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## COMMITTEE ON ADMINISTRATIVE UNIONS

STATEMENT BY THE FRENCH REPRESENTATIVE ON RELATIONS BETWEEN  
FRANCE AND TRUST TERRITORIES IN THE FRENCH UNION<sup>1/</sup>

The territories of Togoland and the Cameroons which were placed under trusteeship and the administration of which was entrusted to France were by that very fact associated with the new organization of the French Union; and the Constitution of 27 October 1946 assigned them a special place within that Union.

Moreover, subsequent laws have given the inhabitants of the Trust Territories the right to elect representatives to the central political assemblies.

Both these categories of measures are in harmony with the principles embodied in the United Nations Charter and with the terms of the trusteeship agreements.

I. When the 1946 Constitution was voted and promulgated, the Trusteeship Agreements for Togoland and the Cameroons did not yet exist, and the Constituent Authority could not therefore anticipate the terms of those Agreements. The latter, however, had inevitably to involve an association between each of the territories concerned and the Administering Power by establishing a system of rights and duties binding them to one another during the trusteeship period. Hence the Constituent Authority was careful to make allowance in the Union, for the special position of the territories the administration of which would be entrusted to France.

The French Union is defined in Article 60 of the Constitution. Listing the elements composing the Union, the article mentions, on the one hand, the French Republic (which itself comprises Metropolitan France, the Overseas Departments and the Overseas Territories) and, on the other hand, the Associated Territories and States. Each of these elements is given a specific status in the articles that follow. An exception, however, is made in the case of the Associated Territories. They are mentioned but no rules

<sup>1/</sup> At the meeting of the Committee on Administrative Unions on 31 March 1949, the French representative explained the position of the trust territories in the French Union. In accordance with the wish expressed by the members of the Committee, Mr. Laurentie has submitted a summary of his statement for circulation.

are given determining their status. The only indication given in their regard is that deriving from the list contained in Article 60. The essence of this is that these Territories, unlike the Overseas Departments and Territories, are not part of the French Republic and have a special place in the Union.

It is clear, however, from the preliminary work on the constitution that the reason for the existence of this category lacking all definition and all legal status is the desire to provide a place for the Trust Territories without infringing any international rules which might be issued for their administration. The status of the Associated Territories, in regard to which the Constitution remains silent, depends exclusively on the international trusteeship system. It is clear that the Constituent Authority could not respect that international system more completely.

Moreover, the place assigned to the Associated Territories in the Union in no way hinders their subsequent political evolution, in whatever direction it may be. The aims of the French Union, which are set out in the Preamble to the Constitution, are wholly in accordance with the aims of trusteeship as defined in the Charter. The priority given to the population's interests, their economic and social advancement and their political emancipation are principles upon which the institution of the French Union is directly based.

With regard to political emancipation in particular, membership of the French Union makes it possible for the inhabitants concerned to develop either in accordance with the desire to be united with France in a single community, with equal rights and duties, or with the wish to achieve national autonomy or independence in the form of a State freely associated with the French Republic by treaty. Even if, when the time came, the inhabitants of the Trust Territories wished to achieve their aspirations outside the French Union, there would be no obstacle from the fact that they now belong to the Union. That membership in no way prejudices whatever decision may be adopted when the trusteeship system comes to an end.

II. The legislative measures adopted in regard to Togoland and the Cameroons are based on the terms of the Trusteeship Agreements which recognize the Administering Power as having "full powers of legislation, administration and jurisdiction".

A feature of the system set up is the organization of elective local assemblies responsible for looking after the particular interests of each country. This conforms to the clauses in the Agreements providing for participation by the inhabitants in the administration of the Territories and the development of representative organs.

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The French legislators, however, wished to go even further, considering that obedience to the laws and government of the French Republic must necessarily be accompanied in a democratic system, by participation in elections to the central assemblies responsible for legislation and the control of government. For this reason they made it possible for the inhabitants of Togoland and the Cameroons to make their voice heard and to defend their interests in the Parliament and Assembly of the French Union, in conditions similar to those laid down for the French African territories.

This measure has the advantage of avoiding any discrimination or inequality of treatment prejudicial to the inhabitants of the Trust Territories as compared with the inhabitants of neighbouring overseas territories who find themselves in very similar economic and social conditions.

The political rights which have thus been granted to nationals of Togoland and the Cameroons do not imply that the latter possess French nationality. Each State determines who shall enjoy political rights within the framework of its institutions without being bound by any rule of international law to reserve those rights for its nationals alone. By virtue of the political rights granted to them, the nationals of Togoland and the Cameroons have received a faculty implying a number of benefits but involving no national allegiance.

Moreover, the aims of trusteeship can only be furthered by such representation. The French legislators considered that the system of liberties and electoral rights they had instituted opened the surest and most speedy path to political progress for these peoples. No educational measure could, in their view, be more effective. The method they employed in accordance with their own traditions and conceptions appears already to have had good results; the part played by the representatives of these peoples in the Assemblies provides proof of this.

As regards the choice to be made when the trusteeship system comes to an end, it will be more deliberate and enlightened as a result of the experience gained not only within each territory but also at the centre of a great democratic organization. It may justly be considered that the men who have thus been trained in public responsibility will, when the time comes, have the necessary maturity to decide their future.

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