Party however, the two Governments reached the conclusion that to establish a Conventional Zone in the two Trust Territories under the then existing circumstances would be to expose the economies of the Territories to grave risks which the two Governments did not feel justified in taking.

362. The Enlarged Consultative Commission created in accordance with the terms of the joint memorandum of 19 June 1950 provided valuable material for the further consideration of the problems involved. Certain groups refrained however from taking part in the deliberations of the Enlarged Consultative Commission.

363. In a joint memorandum submitted to the Trusteeship Council on 5 July 1951^{2/} the two Administering Authorities expressed their sympathy with all the inhabitants of the two Togolands whose family connexions and normal associations had been affected by the existence of the boundary between the two Territories. They reiterated their readiness to do everything practicable to meet all legitimate grievances and remove every impediment to free association across the boundary and stated that in the intervening period since 1948 progressive improvements had been accomplished and as a result of the extensive concessions which had been made there was complete freedom of movement of persons and only the minimum restraint on other traffic. They further stated that the efficacy of those improvements could be gauged by the fact that no significant complaints of difficulties caused by the frontier were brought to the notice of the two Governments in 1950.^{2/}

^{1/} Document T/702

^{2/} Document T/931

364. On the basis of a joint memorandum dated 10 December 1951^{1/} the two Administering Authorities made further arrangements for the establishment of a Joint Council for Togoland Affairs which inter alia was authorized to discuss and advise the Administering Authorities on the co-ordination of development plans in frontier areas and the amelioration of conditions caused by the existence of the frontier (Article 4).

365. As stated in Chapter II of Part Three of this report, the representatives of Togoland under United Kingdom administration and two members from Togoland under French administration walked out of the Joint Council for Togoland Affairs at the third sitting of its first session. However the remaining members discussed during the fourth sitting of its first session different questions relating to frontier problems which are dealt with in Chapter II of Part Three of this report.

Frontier posts

366. The frontier posts between Togoland under United Kingdom administration and Togoland under French administration are situated mainly in the southern part of the Territory. There are no frontier posts in Togoland under United Kingdom administration north of Mpeyo, that is in the Krachi area, and in the whole of the northern part of the Territory. In Togoland under French administration the most northern post is in Klouto in the Cercle of Klouto. There are however three customs posts situated in the interior, in Katchamba (Bassari subdivision), Mango (Mango subdivision) and Dapango (Dapango subdivision). Thus only one-third of the frontier is covered by frontier posts.

367. The following are the frontier posts in Togoland under United Kingdom administration:

Southern Section

Southern part: Headquarters: Aferingba

Sub-stations: Aflao
Kpoglo
Fenyimanu) } In the Gold Coast

Ziofe
Kpetce
Nyive
Shia) } In the Trust Territory

Northern part: Headquarters: Dafo
Sub-stations: Honuta
Wati
Afegame
Baglo
Kadjebi
Ahamansu
Mpeyo

368. The following are the frontier posts in Togoland under French administration:

Between Togoland under French and Togoland under United Kingdom administration	(Dzclo (Baticre (Nyitoe (in experimental stage only) (Kpadape (Klouto (Katchamba (Mango (Dapango
Between Togoland under French administration and the Gold Coast	(Kwadjovikope (Aflao) (Segbe (Ncepe

Investigations of the Mission

369. A number of persons complained to the Mission about frontier difficulties in written communications and oral hearings and concluded that because of these alleged hardships the Mission should recommend the unification of the two Trust Territories.

370. The Mission requested information concerning these complaints from both Administering Authorities and visited as many frontier posts as it was able in both Territories, so as to bring the study made by the first Visiting Mission to Trust Territories in West Africa, 1949, up to date.

371. In the Southern Section of Togoland under United Kingdom administration, the Mission visited the headquarters of the northern part of the Eastern Frontier Preventive Station at Dafo. In the same section the Mission visited also the Kadjebi Preventive Station and in the southern part of the Southern Section, the Nyive Preventive Station.

372. In Togoland under French administration, the Mission visited the frontier posts in Mango, Dapango and Aflao (near Lome), the Customs headquarters in Lome as well as the police station in Aflao which deals with immigration into Togoland under French administration from the Gold Coast and from Togoland under United Kingdom administration.

373. In each case the Mission made thorough enquiries into the frontier problems from officials stationed in each post and from inhabitants living near the frontier.

374. All these complaints received by the Mission came from people living in the Southern Section of the Territory and no grievances were heard by the Mission North of the southern boundary of the Krachi District in Togoland under United Kingdom administration or north of the southern boundary of the Cercle of Atakpamé in Togoland under French administration.

375. These complaints were mainly connected with freedom of movement, exchange control, the taking of goods and produce across the frontier, the passage of motor traffic registered in Togoland under United Kingdom administration into Togoland under French administration and the taxing of cattle crossing the frontier.

(a) Freedom of movement

376. The All Ewe Conference claimed in its written communication that because of the frontier difficulties and in particular because of the lack of complete freedom of movement it was impossible to maintain "the cohesion of chieftaincies through the performance of customary rites and the carrying out of common family projects and communal enterprises" and that consequently "the essence of African village life becomes impossible with consequential disintegration, breakdown of social disciplines and deterioration of morals". These complaints were repeated in other communications submitted by the Paramount Chief of the Buem State,^{1/} a member of the Anyigbe Local Council,^{2/} the Chief of the Leklebi Division^{3/} and others.

377. Certain oral complaints also referred to the closing of the customs posts between the hours of 6:00 p.m. and 6:00 a.m. and one complaint was made that because the road between Dafo and Klouto is open only in one direction at a time, a sick woman from Baglu died because the lorry she was being carried in could not proceed along the road on reaching the frontier post.

^{1/} In Kpandu, on 3 September 1952
^{2/} In Ho, on 8 September 1952
^{3/} In Dafo, on 4 September 1952

378. The Mission investigated all these complaints and received assurances from both Administering Authorities that complete freedom of movement exists for the African population, no identification papers or passports being needed to cross the frontier in Aflao, the frontier post between Togoland under French administration and the Gold Coast. The Mission also received assurances from the French frontier authorities that people who pass from Togoland under United Kingdom administration to Lomé through the Gold Coast need no identification papers.

379. It was true that the customs post at Dafo was closed between 6:00 p.m. and 6:00 a.m., but persons not carrying goods were allowed to cross freely even at night.

380. The road from Dafo to Klouto (about six miles), the Mission was informed, was only open to one-way traffic at a time because it was a mountain road and it would be too dangerous to open it to two-way traffic. However, in the case of an emergency the road could be passed at any time. As to the sick woman who allegedly died, the Mission was assured by the officer in charge of the frontier post that he had not known of the matter and if he had he certainly would have allowed the lorry to proceed to Klouto.

381. The Mission also enquired whether telephone connexions existed between the two frontier posts of Dafo and Klouto and was informed that such connexions do not exist.

(b) Exchange control

382. The question of exchange control was dealt with by the Enlarged Consultative Commission and by the Joint Council for Togoland Affairs as already noted. It was further pointed out to the Mission by the Administering Authorities that such controls existed all over the world and were not peculiar to the Trust Territories alone.

383. The Mission notes that originally £10 or its equivalent in francs (CFA), was allowed to be carried across the frontier but that this amount has now been increased to £60 or its equivalent in francs (CFA). It notes also that the Economic Committee of the Enlarged Consultative Commission recommended that the amount allowed to be brought freely across the frontier should be increased from £60 to £100.^{1/}

^{1/} Cf. Part three, Chapter III.

(c) Passage of goods and produce across the frontier

384. Several complaints on this matter were heard from the Chief of the Hokpe State, Chief of the Leklebi Division, Chief of the Village Agomé-Tomegbe, the Traditional Rulers of the Awatime State, the Paramount Chief of the Buem State, the President of the Conseil de Circonscription of Palimé, and others. The Mission also received a communication stating that people who lived on one side of the frontier, but owned farms on the other side were not allowed to dispose of their farm produce in the area in which they resided, without complying with a series of formalities incomprehensible to a predominantly peasant people. If on the other hand they sold their produce in the area in which their farms were situated they could not bring the proceeds to their homes without complying with intricate currency regulations or else resorting to smuggling.

385. Other complaints were that needed goods and farm produce could not be taken across the frontier. The Mission investigated all these complaints and was informed by both Administering Authorities that according to the rules in force in both Trust Territories, foodstuffs with the exception of cocoa and coffee and a few others, could be transported freely across the frontier, the only condition being according to the officer in charge of the Mango customs office that a certificate of origin be produced.

386. The Mission, after having further investigated the complaints came to the conclusion that the main complaint concerned the prohibition of free transportation of cocoa and coffee through the frontier. From other complaints received it appears that in Togoland under French administration the price of cocoa and coffee is higher than in Togoland under United Kingdom administration. The Administering Authorities explained that the difference in price in the two Territories is due to two different economic systems: in Togoland under French administration the free marketing system and in Togoland under United Kingdom administration the controlled marketing system. To protect the economic policies in both Territories, the free transfer of cocoa and coffee had to be prohibited.^{1/}

^{1/} A full explanation of this policy was also given in the Joint Council during its fourth sitting by the representative of the French administration.

387. Other complaints referred to the restrictions on the import of sugar, imported salt, kerosene, cotton piece goods and other manufactured goods, planks, rifles, etc., which either were not permitted to be imported into Togoland under United Kingdom administration without an import licence (sugar, kerosene, cotton piece goods)^{1/} or were completely prohibited (imported salt,^{1/} liquors,^{1/} liquors, weapons).

388. The Administering Authority informed the Mission that despite these regulations in force in Togoland under United Kingdom administration, the import of sugar and imported salt in small quantities was permitted, "small quantities" being interpreted case by case by the customs officers. However, if it was known that large quantities of salt or sugar were divided among several passengers travelling on the same lorry in order to be collected by one person who would sell it afterwards on the market in Togoland under United Kingdom administration, the salt or sugar was seized.

389. The Mission was also informed that the reason for the bringing of sugar and salt into Togoland under United Kingdom administration from Togoland under French administration was not due to the lack of these commodities in the former Territory but because they were cheaper in the latter.

390. As to the import of cotton piece goods, bicycles, sheet metal gramophones, gramophone records, lime and planks, as noted above these restrictions were discussed at the fourth sitting of the Joint Council when it was asked whether it would be possible for prescribed amounts of specified merchandise to pass without restriction or duty across the frontier each month. The representative from Togoland under United Kingdom administration declared that if the British authorities were able to estimate that the stock of cotton piece goods was sufficient in Togoland under United Kingdom administration, then they might consider lessening the import-export regulations. The question of the free transport of other goods from Togoland under United Kingdom administration into Togoland under French administration and vice-versa was also discussed. Members from Togoland under French administration requested that at least prescribed

^{1/} Supplies Notice, Gazette Notice No. 786, file DC.1/13.28.
Gold Coast Gazette extraordinary No. 37 of 3 April 1952.

amounts of these merchandise pass the frontier without restriction every month. The representative of the Gold Coast Government stated that the Government would further study these requests.

391. As to the transport of arms and ammunition, the Administering Authorities informed the Mission that both Territories adhered to international conventions which prohibited the free transfer of arms and ammunition through international frontiers.

(d) Motor traffic

392. Certain complaints^{1/} were received that lorries registered in Togoland under United Kingdom administration could not run along the Palimé-Lomé road and that they were not allowed to stay more than 24 hours in Togoland under French administration. The Mission received the text of Note No. 1659 of 5 May 1949 from the French Administering Authority which stated inter alia that lorries which travelled through specific roads mentioned in the Note could not stay longer than 24 hours in Togoland under French administration.

393. The question was also discussed at the fourth sitting of the Joint Council when a request for easing motor traffic regulations was addressed to the representative of Togoland under French administration who replied that for the time being it was impossible to contemplate increasing the maximum time-limit permitted vehicles from Togoland under United Kingdom administration. It was considered that some drivers from Togoland under United Kingdom administration would take advantage of such a measure to transport merchandise beyond Lomé and Palimé which were the authorized terminals. This would be both contrary to existing regulations and harmful to the interests of carriers in Togoland under French administration, the more so as such competitors would not pay taxes or licences. Extremely costly control would have to be set up to reduce fraud engendered by such a measure.

(e) Taxing of cattle

394. The Mission heard a complaint that taxes were levied on livestock which crossed the frontier between Togoland under United Kingdom administration and

^{1/} Communication from the Comité de l'Unité togolaise, 16 September 1952

Togoland under French administration. The collector of customs in Dafo^{1/} explained that three animals could pass through the frontier freely and that a veterinary certificate was required for a larger number of cattle.

395. At the frontier post in Dapango the Mission was informed that special duties were levied on cattle per head and that vaccination certificates were required and at the frontier post at Mango the Mission was informed that the export tax on cattle amounted to 10 per cent ad valorem.

^{1/} In Dafo, 4 September 1952

PART FOUR

CONCLUSIONS AND RECOMMENDATIONS
OF THE VISITING MISSION

Ewe and Togoland Unification

396. The Mission has set out in the body of its report a factual account of what it has seen, heard and learnt in the two Togolands, both from the people, their leaders and from the two local Administrations, on the Ewe and Togoland unification problem and now proposes to set forward in the following pages its conclusions and recommendations.

397. The request for Ewe unification was first brought to the attention of the United Nations in 1947 by the All Ewe Conference. Since that time other political groups have made their views known to the United Nations and the request for unification as expressed by those desiring immediate unification appears to have taken a wider aspect in that the unification of both Trust Territories is now requested. In this respect the Mission would note the change in policy of the All Ewe Conference from the request solely for the unification of the Ewe people to the request for the unification of the two Togolands.

398. From its findings on the spot, the Mission would confirm that in the South of the Two Territories the demand for Togoland unification is now a live political issue and finds wide support.

399. For the Comité de l'Unité togolaise, the Mouvement de la Jeunesse togolaise, Togoland Union and associated organizations, who signed the joint declaration as reproduced on page 48 of the report, unification is a strong and urgent desire widespread in the Southern part of both territories. In certain localities indeed this desire is practically unanimous.

400. The Mission is of the opinion that the general demand for a united Togoland as a political movement is gaining wider recognition in the sense that even the Convention People's Party, the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo which are in favour of their existing Administering Authorities, find it politically wise to state, in the case of the Convention People's Party that the unification of Togoland is a paramount wish and, in the case of the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo that equity demands reconstitution of Togoland as one unified Territory.

401. Thus it may be stated that with the exception of the peoples of the North of Togoland under United Kingdom administration where the Mamprusis, Dagombas and Nanumbas have expressed their desire for incorporation in the Gold Coast and with the exception of the people of Krachi in the South of Togoland under United Kingdom administration and several members of the Convention People's Party in some localities, the people of the Trust Territories desire in principle unification of the two Trust Territories.

402. The fact, however, that it may be stated that there is a desire in principle for unification of the two Togolands should not be interpreted to mean that there is wide support for any one form of unification which would be acceptable to the majority of the inhabitants of the two Territories.

403. In Togoland under French administration, both political groups, on the one hand the Comite de l'Unité togolaise and the Mouvement de la Jeunesse Togolaise and, on the other, the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo, have expressed themselves in favour of unification but their views on the form it should take are so diametrically opposed as to make it impossible to satisfy both points of views simultaneously. In brief, the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo want before anything else continued French administration and progress within the French Union. The Comité de l'Unité togolaise and the Mouvement de la Jeunesse togolaise oppose this and want unification under United Nations administration with a view to independence at an early date.

404. In Togoland under United Kingdom administration the Convention People's Party and the Togoland Union, together with its affiliated organizations, have also expressed themselves in favour of unification, but in the first case continued association with the Gold Coast towards the ultimate goal of self-government within the British Commonwealth is the main desire, while the Togoland Union demands immediate unification of the two Togolands under United Nations administration, with the proviso that independence be granted after five years of unification.

405. The intensity of the demands for unification also differed greatly and while the Comité de l'Unité togolaise and Togoland Congress made such demands with urgency and force, the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo accept the principle of the unification of the two Togolands, but only under the condition that the unified Territory be placed under French administration. They do not campaign for unification.

406. These differences of opinions are very clear from the platforms of the main political parties.

407. The All Ewe Conference, the Togoland Union and its affiliated organizations, the Comité de l'Unité Togolaise, the Mouvement de la Jeunesse Togolaise, demand in a joint declaration that the Trusteeship Agreement relating to both Togolands under French and under United Kingdom administrations shall forthwith be amended so that the present Administering Authorities hand over the sovereignty which they are at present exercising on behalf of the indigenous inhabitants to the United Nations; and that a United Nations High Commissioner be appointed with full powers of direct administration over the united Territory for a period of five years at the end of which it would be proclaimed an independent sovereign state.

408. The Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo stated that their parties had always favoured the idea of the unification of the two Togolands. They considered that justice called for the reconstitution of Togoland. The efforts of all Togolese of good will should be directed towards the discovery of measures of unification which would respect the reciprocal interests acquired by the two parties. It was logical to integrate British Togoland in French Togoland, which was capable of independent existence.

409. Those political parties, which viewed the situation realistically, requested the Administering Authority:

(a) to extend the powers of the Territorial Assembly;

(b) to set up an Executive Council;

(c) to promote the increasingly easy access of Togolese to responsible posts^{1/}

410. The Convention People's Party envisages closer association with the Gold Coast but is not necessarily opposed to unification. The Convention People's Party, Southern Togoland region, being fully aware that it is a popular request in Togoland that the two Territories be unified with the ultimate aim of achieving self-government or independence, still considers the unification of both Togolands as a paramount demand, so far as it is the expressed wish of the majority of the inhabitants of the two Trust Territories.

^{1/} Note by the Secretariat: The texts of paragraphs 408 and 409 appear in French in the Mission's report as transmitted by it to Headquarters

411. The Convention People's Party is strongly opposed to the Togoland Union which seeks a unified and independent Togoland without United Kingdom administration. The entry of the Convention People's Party into the politics of Togoland under United Kingdom administration is a major factor in the attitude of the inhabitants of this Trust Territory towards the unification problem.

412. The Mission saw keen political battles being fought by the various political parties using modern campaign techniques. The Mission wishes to point out that its presence in the Territories caused friction between some political parties which sought to demonstrate their strength and importance by holding mass rallies and by competing with each other in claiming the Mission's attention. In Jasikan (Togoland under United Kingdom administration), the Mission attended one meeting at which there were many supporters of one political party, then a second one at the other side of the town organized by an opposing party and also attended by many supporters. After the meetings the two crowds approached each other and the Mission witnessed firm but pleasant intervention by the Administration officials and police, and the dispersal of the crowds without incident. The Mission was informed by the Administering Authority, however, that some days after its visit to Jasikan, a clash between supporters of the two political parties resulted in the arrest of several persons.

413. In Sokodé (Togoland under French administration) the Mission received 31 allegedly forged communications supporting the aspirations of one political party. At a mass gathering attended by the Mission to investigate the forgeries, some people who stated that their signatures had been forged threatened violence against the offenders, but here again public order was maintained by the wise intervention of the Administration and no police action was required.

414. In Anecho the Mission invited expression of views from all the inhabitants. There was obviously strong feelings between the two large groups which wished to present their views to the Mission and there appeared to be a strong possibility of disorder due to the unwillingness of one section to permit the other to take part in expressing its views.

415. In this connexion the Mission would express the hope that the leaders of all political parties will conduct their campaigns (which are in some cases on the unification issue), in such a way as to avoid public disorder and violence. It would also express its regret that upon investigating the authenticity of several communications, it was found that some signatures were forged.

416. One feature of the work of the present Mission was the large number of communications received on the unification question. The total was 2,899. Included in them were several which set out the views of the political parties, representative bodies and traditional chiefs. Approximately two-thirds of these communications were in support of such views and consisted of very brief signed statements, for example "Unification and Independence". In one center the Mission received within a few minutes 325 such communications.

417. It is the view of the Mission that in seeking a solution to the unification problem, an enlightened and sound public opinion is highly necessary. This depends very much upon the development of the two Trust Territories in the political, economic, social and educational fields. In this connexion the Mission expresses its satisfaction with the lively and intelligent interest taken by the peoples of both Togolands in the progress and development of their respective Territories. With further advancement of education in the Territories, the people will be in a position to express their real wishes as to their political future. This of course will call for an accelerated educational programme on the part of the two Administering Authorities. But it is not only the sole responsibility of the two Administrations, it is also the responsibility of their leaders and the more advanced sections of the population. In this respect, the Mission considers that the two Territories are in need of political, economic and social stability.

418. There are of course other aspects of the problem which invite special attention and the Mission, in emphasizing the educational approach to the problem, would lay no less emphasis on the political, economic and social advancement of the two Trust Territories. For this reason the attention of the Mission was drawn not only to mass education schemes and schools, but also to the development of the local representative bodies, dispensaries, hospitals, agricultural research and experimental stations, veterinary services and the building of highways. While all these matters will be fully dealt with by the Mission in its regular reports on the two Trust Territories, the Mission wishes to invite attention to the encouraging progress which is being made in the establishment of local representative bodies in the Trust Territories. The Mission witnessed the young local representative bodies in action. Their members are aware of their responsibilities and the problems confronting the areas over which they have jurisdiction and those confronting their individual Territories as a whole.

419. The Mission was in the two Trust Territories at an interesting stage of their development, when rapid progress was being made in both Territories in reforming local government. In Togoland under United Kingdom administration, elections to 26 of the 32 local councils which lie wholly, or partly, in the Trust Territory, had been conducted and the Administering Authority hoped to complete the elections of the other local councils within a short time and proceed with elections of the district councils in the Southern Section and regional councils by January or February 1953. In Togoland under French administration, elections to the Conseils de Circonscription were conducted in August-September 1951.

420. It may be also noted that new elections to the Assemblée Territoriale were carried out in March 1952 on the basis of the important new electoral law which provides for single college elections.

421. The Mission was much impressed by Achimota University College, Gold Coast, which is open to students of Togoland under United Kingdom administration. It was also greatly impressed by the dispensaries, agricultural research and experimental stations in Togoland under French administration and particularly with the new hospital in Lomé.

422. In the time available to it the Mission was not in a position to find out precisely which unification proposal enjoyed the widest support throughout the two Territories, but from the examination of the large mass of material available to it, it is of the opinion that there is not present in the two Territories wide enough support for any particular form of unification as to warrant alteration of the existing administrative arrangements.

Joint Council for Togoland Affairs

423. The Mission during its stay in the two Trust Territories studied the problem of the Joint Council for Togoland Affairs and in particular the questions referred to in resolution 555 (VI) of the General Assembly.

424. The Mission regrets that when it was in the two Trust Territories the Joint Council was not a working body. This was due to the fact that only twelve representatives out of the twenty-one envisaged participated in the work of the Council. No representatives from Togoland under United Kingdom administration were present and the only representatives from Togoland under French administration were members of the Parti togolais du Progrès or the Union des Chefs et des Populations du Nord Togo.

425. The Mission was informed with respect to Togoland under United Kingdom administration that the Mamprusi, Dagomba and Nanumba areas did not elect any representative to the Joint Council; that the four remaining members representing the Gonja, Jasikan, Kpandu and Ho areas of the Trust Territory walked out of the Council at the third sitting after making strong protests concerning the lack of parity representation between the representatives from Togoland under United Kingdom administration and Togoland under French administration and that no political parties participated in the election of representatives to the Joint Council.

426. With respect to Togoland under French administration the Mission was further informed that the Comité de l'Unité togolaise refused to send the representative to which it was entitled to the Joint Council and that the representatives of Klouto and Lomé walked out of the Council in protest at the third sitting, with the four representatives from Togoland under United Kingdom administration.

427. The Mission was also informed that the main objections to the Joint Council by interested parties, with the exception of the Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo, were that its functions and powers were not broad enough, that the elections were not carried out on the basis of universal suffrage and that the principle of parity representation was not accepted.

428. As to functions and powers, the Mission notes that the present terms of reference of the Council are, according to the statements of the two Administering

Authorities, broad and flexible enough to enable it to discuss any matters of common concern to the two Trust Territories, including political questions; and that in accordance with its rules of procedure any question may be placed on the agenda of the Council if it is accepted by the required majority as prescribed in the rules on voting. Although the Mission is well aware of the fact that the Joint Council is empowered to discuss all political, economic, social and educational matters of common concern to the two Trust Territories, it is of the opinion nevertheless, that such powers should be specifically mentioned in the Council's terms of reference. It believes furthermore that the Council which can discuss political as well as economic, social and educational matters and which has financial assets provided by the Administering Authorities, possesses the possibility of forming the nucleus of a legislative body for the two Trust Territories once they achieve self-government.

429. With regard to the methods used in the election of representatives to the Council, the Mission recalls the reasons given by the two Administering Authorities for not carrying out the elections on the basis of adult suffrage, but points out that with respect to Togoland under United Kingdom administration adult suffrage was used.

430. Concerning parity of representation, the Mission would recall that the system of proportional representation has not always been adopted in the establishment of joint bodies for the two Territories. Actually, the first Consultative Commission was composed of the representatives of both Administering Authorities and two African members each from the Trust Territories, while the Enlarged Consultative Commission was composed of the representatives of both Administering Authorities as co-chairmen, seventeen members from Togoland under United Kingdom administration and twenty-eight members from Togoland under French administration. The Joint Council for Togoland Affairs is at present composed of fifteen elected members from Togoland under French administration and six elected members from Togoland under United Kingdom administration and each side is allowed to choose its own chairman and does not contain representatives of the Administering Authority with the power to vote. It can therefore be observed that official participation in such joint bodies has diminished and that the number of seats allotted to the two Trust Territories, never until the last Council was established, depended on the population figures of the two Territories.

431. The Mission recalls that both Administering Authorities showed evidence of willingness to make the work of the Joint Council successful by making funds and technical assistance available to it for development projects of concern to the two Trust Territories.

432. The Mission points out that the Administering Authorities, all interested groups and political parties with two exceptions stated that they were in general agreement that the Joint Council might be a valuable institution which could advise the Administering Authorities on matters of common concern to the two Trust Territories and could assist in harmonizing developments in the Territories. The two exceptions were on the one hand the Mamprusi, Dagomba and Nanumba peoples of the Northern Section of Togoland under United Kingdom administration and on the other the Togoland Union. The Mission endorses the view that the Joint Council might be a valuable institution.

433. The Mission was not able to discuss with the Administering Authorities and the political parties concerned, after it had completed its visits to the two Trust Territories, the possibility of gaining general agreement on modifications in the structure and functions of the Joint Council in order to make it an effective body.

434. The Mission is aware of the fact that the full co-operation of both Administering Authorities and of the parties concerned is required if the Council is to become a properly functioning body which might solve political questions as well as alleviate the difficulties caused by the frontier.

435. Recalling the General Assembly recommendations on the extension of functions and powers of the Council and the procedures for the election of Council representatives, the Mission would suggest that the Administering Authorities, in order to enable the Joint Council to operate efficiently in the future, should fully consult with each other and the representatives of the people concerned on possible modifications which might be made in the Council which would generally satisfy all concerned.

436. The Mission considers that possible modifications of the composition, functioning and powers of the Joint Council should, in the first instance, be studied by the Administering Authorities, and it expresses the hope that these Authorities will assist in bringing about the necessary adjustments for the well-being of the peoples of both Trust Territories.

Frontier Problems

437. The Mission is of the opinion that the frontier problem is not an economic one, but is a political problem and the Mission is fully alive to the psychological effect which the existence of the boundary has created in the minds of the population of the two Territories in general and of the people who live near the frontier in particular. The Mission notes in this regard the statement contained in the joint memorandum of the Administering Authorities that no significant complaints of difficulties caused by the frontier were brought to their notice in 1951. In fact, the frontier problems are of secondary consideration and of no great significance. The real problem is that of the existence of the frontier itself and will depend on the solution of the unification problem.

438. The Mission further notes that much has been done by the Administering Authorities during the last few years to satisfy the wishes of the people on both sides of the boundary, but notes that there is scope for further action in this regard.

439. In its investigations into the frontier difficulties, the Mission found that nearly all the frontier posts are concentrated in the South of both Territories and that about two-thirds of the frontier in the centre and in the North is without any frontier post. The complaints that do arise come mainly from the Southern areas.

440. With regard to the free movement of persons across the frontier the Mission was satisfied with the explanations received from the Administering Authorities that complete freedom does exist and that no difficulties are experienced by persons wishing to cross the frontier.

441. The Mission's attention was drawn to the restrictions which have been placed on the transport of certain goods across the frontier, particularly cocoa and coffee, and on the taking of currency from one Territory to the other. The former restriction is the consequence of the two different economic systems applied in the two Territories.

442. Although realizing the basis of these restrictions, the Mission would suggest, however, that the Administering Authorities consider the possibility of abolishing restrictions on the transport of consumer goods such as sugar, salt (all kinds)

and kerosene. The Mission is also of the opinion that the Administering Authorities might further consider the possibility of alleviating customs restrictions on manufactured goods such as cotton piece goods and bicycles, by allowing each person to bring into the Territory in which he normally resides specified amounts of such goods per month. It would also suggest that the Administering Authorities give further consideration to increasing the amounts of their respective currencies allowed to be taken over the frontier.

443. The Mission would also suggest that the Administering Authorities consider amending the provisions whereby lorries from Togoland under United Kingdom administration are not allowed to proceed along certain roads in Togoland under French administration or to remain there for more than twenty-four hours.

444. The Mission considers that more roads between the two Territories might be constructed and that the existing ones might be improved in order to facilitate communication between the two Territories.

445. Apart from the complaints of an economic nature, complaints were also made concerning the manner in which the frontier posts are operated. For instance the frontier posts are closed between the hours of 6.00 p.m. and 6.00 a.m. so that the people wanting to take goods across the frontier sometimes have to wait all night if they arrive after the posts are closed. The Mission is of the opinion that this difficulty might be eliminated by the introduction of a special night fee. It might also be advisable to install telephone connexions in cases where the corresponding frontier posts are some distance from one another and where there is one-way traffic, in order to ensure co-ordination between these posts.

446. It seems to the Mission that the subjects raised above could be usefully discussed in a joint body composed of representatives from both Trust Territories.

ANNEX I

CLASSIFICATION OF COMMUNICATIONS RECEIVED BY THE VISITING
MISSION WHICH REFER TO THE UNIFICATION QUESTION

I. DEMANDS FOR UNIFICATION

A. COMMUNICATIONS FROM TOGOLAND UNDER UNITED KINGDOM ADMINISTRATION

1. Communications requesting immediate unification of the two
Togolands under United Nations administration

The Togoland Union, the Togoland Congress, the Togoland Farmers' Union and the all Ewe Conference requested in a joint declaration^{1/} that the two Togolands be unified and placed under United Nations administration for a period of five years at the end of which their independence would be proclaimed.

The request for unification and independence was also contained in 546 other communications. Most of those received in the Southern Section made the request but gave no further explanation. It can be assumed that they were meant to add strength to the request of the major political groups. They are as follows:-

Southern Section: 544 communications ^{2/}

Northern Section: 2 communications.

2. Communications requesting continued association of Togoland
under United Kingdom administration with the Gold Coast

The Convention People's Party, Southern Togoland Region, requested continued association of Togoland under United Kingdom administration with the Gold Coast.

Eighteen other communications set forth the same request. Four of them also favoured the unification of the two Togolands. All these communications were received from the Southern Section.

^{1/} This joint declaration is also endorsed by the Comité de l'Unité togolaise and Juvento.

^{2/} Ten of these communications were received from the Gold Coast.

3. Communications requesting incorporation of part or of the whole of Togoland under United Kingdom administration with the Gold Coast

Seven communications, 3 from the Southern Section, 2 from the Dagomba and 2 from the Mamprusi area requested that Togoland under United Kingdom administration be incorporated in the Gold Coast.

B. COMMUNICATIONS FROM TOGOLAND UNDER FRENCH ADMINISTRATION.

1. Communications requesting immediate unification of the two Togolands under United Nations administration

The Comité de l'Unité togolaise and Juvento requested in the joint declaration referred to above and in separate memoranda that the two Togolands be unified under United Nations administration for a period of five years, at the end of which their independence would be proclaimed.

The request for unification and independence was also contained in 1933 other communications. Most of them made the request but gave no further explanation. It can be assumed that they were meant to add strength to the request of the major political groups. They were as follows:-

Cercle of Lomé	-	759 communications ^{1/}
Cercle of Anécho	-	130 communications
Cercle of Klouto	-	86 communications
Cercle of Atakpamé	-	443 communications ^{1/}
Cercle of Sokodé	-	411 communications ^{1/}
Cercle of Lama-Kara	-	103 communications ^{1/}
Cercle of Mango	-	1 communication

2. Communications requesting continuation of French administration

The Parti togolais du Progrès and the Union des Chefs et des Populations du Nord Togo requested in two memoranda that Togoland under French administration continue to pursue its development with the framework of the French Union. They

^{1/} A number of communications protesting against the alleged forgery of signatures were received in connexion with these petitions: 1 in Lomé, 3 in Atakpamé, 31 in Sokodé and 3 in Lama-Kara.

also stated that they accepted the principle of unification of the two Togolands under the condition that Togoland under United Kingdom administration be incorporated with Togoland under French administration, but they opposed both the unification of the Ewes and the granting of immediate independence to Togoland.

This position is supported by 383 other communications as follows:-

Cercle of Lomé	-	29 communications
Cercle of Anécho	-	105 communications
Cercle of Klouto	-	30 communications
Cercle of Atakpame	-	28 communications
Cercle of Sokodé	-	34 communications
Cercle of Lama-Kara	-	21 communications
Cercle of Mango	-	136 communications

2. Communications requesting other forms of unification

One communication from the Cercle of Lomé requested that Togoland under French administration be united with Dahomey. Another communication from Dahomey requested that three villages now in Togoland under French administration be incorporated in Dahomey.

Two communications from Aflao requested that the whole of Aflao be placed under French administration.

II. JOINT COUNCIL FOR TOGOLAND AFFAIRS

A. COMMUNICATIONS FROM TOGOLAND UNDER UNITED KINGDOM ADMINISTRATION

1. Communications against the present organisation of the Joint Council

The All Ewe Conference stated in its memorandum that the Joint Council would have been a very valuable institution if there had been parity of representation of the two Togolands, free democratic elections based on adult universal suffrage and a seat provided for a United Nations observer.

Twelve communications, all from the Southern Section, requested parity of representation of the two Togolands in the Joint Council. Five of them also requested more democratic election of its members.

Another communication from the Southern Section requested that in order to safeguard the interests of the minority, the voting system in the Joint Council should be modified.

B. COMMUNICATIONS FROM TOGOLAND UNDER FRENCH ADMINISTRATION

1. Communications in favour of the present organisation of the Joint Council

The Parti togolais du Progrès requested that the Administering Authorities concerned promote the work and the functioning of the Joint Council and that the present composition be maintained.

The latter request was also contained in a communication from Anécho.

2. Communications against the present organisation of the Joint Council

The Comité de l'Unité togolaise stated that it boycotted the Joint Council for the reasons given by its representative to the Fourth Committee at the sixth session of the General Assembly (mode of elections allegedly unfair). It further stated that the present composition of the Joint Council aims at stifling the unification movement.

The Comité de l'Unité togolaise, local section of Atakpamé, stated that the Joint Council was not workable because of its composition and the mode of election of its members.

The Juvento, local section of Palimé, requested parity of representation of the two Togolands in the Joint Council.

ANNEX II

ALLEGATIONS CONCERNING MEASURES TAKEN AGAINST SUPPORTERS
OF THE COMITE DE L'UNITE TOGOLAISE AND JUVENTO
IN TOGOLAND UNDER FRENCH ADMINISTRATION

Note: These allegations and the relevant observations of the local authorities are summarized below without any comments by the Visiting Mission.

I. Allegations concerning measures taken by the Administration to prevent supporters of the Comité de l'Unité togolaise and Juvento from greeting the Visiting Mission at the Lomé airfield

A. Allegations

In a written communication, the Comité de l'Unité togolaise stated that on the day of the Mission's arrival in Lomé, garde-cercle, policemen and gendarmes were posted in all the main roads leading to the airfield and prohibited gatherings in the city and access to the airport.

Seven other written communications complained about these measures. Similar complaints were also made orally by the United Nations Association, "Traditional Chiefs of Tsévié" and the Women's Section of the Comité de l'Unité togolaise, on 22, 23 and 24 August 1952, respectively.

B. Observations of the local authorities

In a communication dated 22 August 1952, the Commissaire de la République au Togo assured the Mission that no decision had been taken to prohibit any public or private manifestation. In a further communication dated 23 September 1952, the Commissaire stated that no measures had been taken to prevent the population from greeting the Mission which could see for itself that quite a large crowd was gathered along the road it took from the airport. As to access to the airfield parking and landing grounds, police regulations had to be imposed to protect the safety of passengers and for other reasons. Because of the nature of its traffic an airfield was not a proper place for public demonstrations. The public however, had free access to the part reserved to it and the Mission probably saw that Messrs. de Souza, Olympio, Aku and Savi de tové, all members of the Comité de l'Unité togolaise, were present at the airport on the Mission's arrival. This proved that they had not been kept away.

II. Allegations concerning prohibition to bear pro-unification insignia and shout pro-unification slogans

A. Allegations

It was alleged that the Administration prohibited people from displaying insignia of pro-unification parties and from shouting "ablode". Those who disregarded the prohibition were locked up or beaten.

These allegations were contained in 9 written communications. They were also made orally by the United Nations Association on 22 August 1952 and by Juvento on 24 August 1952.

B. Observations of the local authorities

In a communication dated 23 September 1952, the Commissaire de la République au Togo stated that the population was in no way prevented from bearing any political insignia or shouting any slogan whatsoever. He surmised that the Mission could see for itself that many Togolese were freely bearing political insignia and shouting their party slogans.

III. Allegations concerning mistreatment of supporters of the Comité de l'Unité togolaise and Juvento

A. Allegations

In a written communication the Comité de l'Unité togolaise complained that soon after the Mission's arrival in Lomé many supporters of the Comité de l'Unité togolaise and Juvento had been severely beaten by policemen.

Similar complaints were also contained in 9 other written communications and were stated orally by the United Nations Association on 22 August 1952 and the Women's Section of the Comité de l'Unité togolaise on 24 August 1952.

During the oral hearing of the United Nations Association, 21 persons allegedly wounded by policemen were shown to the Mission. Ten of them had limbs in casts.

B. Observations of the local authorities

In a communication dated 23 September 1952, the Commissaire de la République au Togo stated that a medical inquiry had been made on the subject. Only 13 persons reported to the hospital. Among them 8 had no sign of any mistreatment and only 3 had very light scratches. Two had fractured limbs, but one case was obviously caused by a fall, not by blows.

The Commissaire stated however, that a few minutes after the arrival of the Mission a public gathering near the Governor's Palace had been dispersed since no manifestation was allowed in the neighbourhood of the Governor's Palace, under normal circumstances. He further commented that some of the policemen in charge being confronted by this small group of persons might possibly not have been as patient as they should have been. However, the incident was by no means serious.

IV. Allegations concerning measures taken to deny petitioners access to the Mission's offices in Lomé

A. Allegations

In a written communication, the Comité de l'Unité togolaise stated that soon after the arrival of the Mission in Lomé the Mission's offices were surrounded by armed gendarmes and policemen who prevented several persons bearing petitions from meeting the Mission.

A similar complaint was made orally by the United Nations Association on 22 August 1952.

B. Observations of the local authorities

On 22 August 1952, a representative of the Administration stated that six policemen were posted near the Mission's offices. This constituted no display of force. However, to avoid any misunderstanding, the Administration would withdraw the four policemen posted at the gates, but the two policemen at the crossroads had to remain as they were on traffic duty. The Mission agreed that this should be done and the four policemen were subsequently withdrawn.

In a communication dated 22 August 1952, the Commissaire de la République au Togo assured the Mission that petitioners had every facility to meet the Mission

V. Allegations concerning measures taken at the frontier between Togoland under French administration and the Gold Coast during the Mission's stay in Lomé in August 1952

A. Allegations

In a written communication, the Comité de l'Unité togolaise complained that the frontier between Togoland under French administration and the Gold Coast was closed without warning on 21 August 1952, and the following days and that all the Ewe chiefs who were proceeding to Lomé to attend a mass meeting organized by the Comité de l'Unité togolaise and the All Ewe Conference were refused admission into Togoland under French administration. The Mission also received 15 communications from persons stopped at the frontier protesting against this measure.

B. Observations of the local authorities

In a communication dated 23 September 1952, the Commissaire de la République au Togo stated that no measures modifying the frontier regime had been taken during the Mission's stay in Lomé. However, on the Mission's arrival the administration had information that certain organizations planned to have the city of Lomé invaded by persons from the Gold Coast. Such a project appeared to the Administration to be highly suspicious. In fact, there were indications that it was a genuine attempt to organize a putsch. Therefore, the Administration ordered the Customs and police station at the entrance to Lomé to exert special vigilance. In accordance with existing regulation all non-Togolese persons seeking entry into the Territory were asked to produce identity papers.

In a further communication dated 9 October 1952, the Administration stated that the number of persons who had been refused admission into the Territory did not exceed 150. These persons were all from the Gold Coast, not from Togoland under United Kingdom administration and the measures mitigating frontier difficulties in force since 1948 were not applicable to them.

VI. Allegations concerning measures taken to prevent supporters of the Comité de l'Unité togolaise and Juvento from approaching the Mission in Palimé

A. Allegations

During an audience with the Mission on 9 September 1952, Dr. Aku, delegate to the Assemblée Territoriale, stated that before the Mission's arrival the Chef de la Sûreté of Lomé went to Palimé and warned the population not to approach the Mission and not to shout the word "ablode", under the threat of reprisals from the Administration. Following this statement, the Comité de l'Unité togolaise leaders advised the chiefs and the population to stay at home on the arrival of the Mission in order to avoid a repetition of what had happened in Lomé on 21 August 1952.

Similar allegations are also contained in a written communication from the Klouto section of Juvento.

B. Observations of the local authorities

In a letter dated 24 September 1952 the Commissaire de la République au Togo strongly denied that the Administration had threatened those who wanted to greet the Mission in Palimé. The visit of the Chef du Service de la Police et de la Sûreté to Palimé was absolutely normal and part of his normal functions. The allegations that he had exercised threats and intimidation on members of the Comité de l'Unité togolaise and Juvento were unfounded. He further stated that entire freedom of expression had been left to spokesmen of all political parties. The only precautions taken had been intended to maintain public order and not to prevent contact with the Mission. No one had been ill-treated because he sought to approach the Mission.

VII. Allegations concerning measures taken to prevent supporters of the Comité de l'Unité togolaise and Juvento from approaching the Mission in Sokodé

A. Allegations

During an audience with the Mission in Blitta, Mr. Moussa Bassabi Issaka from Sokodé alleged that supporters of the Comité de l'Unité togolaise and Juvento in Sokodé had been intimidated and in particular told by the Chef

supérieur des Cotocolis, Issifou Ayeva, and Mr. Dermann Ayeva, President of the Assemblée Territoriale, not to approach the Mission.

The next day, the Mission heard Mr. Jacoubou Soulé, President of the Sokodé section of the Comité de l'Unité togolaise, repeat the allegation that members of the party had been intimidated. Asked to produce a concrete example, Mr. Soulé stated that the chief of Bafilo had been told that he would be left destitute if he supported the party.

B. Observations of the local authorities

In a communication dated 18 September 1952, the Commandant de Cercle of Sokodé stated that he had never been informed of any pressure exerted by anybody in order to prevent communications from being presented to the Mission in the Cercle of Sokodé. He pointed out that receptions were organized everywhere in such a way as to allow for free expression of any opinion.

Likewise, Mr. Issifou Ayeva and Mr. Dermann Ayeva rejected the allegations concerning them during an audience with the Mission. Finally, the Chief of Bafilo during the reception he gave the Mission on 15 September 1952, in his canton, stated that the French administration had never threatened him.

VIII. Allegations concerning arrest and imprisonment of supporters of the Comité de l'Unité togolaise and Juvento

A. Allegations

After the Mission left Lomé in August, it received 18 communications complaining about alleged arrests and imprisonment of Comité de l'Unité togolaise and Juvento members. A written communication from the Comité de l'Unité togolaise gave a comprehensive list of 35 names. One of these names, that of Jacoubou Soulé, was later withdrawn from the list.

B. Observations of the local authorities

The Mission investigated all the cases cited in the list with the exception of those of Messrs. Jacoubou Soulé, Sam Klu and Mathias Apaloo, the two latter cases having been examined by the Trusteeship Council. The following information on 32 cases was given by the administrative and judicial authorities

in the Territory.

1. Five persons were unknown to judicial authorities or had never been arrested. They were:
 - Deou Ougaton
 - Kotor Michel
 - Zakari Kpegnan
 - Raymond Abouka
 - Ewosso

2. One person, Amegbo Aдови, was condemned to a fine of 2,000 francs by a judgement of the 12 February 1952 for violating the law of 1831 on public gatherings, but was not arrested.

3. One person, Kwami Appeti, was arrested for usurpation of functions (usurpation de fonctions)

4. One person, Kindjani, was condemned to one week in prison for buying and carrying a weapon without a license. He was free at the time of the Mission's inquiry.

5. Seven persons were arrested between 11 and 23 August 1952 for publishing and spreading false information liable to disturb public peace. Judicial inquiry into their cases was being carried out. They were:
 - Aithson Mensah
 - Fumey Félix
 - Hiamable Innocent
 - Dovi Boniface
 - Kponton Emmanuel
 - Kalipe Ferdinand
 - Zebada Old

6. Twelve persons were arrested between 26 and 29 August 1952 for organizing collective refusal to pay tax (refus d'impôt collectif). Six of them were released. They were:
 - Mally Théophile
 - Misre Dzovon
 - Ekpegnan Ditché
 - Akoassi Ewosso
 - Ekpamado Yakpo
 - Abotehi Ayaté

Agadou Aniati
Gnamikou Akoe

Gakpo

Fomedi

Kakatchi

7. Five persons were arrested on 23 August 1952 for forcibly resisting and fighting a representative of the local authority who was acting in conformity with the law. They were:

Dzagba Sogne

Agbe Alosse

Ozou Alosse

Kassegne Akpossognan

Esi Bodika
