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PETITIONS CONCERNING TOGOLAND UNDER BRITISH ADMINISTRATION

Sixtieth report of the Standing Committee on Petitions

Chairman: Mr. Roberto E. QUIROS (El Salvador)

On the agenda for the thirteenth session of the Trusteeship Council are six petitions concerning this Territory for examination in accordance with the established procedure.

TABLE OF CONTENTS

<u>Section:</u>	<u>Petition from:</u>	<u>No. in T/PET.6/... Series:</u>	<u>Page</u>
I.	Mr. J.J. Amona	325	3
II.	Mr. Gilbert Osei	326 326/Add.1	7
III.	Seth G.K. Golovi	327	10
IV.	Inhabitants of the Leper Settlement at Ho	328	11
V.	(Nana Agboka (Secretary-General, Togoland Congress	L.7 L.8	14 14
ANNEX:	DRAFT RESOLUTIONS PROPOSED BY THE COMMITTEE		

Introduction

1. At its 127th, 128th and 139th meetings on 12 and 15 February, and 3 March 1954, the Standing Committee on Petitions, composed of the representatives of Australia, Belgium, El Salvador, Syria, the Union of Soviet Socialist Republics, and the United Kingdom, examined the six petitions concerning the Trust Territory of Togoland under British administration which are listed in the preceding table of contents.
2. Mr. M. Ensor 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.

I. Petition from Mr. J.J. Amoa (T/PET.6/325)

1. The petitioner, writing on 12 September 1953, describes himself as one of those who are strongly opposed to the integration of the Trust Territory into the Gold Coast. While most of the petition is devoted to a discussion of the general questions involved, the first two paragraphs of it are concerned with the petitioner's specific grievance that, because of his political views, he has been deprived of his post of headmaster of the Ewe Presbyterian School at Kpandu, and has been transferred to a subordinate post over a hundred miles away. He also complains that, "contrary to the ordinary routine of organization", he has been required to pay the travelling expenses involved in his transfer.
2. The affair stems from a visit paid by Mr. S.G. Antor in January 1953 to two E.P. schools at Kpandu - the primary school and the middle school - and from a lecture given by Mr. Antor at the latter school. The two sides of the case can be gleaned from copies of four letters annexed to the petition. In the first, the Assistant Education Officer charges the petitioner with: (a) failing to obtain permission from the Manager in charge of the schools before Mr. Antor was allowed to visit the schools or lecture in them; (b) failing to enter a note of the visits in the records of either school; (c) being aware that Mr. Antor's visit to Kpandu was for political reasons; and (d) getting the headmaster of the middle school, who was a new man, "implicated" with Mr. Antor and his political views.
3. In the second letter annexed to the petition, the Assistant Education Officer informs the regional secretary of the Convention People's Party at Kpandu that "action has now been taken by the Head of my Department ... and a further action is being taken by the ... Director of Education, for disciplinary measures against Mr. Jones Amoa and Mr. E. Aggor ..." (the headmaster of the middle school).
4. The petitioner's side of the case is presented in the third and fourth letters annexed to the petition. In the third letter, he replies as follows to the Assistant Education Officer's charges: (a) the schools Manager was absent, so that his permission for Mr. Antor's visit was unobtainable; (b) only official visits must be entered in schools' records, and this visit was not an official one;

and (c) Mr. Antor strictly kept off party politics during his visit. He goes on to charge the Assistant Education Officer with political bias. The fourth letter is from the Staff Secretary of the Middle School to the schools' Manager. In it the writer states that Mr. Antor was passing through Kpandu and called on a personal friend who was a member of the staff of the middle school. The petitioner saw him and asked him to talk to the primary school on "the Children of America". The petitioner introduced him to the headmaster of the Middle school, who asked him to talk to the pupils there on "The United Nations Organization". Mr. Antor did so; he gave an educative talk on the subject and had no time left for a talk to the primary school pupils. The United Nations is a topic in the middle school's syllabus, and the headmaster took advantage of the presence of one who had specialized on the subject. In particular, Mr. Antor kept off politics.

5. The Administering Authority states (T/OBS.6/4) that Mr. Amoa was transferred to Abor, with the full knowledge and approval of the Acting Director of Education, because he had contravened the instructions contained in a circular letter addressed by the Director of Education to all teachers in October 1949. Appended to the observations are copies of the relevant instructions which are to the effect that in no circumstances are party politics appropriate in schools. The following passage occurs in them:

"Children are sent to school for an exclusive purpose - education, that is the training of them during their years of immaturity to prepare them to use mind and judgment when the responsibilities of mature, adult life become theirs. It is essential to the proper development of the immature that they should be taught with determined objectivity and that neither their minds nor their emotions should be disturbed by the intrusion into their schools of party political activities of any kind."

6. The Administering Authority goes on to say that every encouragement is given to factual teaching in the schools about the United Nations Organization and its work but that Mr. Amoa acted improperly by inviting the leader of a political party, with whose views a large number of the parents of the children in his school disagree, to address his pupils.

7. The petition was examined and discussed at the 127th and 139th meetings of the Standing Committee (T/C.2/SR.127 and 139).
8. In reply to questions from members, the special representative explained the relationship between the Administration and the Ewe Presbyterian Church in the matter of education. The Administration does not directly administer any schools in the Trust Territory. The Missions run the schools and, in exchange for the financial support of the Administration, what they teach must be in conformity with the Government's educational policy. The Ewe Presbyterian Church, whose governing body consists of Africans, manages schools all over the Trans-Volta Region, which lies partly in the Trust Territory and partly in the Gold Coast.
9. The Ewe Presbyterian Church administers the staff in all its schools. It decides at which school each shall teach, and every teacher accepting employment with the Church does so on the understanding that he is liable to be transferred to any school under its management - whether the school be in the Trust Territory or in the Gold Coast.
10. The special representative went on to explain that the complaint against the petitioner had been made to the Assistant Education Officer by an officer of the Convention People's Party. The Assistant Education Officer investigated the complaint in consultation with the School Manager. They were satisfied that the speech delivered by Mr. Antor had been of a political character, and they jointly decided that it would be a suitable penalty to send the petitioner to another school, to degrade his rank to that of assistant master and to make him bear the costs of his transfer. The Church ordered accordingly, and its decision was ratified by the Education Department. The choice of Abor, in the Gold Coast, as the place to which the petitioner should be transferred, was the Church's - not the Education Department's. The Church always decided where its teaching staff should be employed.
11. Had he not wanted to be transferred to Abor, or to anywhere else in the Gold Coast, the petitioner would have been free to resign from employment with the Church. He had not been punished because of any political views which he might

have held or expressed: he had been punished for contravening the school regulations. Nor had he been banished from the Trust Territory: he was perfectly free to go in and out of it as he pleased. No restrictions of any kind had been placed upon his political activities. The special representative added that the petitioner had recently been promoted again to a headmastership.

12. At its 139th meeting, the Committee adopted by 3 votes to 2, with 1 abstention, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. Petition from Mr. Gilbert Osei (T/PET.6/326 and Add.1)

1. This petition and its addendum consists of six communications. The petition proper is dated 18 September 1953 and is addressed to the Regional Officer, Ho, a copy being sent to the Secretary-General for information and action.
2. The petitioner was on the staff of the Ewe Presbyterian Middle School at Kpandu until 23 August 1953, when he received through the School Manager a letter from the Assistant Education Officer, Kpandu, notifying him of the termination of his appointment. The reason given for this action was that, after several warnings, he had failed to attend Saturday classes for pupil teachers.
3. The petitioner's version of the affair is that, when he eventually turned up at the Saturday classes, he entertained a low opinion of what was being taught in them. As the possessor, he says, of the Cambridge School Leaving Certificate, he had nothing to learn from the Saturday classes, and his tutor agreed. Therefore, the time during which he might have been attending the classes was occupied by him in preparing his next week's lessons. When he received his notice of dismissal he apologized both to the School Manager and the Assistant Education Officer, and begged them to reconsider the matter - but all to no avail.
4. The petitioner does not now contest his dismissal, but only the fact that he was dismissed without notice. He asks for his pay for the remainder of the school term in question.
5. The petitioner submits five other communications. Three of them are addressed respectively to the Assistant Education Officer, to the School Manager and to the Director of Education. There is little in them that adds anything to the facts of the case as adduced in the petition proper, and they may be described as running commentaries on the injustice suffered by the petitioner.
6. The other two communications are covering letters addressed to the Secretary-General, and in one of them - that dated 8 November 1953 - is a statement by the petitioner to this effect: that he has been informed by the General Manager of the E.P. Schools that there is no regulation requiring a teacher of his scholastic attainments to attend the Saturday classes for pupil teachers.

7. In the petition proper, the petitioner states that before becoming a schoolmaster he had been employed in the Secretariat of the Togoland Congress as Private Secretary to the Secretary-General, and in his letter to the Director of Education, as well as in his letter to the Secretary-General, both dated 22 October 1953, he hints that his dismissal from the school was due to political party bias. In both letters he refers to the case of Mr. Jonas Amoa - whose complaint is the subject of T/PET.6/325 (section I of this paper).
8. The Administering Authority states (T/OBS.6/6, section 1) that the reasons for Mr. Osei's dismissal were quite unconnected with politics. He was employed as a pupil teacher in training in Kpandu but found to be unsuitable for the teaching profession because of a repeated attitude of insubordination (of which his refusal to attend Saturday morning classes for pupil teachers was only one example) and his failure to account for school fees received by him.
9. The petition was examined and discussed at the 127th, 128th and 139th meetings of the Standing Committee (T/C.2/SR.127, 128 and 139).
10. The special representative stated that the Administration intervened with the petitioner's employer - the Schools Management of the Ewe Presbyterian Church - and directed that he should receive the month's pay to which he was entitled in lieu of notice. When, however, the matter was looked into further, it was found that the petitioner had failed to bring to account certain school fees that he had received; and, rather than take the matter to court, it was decided to withhold the month's pay due, since the two sums were roughly the same. It was, of course, still open to the petitioner to take court action with a view to recovering the month's pay.
11. The special representative stated also that the petitioner had flatly refused to attend the Saturday classes for pupil teachers.
12. At its 139th meeting the Committee considered two proposals before it, the operative parts of which read as follows:

A

Draws the attention of the petitioner to the statements of the Administering Authority and its special representative to the effect that:

- (a) The petitioner was dismissed from his post for insubordination;
- (b) The month's wages due to him in lieu of notice was withheld by the school management because certain school fees of a similar amount received by him had not been accounted for;
- (c) It is open to him to lay a complaint in the courts concerning the wages in lieu of notice.

B

Requests the Administering Authority to assist the petitioner in recovering what is due to him from the school management.

Neither of the proposals could be adopted, because the votes for and against each of them were equal on two successive occasions. The Committee therefore has no draft resolution to propose to the Council.

III. Petition from Mr. Seth G.K. Golovi (T/PET.6/327)

1. The petitioner, a sixteen year old orphan from Kpandu, writes on 29 October 1953 that his burning ambition is to become an architect but that he is financially unable to continue his secondary education. He has tried to pay for his education by working, but a whole year's earnings took him only to the end of the second term at school.
2. The Administering Authority states (T/OBS.6/5) that the petitioner is not an orphan, though his parents are separated. He attended the new Kpandu Secondary School for the first two terms of 1953 where his work is regarded by his Headmaster as having been satisfactory. He failed to appear for the third term and was thought locally to have gone to live with his father.
3. His mother's family are willing to pay his school fees of £12 a year if he lives with them. A competitive examination is shortly to be held for Government bursaries worth £6. His name is still on the books of the school, and he would be eligible to compete.
4. The petition was examined and discussed at the 128th and 139th meetings of the Standing Committee (T/C.2/SR.128 and 139).
5. The special representative informed the Committee that the petitioner was stated to be living with his father at Kumasi, in the Gold Coast. He himself had not been able to meet the boy, but it could no doubt be arranged for a welfare officer to visit him in Kumasi and investigate his situation further. The Government bursaries referred to in the observations of the Administering Authority were in respect of secondary education. When the petitioner had completed his secondary education, he would be eligible to compete with others for one of a number of Government scholarships, tenable at institutions of higher education, where he could pursue architectural studies.
6. At its 139th meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. Petition from inhabitants of the Leper Settlement at Ho (T/PET.6/328)

1. The petitioners, writing on 29 December 1953, state that, as from 1949, the inmates of the Leper Settlement at Ho have been working as builders, carpenters, farmers etc. For this each used to receive a daily allowance of eight pence, which was recently increased to one shilling. On 27 August 1953, however, the officer in charge of the settlement announced that the Government would stop the allowance as from 30 September 1953 and would moreover require each inmate to pay for his lodging and treatment, by rendering three hours labour a day for six days a week.
2. The petitioners state also that the "lepers have not got treatment from the 27th and 28th of November" and that the officer in charge has threatened to stop all treatment "if work is not done".
3. The petitioners consider that this treatment is extremely harsh. Of the four signatories to the petition, the first is Mr. Silas A. Azuma, who was the author of a previous petition (T/PET.6/148) concerning conditions at the settlement. Two of the other signatories have written a communication, which is annexed to the petition, in which they recall the earlier petition - though they do not seek to re-raise the questions with which it was concerned. They state that Mr. Azuma has been elected Chief of the settlement. (In its resolution 255 (VII) the Council decided that no action was called for on T/PET.6/148).
4. The Administering Authority observes (T/OBS.6/6, section 2) that, until the appointment of a Specialist Leprologist and the establishment of a modern leprosy service it was the practice in Government Leper Settlements in the Gold Coast and Togoland to pay subsistence allowances to inmates. It is accepted modern practice, however, that all patients except those in an advanced condition of leprosy should undertake suitable work as a form of occupational therapy and it is desirable, especially in view of the much larger proportion of cures being achieved with the aid of modern drugs, that inmates should not lose their capacity to work which helps to maintain their confidence in themselves and self-respect.

5. The adoption of the new system in Ho was deferred until last year by which time central cooking facilities had been provided there. Under this new system the inmates continue to receive free accommodation, treatment, clothing, blankets, mosquito nets, cooking utensils, soap etc. and are provided with land on which to farm. But all cash allowances have been discontinued. All inmates physically capable of doing so are now required to work for three hours a day for the common good of the settlement. Patients employed by the settlement authorities over and above three hours are paid for the extra work at the standard rates for the type of work involved. Inmates who are incapacitated are supplied free of charge with cooked food.

6. Patients are at liberty to work in the settlement over and above the three hours on their own farms or at other tasks for their own gain. Those who are not infectious are at liberty to leave the settlement at any time and, if they do so, may obtain out-patient treatment at a number of centres free of charge.

7. The Administering Authority emphasizes that accommodation is provided free and the petitioners' complicated calculation of the rent alleged to be paid is pure fantasy.

8. The petition was examined and discussed at the 128th and 139th meetings of the Standing Committee (T/C.2/SR.128 and 139).

9. The special representative stated that the new arrangements described in the preceding paragraphs had given rise to slight dissatisfaction when they had been first introduced. The regular visitors to the settlement, however, all of whom were Africans, had investigated the trouble, and had been satisfied that there were no grounds for the allegation that the new arrangements constituted harsh treatment.

10. The special representative went on to explain that the settlement was under the care of a trained leprosy worker who was skilled in the ordinary treatment of leprosy and certain common ailments. Inmates who required more complicated treatment were sent to the hospital at Ho. In addition, the Medical Officer at Ho regularly visited the settlement, and the Specialist Leprologist visited it once every three months.

11. The reason why treatment of certain lepers had been suspended during November 1953 was that some of them, led by the first petitioner, went on strike. They refused to work and disobeyed the camp rules, so they were informed that if they did not wish to abide by the rules they were free to leave the settlement and return to their homes and receive free treatment at the various out-patient clinics.

12. Incapacitated lepers are supplied with cooked food free of charge. Those who are not incapacitated are given land and encouraged to grow food, and in this way they obtain their basic food. Even so, some inmates still journey outside the settlement to obtain food. For example, there are those lepers with special skills - e.g. teachers and builders - who prefer to exercise their skills in return for cash payments, and if they cannot buy their food out of the surplus grown by other inmates, they journey outside the settlement to buy it. The special representative was mindful of the regret expressed by the 1952 Visiting Mission at the long walk to the market at Ho which the lepers were obliged to undertake;^{1/} and he stated that, while it was no longer necessary for them to walk as far as Ho, it had not been possible to eliminate the walk entirely and they still had to go some distance towards Ho.

13. At its 139th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

^{1/} T/1040, paragraph 187.

V. Petitions concerning the status of the Trust Territory

Petition from Nana Agboka - T/PET.6/L.7

Petition from the Secretary-General of the Togoland Congress - T/PET.6/L.8

1. The Standing Committee decided, at its 97th meeting, that the established procedure should be applied to these two petitions.
2. In a brief cable dated 20 July 1953, Nana Agboka states that, at Nkonya on 19 July 1953, the chiefs and people of southern Togoland resolved that the Trust Territory be integrated into the Gold Coast.
3. The petition from the Secretary-General of the Togoland Congress takes the form of two cables. In the first, dated 20 July 1953, the Congress charges the Gold Coast Government with employing members of the Legislative Assembly, Regional Officers and Government Agents serving in the Trust Territory, to induce a few individual chiefs in the Territory to sign documents endorsing the Convention People's Party's plans for integrating the Territory with the Gold Coast. In its second cable, dated 23 July 1953, the Congress charges that Nana Agboka's cable of 20 July 1953 was signed under secret instructions of the Gold Coast Government and is causing great unrest and alarm in the Territory. The Congress strongly protests against what it describes as "subversive action" on the part of the Gold Coast Government - which it describes as "unworthy, incapable and incompetent" to administer the Trust Territory on behalf of the United Kingdom. Adding that the situation is grave, the Congress demands immediate action by the United Nations to avoid a breach of the peace.
4. The petitions were examined and discussed at the 128th and 139th meetings of the Standing Committee (T/C.2/SR.128 and 139).
5. The special representative denied the charges contained in T/PET.6/L.8 concerning the activities of Government employees.
6. At its 139th meeting, the Committee decided to refer the two petitions to the Trusteeship Council for examination in conjunction with General Assembly resolution 750 (VIII).

ANNEX

DRAFT RESOLUTIONS PROPOSED BY THE COMMITTEE

I. Petition from Mr. J.J. Amoa (T/PET.6/325)

The Trusteeship Council,

Having examined the petition from Mr. J.J. Amoa concerning Togoland under British administration, in consultation with the United Kingdom as the Administering Authority concerned (T/PET.6/325, T/OBS.6/4, T/L.415),

Notes the observations of the Administering Authority and the statements of the special representative to the effect that the petitioner received the penalty transfer because he had contravened official instructions concerning the admission of visitors to the schools of the Territory; that he is at present teaching at another school in the Gold Coast; and that he has been restored recently to his previous rank of head master.

II. Petition from Mr. Gilbert Osei (T/PET.6/326 and Add.1)

[The Committee was unable to propose a draft resolution on this petition.]

III. Petition from Mr. Seth G.K. Golovi (T/PET.6/327)

The Trusteeship Council,

Having examined the petition from Mr. Seth G.K. Golovi concerning Togoland under British administration, in consultation with the United Kingdom as the Administering Authority concerned (T/PET.6/327, T/OBS.6/5, T/L.415),

1. Draws the attention of the petitioner to the statements of the Administering Authority and its special representative to the effect that:

- (a) The petitioner's mother's family are willing to pay his school fees of £12 a year if he will live with them;
- (b) He is eligible to enter a competitive examination which will shortly be held for Government bursaries worth £6, tenable at a secondary school;
- (c) When he has satisfactorily completed his secondary education he will be eligible to compete with others for one of a number of Government scholarships, tenable at institutions of higher education, where he could pursue architectural studies;

2. Invites the Administering Authority to arrange for the foregoing to be explained to the petitioner, and to afford him all possible assistance in resolving his present problem.

IV. Petition from inhabitants of the Leper Settlement at Ho
(T/PET.6/328)

The Trusteeship Council,

Having examined the petition from inhabitants of the Leper Settlement at Ho concerning Togoland under British administration, in consultation with the United Kingdom as the Administering Authority concerned (T/PET.6/328, T/OBS.6/6, T/L.415),

1. Draws the attention of the petitioners to the observations of the Administering Authority and to the statement of the special representative;
2. Recalls the observations concerning the Leper Settlement at Ho which are contained in the report of the 1952 Visiting Mission to the Territory (T/1040, paragraphs 184-187), in particular the regret expressed by the Mission that the patients should have to walk two miles to buy their food;
3. Notes the statement of the special representative that arrangements have now been made for feeding incapacitated patients at the settlement but that other patients still go outside the settlement to obtain food;
4. Requests the Administering Authority to continue to improve conditions at the settlement, bearing in mind the observations and recommendations of the 1952 Visiting Mission.
