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## PETITIONS CONCERNING THE TRUST TERRITORY OF TOGOLAND UNDER FRENCH ADMINISTRATION

Draft Report of the Standing Committee on Petitions

Chairman: Mr. Michel de Camaret (France)

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Note by the Secretariat: In order to avoid unnecessary duplication of material which has been already circulated in mimeographed form, the present draft report contains only the material to be added to that contained in the Secretariat working paper (T/C.2/L.210) and the draft resolutions. The original material should be considered as forming part of the draft, except where otherwise indicated.]

1. At its 372nd, 373rd, 375th, 376th and meetings on 13, 14, 18 and 19 June and 1956, the Standing Committee on Petitions, composed of the representatives of Belgium, Burma, China, France, the United Kingdom and the Union of Soviet Socialist Republics, examined the petitions concerning the Trust Territory of Togoland under French administration which are listed in the preceding table of contents.
2. Mr. René Doise participated in the examination as the special representative of the Administering Authority concerned.
3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution .....

I. Petitions from Mr. Gustave K. Amédomé (T/PET.7/457) and Mr. François Dakou (T/PET.7/499)

5. In its observations on the first petition (T/OBS.7/37, section 13) the Administering Authority confirms the observations of the Local Authority. In its observations on the second petition (T/OBS.7/37, section 12), the Administering Authority merely states that the facts are not as described therein and refers to its observations on the first petition.
6. These petitions were examined and discussed at the 372nd and                      meetings of the Standing Committee (documents T/C.2/SR.372 and                      ).
7. The Special Representative confirmed that no one had been arrested or prosecuted, much less fined or imprisoned as a result of the inquiries into the unauthorized demonstration. The Chief had not been made to contribute 500 francs and a sheep for the expenses of the inquiry, nor could the Administrator have levied a fine on the driver of the lorry which went to Ho.
8. The Special Representative denied that any shots had been fired during the visit of the police to the village in question. The petitioners could easily have found the spent cartridges or grenade splinters referred to in their petition at a nearby rifle range.
9. At its                      meeting, the Committee adopted by                      votes to with                      abstention draft resolution I, annexed to the present report, which it recommends that the Council adopt.

I. Petitions from Mr. Gustave K. Amédomé (T/PET.7/457) and Mr. François Dakou (T/PET.7/499)

The Trusteeship Council,

Having examined the petitions from Mr. Gustave K. Amédomé and Mr. François Dakou concerning Togoland under French administration in consultation with France as the Administering Authority concerned (T/PET.7/457 and 7/499, T/OBS.7/37, T/L.                      ),

1. Draws the attention of the petitioners to the observations of the Administering Authority and to the statement of its Special Representative, in particular that

- (a) the visit of the police to Kuma-Apoti had been made in order to inquire into an unauthorized demonstration on the public highway;
- (b) the charge that shots were fired by the police is without foundation;
- (c) no persons were arrested or prosecuted in this matter.

## II. Petition from Mr. Apedo Avoussi (T/PET.7/458)

5. In its observations (T/OBS.7/37, section 13), the Administering Authority confirms the observations of the local Authority.
6. The petition was examined and discussed at the 372nd, 376th and meetings of the Standing Committee (documents T/C.2/SR.372, 376 and ).
7. The Special Representative stated that manoeuvres had in fact been held in the Territory, particularly in the Klouto cercle, at the beginning of September 1955 before the arrival of the Visiting Mission, that these manoeuvres take place each year in a different part of the Territory which is decided upon a year in advance, always in open country and that only blank cartridges are used. Each time these manoeuvres are held the population is warned in advance in order to avoid all cause of alarm for the purpose of the manoeuvres is not to intimidate the local population which may hear the shots but is not affected by them in any way.
8. The Special Representative explained that while the Commandant de cercle might have passed through the village during the period in question, he had not stopped there and consequently could not have made the remarks attributed to him.
9. At its meeting, the Committee adopted by votes to with abstention draft resolution II, annexed to the present report, which it recommends that the Council adopt.

## II. Petition from Mr. Apedo Avoussi (T/PET.7/458)

The Trusteeship Council,

Having examined the petition from Mr. Apedo Avoussi concerning Togoland under French administration in consultation with France as the Administering Authority concerned (T/PET.7/458, T/OBS.7/37, T/L. ),

Draws the attention of the petitioner to the observations of the Administering Authority and to the statement of its Special Representative, in particular that

- (a) the programme of military manoeuvres was drawn up long before the arrival of the Visiting Mission;
- (b) the exercises always take place in open country and the population is warned in advance;
- (c) there is no intention of intimidation in these manoeuvres.

III. Petitions from Mr. Max Kodze Tamakloe (T/PET.7/459 and 491)

(Replace the present paragraph 3 by the following:)

3. In its observations (T/OBS.7/37, sections 5 and 11), the Administering Authority states that the petitioner was one of those who tried to arrange unlawful assemblies and to spread disturbance when the Visiting Mission was passing through. He was caught in the act and taken to the police station - by force, because he put up a lively resistance, but without maltreatment. He was asked to sign the verbatim record of his own statements.
4. The petition was examined and discussed at the 372nd and                      meetings of the Standing Committee (documents T/C.2/SR.372 and                      ).
5. The Special Representative replied that a throng had assembled at the main crossroads at Palimé and had obstructed the public thoroughfare along which the Visiting Mission's convoy was due to pass. A policeman on patrol duty had noticed the petitioner in the process of assembling the throng on the highway and had called upon them to move on. Mr. Tamakloe had reacted arrogantly and had been conducted to the police station for identification purposes, a routine procedure in such cases. It was difficult to estimate exactly how large the assembly had been, but it had been large enough to obstruct traffic.
6. At its              meeting, the Committee adopted by              votes to              with              abstention draft resolution III, annexed to the present report, which it recommends that the Council adopt.

III. Petitions from Mr. Max Kodzo Tamakloe (T/PET.7/459 and 491)

The Trusteeship Council,

Having examined the petitions from Mr. Max Kodzo Tamakloe concerning Togoland under French administration in consultation with France as the Administering Authority concerned (T/PET.7/459 and 491, T/OBS.7/37, T/L.              ),

Draws the attention of the petitioner to the observations of the Administering Authority and the statement of the Special Representative, in particular that

- (a) the petitioner had been addressing an unlawful assembly on the public highway;
- (b) he had been taken to the Police Station for verification of identity.

IV. Petition from Mr. Otto Logâ (T/PET.7/460)

5. The Administering Authority confirms (T/OBS.7/37, section 13) the observations of the Local Authority.
6. The petition was examined and discussed at the 373rd and meetings of the Standing Committee (documents T/C.2/SR.373 and ).
7. The Special Representative explained that the holding of an official identity card was not obligatory. A membership card issued by a political party had no legal significance as a means of identification. There were no legal proceedings pending against the petitioner.
8. At its meeting, the Committee adopted by votes to with abstention draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

IV. Petition from Mr. Otto Logâ (T/PET.7/460)

The Trusteeship Council,

Having examined the petition from Mr. Otto Logâ concerning Togoland under French administration in consultation with France as the Administering Authority concerned (T/PET.7/460, T/OBS.7/37, T/L. ),

Draws the attention of the petitioner to the observations of the Administering Authority and to the statement of its Special Representative, in particular that

- (a) the petitioner's card was handed to the police on 30 August and he was requested to call for it;
- (b) no legal proceedings have been taken against him.



V. Petitions from Mr. Emmanuel M. Attiogbe, Chairman of the "Comité de l'Unité Togolaise" (T/PET.7/461 and Add.1) and Mr. Maboudou, Chairman of the Palimé branch of JUVENTO (T/PET.7/462)

(Replace the present paragraphs 6 and 7 by the following:)

6. In its observations (T/OBS.7/37, section VI), on T/PET.7/461, the Administering Authority states that at no time were the police continuously stationed in front of the petitioner's house. No measure of repression or intimidation had been taken against him or anyone else. The Visiting Mission could see for itself that anyone wishing to submit petitions to it or to make contact with it was entirely free to do so. Proof of that is the very large number of petitions received at Palimé.

7. With regard to T/PET.7/461/Add.1, the Administering Authority agrees that the Commandant de cercle of Klouto urged all political parties to refrain from actions likely to disturb public order and to hamper the Visiting Mission's work; but adds that he expressly stated that all those who wished to approach the Visiting Mission were free to do so. The fact is that, in accordance with their wishes, delegations from the party to which the petitioner belongs had the opportunity of conversing with members of the Visiting Mission and of transmitting to them a large number of petitions. Investigations revealed that the persons mentioned were not maltreated by the police.

8. In its observations (T/OBS.7/37, section 13) on T/PET.7/462, the Administering Authority confirms the observations of the local Authority (T/1211, Annex II, section 14 b) to the effect that the allegation that Mr. Maboudou was turned back when seeking a hearing with the Visiting Mission is without foundation, since at 3.30 p.m. on 8 September he was personally present at the interview granted by the Mission to the leaders of the C.U.T. and the JUVENTO.

9. The petition was examined and discussed at the 373rd and meetings of the Standing Committee (documents T/C.2/SR.373 and ).

10. The Special Representative stated that at no time had the police been continuously stationed in front of Mr. Attiogbe's house. The petitioner might be alluding to the fact that there was a policeman on regular point duty at a crossroads about fifty yards from his house.



11. The Special Representative denied that the Commandant de cercle had forbidden members of the CUT and JUVENTO to wear badges and shout "Ablodé".
12. At its meeting, the Committee adopted by votes to with abstention draft resolution V, annexed to the present report, which it recommends that the Council adopt.

V. Petitions from Mr. Emmanuel M. Attiogbe, Chairman of the "Comité de l'Unité Togolaise" (T/PET.7/461 and Add.1) and Mr. Maboudou, Chairman of the Palimé branch of JUVENTO (T/PET.7/462)

The Trusteeship Council,

Having examined the petitions from Mr. Emmanuel M. Attiogbe, Chairman of the "Comité de l'Unité Togolaise" and from Mr. Maboudou, Chairman of the Palimé branch of JUVENTO concerning Togoland under French administration in consultation with France as the Administering Authority concerned (T/PET.7/461 and Add.1 and 462, T/OBS.7/37, T/L. ),

1. Draws the attention of the petitioners to the observations of the Administering Authority and to the statement of its Special Representative in particular that the Commandant de cercle had expressly explained to the leaders of parties that all those who wished to approach the Visiting Mission were free to do so;
2. Draws the attention of the petitioners further to the statement of the Visiting Mission that at Palimé on 8 September 1955 it met with the local branches of their parties, as well as with the branch of the Parti Togolais du Progrès, and that during and after these hearings a vast number of petitions were submitted by the supporters of both political groups.

VI. Petitions from JUVENIO and the "Comité de l'Unité Togolaise", Agou Region (T/PET.7/463), the National Secretaries of JUVENIO and the "Unité Togolaise" (T/PET.7/486) and JUVENIO and the "Comité de l'Unité Togolaise", Agou Region (T/PET.7/487)

11. The Administering Authority (T/OBS.7/37, section 13), confirms the observations of the Local Authority on T/PET.7/463.

12. In its observations (T/OBS.7/37, section 9) on T/PET.7/487, the Administering Authority adds that the police and gendarmes did in fact disperse gatherings which were organized by certain political parties in disregard of the Administration's advice and in order to create a disturbance which could only hamper the Visiting Mission's work. Those responsible were taken to the police station but were not maltreated and were released after identification.

13. In its observations (T/OBS.7/38, section 4) on T/PET.7/486, the Administering Authority denies that Mr. Pierre Awoudo or other members of the political parties in question were imprisoned on 8 September 1955 at Palimé.

14. The petition was examined and discussed at the 373rd, 375th and meetings of the Standing Committee (documents T/C.2/SR.373, 375 and ).

15. The Spécial Representative stated that manoeuvres had in fact been held in the Territory particularly in the Klouto cercle at the beginning of September 1955 before the arrival of the Visiting Mission, that these manoeuvres take place each year in a different part of the Territory which is decided upon a year in advance, always in open country and that only blank cartridges are used. Each time these manoeuvres are held the population is warned in advance in order to avoid all cause of alarm for the purpose of the manoeuvres is not to intimidate the local population which may hear the shots but is not affected by them in any way.

16. The Special Representative further stated that under French law all private para-military organizations were prohibited. Shortly before the arrival of the Visiting Mission in the Territory, certain political parties had seen fit to put young people into uniform and provide them with daggers. Although the Administering Authority had been aware of what was going on, it had taken no preventive measures, so as not to be accused of interference with freedom of association. When the "home guards" had begun to attack people in the village of Agou-Koumawou, the police had intervened by arresting the offenders and confiscating their weapons. The "home guards" had, however, not been sent to prison, but had

been released after questioning. He emphasized that these "home guards" had not been recruited by the villagers for the purpose of maintaining order and that they had no official recognition.

17. At its meeting, the Committee adopted by votes to with abstention draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

VI. Petitions from JUVENTO and the "Comité de l'Unité Togolaise", Agou Region (T/PET.7/463), the National Secretaries of JUVENTO and the "Unité Togolaise" (T/PET.7/486) and JUVENTO and the "Comité de l'Unité Togolaise", Agou Region (T/PET.7/487)

The Trusteeship Council,

Having examined the petitions from JUVENTO and the "Comité de l'Unité Togolaise", Agou Region, the National Secretaries of JUVENTO and the "Unité Togolaise" and JUVENTO and the "Comité de l'Unité Togolaise", Agou Region concerning Togoland under French administration in consultation with France as the Administering Authority concerned (T/PET.7/463, 486 and 487, T/OBS.7/37 and 38, T/L. ),

1. Draws the attention of the petitioner to the observations of the Administering Authority and to the statement of its special representative in particular that

(a) the military manoeuvres mentioned by the petitioners were held in the open country;

(b) the "home guards" participating in the meeting at Agou-Koumawou on 8 September 1955 were taken to the Police Station, but were subsequently released after identification;

(c) no members of the political parties in question were arrested at Palimé on that date;

2. Recalls to the petitioners that the inhabitants of the Territory have, by virtue of the Charter and the Trusteeship Agreement, valuable safeguards and lawful means of freely expressing their opinions;

3. Expresses the hope that the political parties in the Territory will in their activities abide by the democratic rules and will abstain from setting up unauthorized militias.

VII. Petitions concerning incidents at Sokodé in connexion with the arrival of the Visiting Mission (T/PET.7/446, 448, 464, 465, 466/Rev.1, 466/Add. 1 and 2, 490, 503, 504 and 505)

(Replace the present paragraph 5 by the following:)

"5. In its observations (T/OBS.7/37, sections 2 and 4) on T/PET.7/446 and 448, The Administering Authority states that the remarks attributed to the Commandant de cercle, the policeman and the indigenous persons involved are sheer invention to suit the petitioners' needs."

(Replace the present paragraph 10 by the following:)

"10. In its observations on T/PET.7/503 (T/OBS.7/39, section 8), the Administering Authority states that the local administration did not prevent anyone from seeing the Visiting Mission. All that the Commandant de cercle asked of the political parties was to refrain from any demonstrations which might disturb public order. The Commandant de cercle was asked to ensure the safe-conduct of the CUT delegation, which wanted to meet the Visiting Mission. The delegation admitted to the Mission that their fear was inspired not by the police control but by their enemies. Although nothing could be charged against them, those enemies were urged to maintain calm and measures were taken to ensure freedom of movement."

(Replace the present paragraph 20 by the following:)

"20. In its observations on T/PET.7/503, the Administering Authority states that the petitioners' various allegations are without foundation. In its observations (T/OBS.7/39, section 9) on T/PET.7/504, the Administering Authority points out that the allegations made regarding what happened during one night could not be checked. The scenes described as having taken place at the homes of the President of the Territorial Assembly and the Paramount Chief are imaginary. In its observations (T/OBS.7/40, section 1) on T/PET.7/505, the Administering Authority states that it has not been possible to verify the incidents which are alleged to have occurred during the night. The atrocities and the pressure brought to bear on the members of the CUT exist only in the petitioner's imagination."

21. In its observations on T/PET.7/446 and 448 the Administering Authority states that it cannot make any observations on the facts of the case, which have been submitted to the competent courts, without prejudicing the outcome of the proceedings started by the petitioners.

Examination by the Committee

22. These petitions were examined and discussed at the 375th, 376th and meetings of the Standing Committee (documents T/C.2/SR.375, 376 and ).

23. With respect to the events preceding the arrival of the Mission at Sokodé, the Special Representative confirmed that there had been an administrative inquiry, which had shown the allegations of intimidation to be unfounded.

24. With respect to the disturbance before the quarters of members of the Mission on the morning of 12 September, the policemen on duty nearby had intervened to try and stop the persons concerned from making a noise at a very early hour. The Mission members had then come out and inquired into the matter. When the Paramount Chief had made his threats concerning the CUT deputation, he had spoken in great anger. In fact there had never been any instances of the use of political violence, much less murder. In referring to the deputation as "strangers", the Chief had presumably meant to emphasize that they were not members of the Cotocoli tribal community.

25. With reference to the arrests of the "JUVENTO - CUT" delegations, the special representative explained that the persons concerned had no official status, but had accompanied the Mission as self-styled journalists. He confirmed that they had been taken into custody only on one occasion as a result of the road accident and the brawl which followed it.

26. With respect to the complaints of reprisals against CUT - JUVENTO members after the departure of the Mission, the Special Representative explained that an administrative inquiry had failed to establish that any reprisals had occurred. The complaint submitted by the authors of T/PET.7/448 to the Chief State Counsel was, however, the subject of a judicial inquiry, which was still being carried out by the Magistrate (Juge de paix) of Sokodé.

27. More generally, the Special Representative pointed out that in his interview with the Visiting Mission the Minister for Overseas France had pointed out that the people's attitude to political opponents was the main obstacle to the introduction of democracy in Africa. The African's thinking was still conditioned by the tribal structure of society and he regarded the minority as an enemy. The



Administering Authority was trying gradually to change that attitude by increasing the number of representative organs. It continued to recognize the traditional chiefs but was gradually setting up elected democratic organs alongside them with a view to reducing them to the position of upholders of tradition and religious custom.

28. At its meeting, the Committee adopted by votes to with abstention draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VII. Petitions concerning incidents at Sokodé in connexion with the arrival of the Visiting Mission (T/PET.7/446, 448, 464, 465, 466/Rev.1, 466/Add.1 and 2, 490, 503, 504 and 505)

The Trusteeship Council,

Having examined the petitions concerning the incidents at Sokodé in connexion with the arrival of the Visiting Mission which are listed in the annex to the present resolution in consultation with France as the Administering Authority concerned (T/OBS.7/37, 39 and 40, T/L. ),

1. Draws the attention of the petitioner to the observations of the Administering Authority and to the statement of its Special Representative in particular that:

- (a) the Commandant de cercle merely urged the leaders of the CUT to respect law and order, it being understood that anyone who so desired would be completely free to get in touch with the Visiting Mission;
- (b) the Authorities took steps to ensure the safe-conduct of the CUT delegation which wanted to see the Visiting Mission;
- (c) the arrest of the "CUT - JUVENTO" delegation occurred as the result of a road accident and the brawl which followed it;
- (d) the complaints of reprisals against CUT members by their opponents are the subject of a judicial inquiry;

2. Recommends to the Administering Authority to ensure that democratic freedoms, especially freedom of assembly and freedom of speech, are fully enjoyed by the indigenous inhabitants and to take steps to ensure that they are given an opportunity to state their views freely before visiting missions;

3. Expresses the hope that the Administering Authority will carry out a thorough investigation of the incidents and that the guilty parties will be punished;
4. Notes the statements of the Administering Authority concerning the progressive setting up of elected democratic organs to take over the administrative functions of traditional chiefs;
5. Recalls in this connexion the recommendation on traditional chiefdoms adopted by the Council at its seventeenth session;
6. Expresses the hope that these developments will lead to a lessening of such tensions as exist between tribal authorities and political parties.



ANNEX

Petition from the General Chairman of the "Comité de l'Unité Togolaise"  
(T/PET.7/446)

Petition from members of the "Comité de l'Unité Togolaise", branch of Sokodé  
(T/PET.7/448)

Petition from Mr. Yacoubou Soulé, Chairman of the "Comité de l'Unité Togolaise",  
Sokodé branch (T/PET.7/464)

Petition from Mr. Alassani do Rego (T/PET.7/465)

Petition from Mr. Ben Apaloo, National Chairman of JUVENIO and Mr. Alassani do  
Rego (T/PET.7/466/Rev.1 and 466/Add.1)

Petition from the General Chairman of the "Comité de l'Unité Togolaise"  
(T/PET.7/466/Add.2)

Petition from National Secretary of JUVENIO (T/PET.7/490)

Petition from Mr. Moussa Bassabi, Vice-Chairman of the "Unité Togolaise", Sokodé  
(T/PET.7/503)

Petition from Mr. Victor F. Aboussa (T/PET.7/504)

Petition from the Chairman of the "Comité de l'Unité Togolaise" of Sokodé  
(T/PET.7/505)

VIII. Petition from the Regional Chairman of the "Unité Togolaise", Tsévié branch (T/PET.7/513)

3. In its observations (T/OBS.7/40, section 8) the Administering Authority states that the policemen who were on duty on the outskirts of the meeting in question were obliged to take a man to the Central Police Station who was instigating disturbances on the public highway and using abusive language to the members of the police force. The remarks of the Commandant de cercle have been deliberately distorted for the obvious purpose of justifying unfounded accusations.
4. The petition was examined and discussed at the 376th and meetings of the Standing Committee (documents T/C.2/SR.376 and ).
5. The Special Representative stated that Mr. Abalo had been taken to the police station for identification and released immediately. The next day he had returned for his bicycle which he had left at the police station. There had been no beating, but the man in question had resisted the police to some extent on his arrest.
6. The Special Representative, referring to the petitioner's complaint that the Commandant de cercle had refused to discuss the matter with him, stated that he had appeared in the Commandant's office in such an excitable state, that the latter had asked him to return when he had calmed down.
7. At its meeting, the Committee adopted by votes to with abstention draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

VIII. Petition from the Regional Chairman of the "Unité Togolaise", Tsévié branch (T/PET.7/513)

The Trusteeship Council,

Having examined the petition from the Regional Chairman of the "Unité Togolaise", Tsévié branch concerning Togoland under French administration in consultation with France as the Administering Authority concerned (T/PET.7/513, T/OBS.7/40, T/L. ),

Draws the attention of the petitioner to the observations of the Administering Authority and to the statement of its Special Representative in particular that Mr. Abalo had been taken to the Police Station for verification of identity and then released.

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