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Held at Headquarters, New York,
on Monday, 17 December 1956, at 10.30 a.m.

President:

Mr. ASHA

(Syria)

The future of the Trust Territory of Togoland under French
administration [2] (continued)

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(35 p.)

THE FUTURE OF THE TRUST TERRITORY OF TOGOLAND UNDER FRENCH ADMINISTRATION
(A/3169, T/1290, 1291 and Add.1, 1292)/Agenda item 27(continued)

The PRESIDENT: The Council will continue consideration of the question of the future of the Trust Territory under French administration. I may recall to the Council that at our last meeting the representative of Guatemala put forward a proposal to the effect that the Council should transmit to the General Assembly, in an addendum to special report A/3169, the memorandum of the Administering Authority (T/1290), the report of the Referendum Administrator in Togoland (T/1292), and the list of petitions and communications relating to the question of the future of Togoland under French administration (T/1291 and Add.1). The Council discussed that proposal but did not vote on it because the representative of Belgium had previously moved the adjournment of the meeting. I have two speakers on my list and I now call on the representative of Guatemala.

Mr. ROLO BENNETT (Guatemala)(interpretation from Spanish): Thank you, Mr. President. I would ask you to be kind enough to allow me to make a brief statement for the record. This statement is in reference to a question put by the representative of Italy at our meeting last Friday, relating to the replies which have been given by various delegations concerning the holding of our present special session of the Council.

Although the President, very appropriately, recalled to the representative of Italy the rules of procedure regarding this matter, nevertheless my delegation wishes to state for the record that, by a letter dated 28 November 1956, we addressed ourselves to the Under-Secretary for Trusteeship and ~~communicated to~~ him that, in the opinion of the delegation of Guatemala, the General Assembly was already sitting and one of the items assigned to the Fourth Committee was in reference to Togoland under British and French administration. Consequently, our delegation felt that it would be more appropriate that any reports submitted by ~~the~~ Administering Authority concerning the referendum of 28 October 1956 in Togoland under French administration should be submitted to the Fourth Committee of the General Assembly. However, in spite of what we have just said, the

delegation of Guatemala, out of deference and courtesy to the request made by the Government of France, agreed to the holding of this special session of the Council and we stated our opinion to the effect that, if possible, this special session should be held as close as possible to the tenth of the month.

Mr. CRELIO (Italy): First of all I wish to offer my apologies to the Council for having practically been the cause for holding this extra meeting of this session, which is already a special session, today, but I hope that the quiet week-end has enabled the members of the Council to realize that it is difficult to conceive that the majority of the representatives in the Council has expressed itself in favour of this special session only in order to take cognizance of the memorandum of the French Government, to listen to the report of the Referendum Administrator and then merely to transmit these documents, and all relevant documents, to the General Assembly for serious consideration.

I know that the members of the Council are under no obligation whatsoever always to state their views on each and every specific issue. I know that they may confine themselves to voting or abstaining from the vote. On Friday the representative of the United States appealed to me to try to make it possible for the Council to come to a decision on this matter without having recourse to procedural arguments. He insisted that we should dispense with the idea of rules and bear in mind the essence of the question. It is an appeal of exactly this kind which I make to him today: to bear in mind the very essence of the problem we are facing in this Council. I wonder whether he, or any of us, would really be satisfied that the Council was discharging its responsibilities by transmitting these documents to the General Assembly without even discussing them.

(Mr. Grillo, Italy)

In the opinion of the Italian delegation, the Council should not act in the way suggested by the representative of Guatemala without giving reasons for so doing. Acting differently, it might give the impression that its action is prompted by considerations extraneous to the subject matter under discussion, namely, the welfare and the political development of the Togolanders.

These considerations -- extraneous to the welfare and the political development of the Togolanders -- may well exist. Generally speaking, and not referring in particular to this Council, we are in the presence of a drive against not only colonialism but against any ties, no matter how logical, that grow out of former colonial relations. This demagogic campaign is, we grant you, more easily carried out in the General Assembly, rather than in the Trusteeship Council; and we know that a demagogue is a man who rocks the boat himself and pretends that there is a terrible storm at sea.

Mind you, my delegation is not representing here one of the so-called colonialist and imperialist countries. Italy has no colonies and, of course, it has no territorial ambitions, although I wish to add that we have heard enough talk of colonialism and anti-colonialism. We hear every day of Western intrusion, Western penetration, Western subjugation; we hear of capitalist exploitation and imperialist domination. We are, of course, told that the evil is all on our side.

The truth is, first, that all countries at one stage or another of their history practically -- I say, practically all countries at one stage or another of their history -- have been or are still colonialist countries, if by colonialism is meant, as it should be, not only the spreading of civilization across the seas to far-away countries, but also the attempt to spread one country's influence across its borders over neighbouring countries.

The truth is that modern, democratic, free and sovereign States have been formed not as a result of extremist ideologies but as the natural consequence of colonialism itself. This very same colonialism has been instrumental in spreading the principles of freedom, democracy and independence; it carried within itself the germs of liberty.

The truth is that extremist ideologies never helped in creating democratic and independent States; rather, they contribute to subjugating some of the existing ones.

I say again, I am not here as a representative of a so-called colonialist country; as far as my delegation is concerned, there is no unity of action pact

(Mr. Grillo, Italy)

between the Administering Authorities. Actually, there has been no consultation over the weekend. On Friday, I thought that such consultations might take place; they simply did not.

As I have said, we know that we are in the presence of a drive against any ties, no matter how logical, that grow out of former colonial relations. We also know that the problem today, the tragedy of our time, is that the danger is no longer from fading Western colonialism and imperialism but from other new forms of colonialism and from irresponsible nationalism; we know all this, but we have to go back to our problem and to the precise duties of the Trusteeship Council. Let me recall them here. These duties are related to "The basic objectives of the trusteeship system" which are declared to be the "progressive development towards self-government or independence" of the peoples of the Trust Territories; thus, self-government--which may take the form of independence but does not necessarily take this form-- and independence become equally alternative objectives. The factors determining which of these objectives should be pursued are the "particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and ... the terms of each trusteeship agreement;". These are the duties of the Council and these duties we are now invited to disregard.

The Italian delegation wishes to be no party to such an action, an action which implies ~~the abdication~~ by the Council of its functions. Incidentally, I refer here to the already existing trend of having petitioners heard by the Fourth Committee rather than by the Standing Committee on Petitions.

The duty of the Council is to assist the dependent peoples in gradually developing their own democratic societies -- I repeat "gradually". A certain gradualness is necessary to establish political institutions in those countries in keeping with the needs of the inhabitants and also in keeping with the common principles of democracy and freedom. The Council has no right to hinder the gradual political development of the Togoland. This development appears now to be timely and appropriate, after the recent popular consultation. The Council may not ignore, first, that the plebiscite was held in French Togoland under conditions which have been described to us by the Referendum Administrator; second, that the supervision of the United Nations had been asked for; third, that no reason was given by the Council for denying such supervision as contemplated by the General Assembly in one of its resolutions.

(Mr. Grillo, Italy)

After examining the relevant documents and having heard the statements of the representative of France, of the Finance Minister of the autonomous Republic of Togoland and of the Referendum Administrator, my delegation is convinced that the time has now come when autonomy must be granted to the Territory. My delegation is also satisfied that, from a general point of view, the Statute which has been submitted to us for consideration may be accepted as an instrument to enforce such autonomy, which is one of the aims of the Trusteeship System.

This Statute, however, may not be perfect and may require modifications. All institutions, even those which have rendered great services, are not eternal; only the fundamental principles upon which international coexistence rests are not subject to change and, therefore, cannot be placed in doubt. Therefore, the door must be left open for further improvements. In this connexion, I wish to say that I myself am not quite so sure that the Statute contains clear and sufficient provisions to that effect.

Article 58 states that "The ... Statute ... is susceptible of evolution" and that this "evolution may be modified following a wish ... expressed by the Togoland Legislative Assembly."

Article 12 says that there may be cases where "the Council of State sitting as a court" may declare "that the Assembly has exceeded its powers, ...".

Article 10 says that the "Laws of Togoland ... must be in conformity with treaties, international conventions, the principles set forth in the Universal Declaration of Human Rights and in the preamble to the Constitution of the French Republic and the provisions of this Statute."

I should like the representative of France to ~~clarify~~ the contemplated procedure for ~~revising and amending~~ this Statute. The point I am trying to make is that the responsible democratic body, freely elected by responsible people, may one day decide to improve on autonomy and become independent. The door must be left open to this end. We must establish in Togoland under French administration a democratic system of government.

I was reading this morning in the New York Times a remark made by Mr. Nehru -- Mr. Nehru, not Lord Beaverbrook. He said:

"History may show that the democratic method of development may be comparatively slow to start with. But in the end democracy may actually prove by far not only the most humane but actually the fastest method of development."

So far, I have spoken of our duty as members of the Trusteeship Council. I should like to state further that it is the duty of all of us as Members of the United Nations to bring together the African peoples and the peoples of the West, not to insert a wedge between them. There must be logical ties between the East and West and these ties have been incisively illustrated by one of the most distinguished representatives in the General Assembly, Mr. Entezam of Iran. He said that we should make every possible effort to bring the peoples of Asia and Africa and the West together. He went on to speak of the economic interdependence of East and West and he added:

"It is only in a framework of restored reciprocal confidence and sincere international co-operation that we can serve our mutual interests".

The Secretary General also, in the introduction to his annual report to the General Assembly, referred to the necessity for a concerted undertaking for the advancement of dependent peoples.

The African peoples, as has been shown to us by the Minister of Finance of the autonomous Republic of Togoland, know that the collaboration between Europe and Africa is necessary for their orderly progress towards higher forms of civilized co-existence. We in Europe believe that it is an indispensable principle that the people of Africa should not be isolated from the West. If some of the African countries were isolated they would revert to the conditions of life from which they emerged through their relations with Europe. This is our idea of a fruitful co-operation between East and West. Others are trying to

drive a wedge between East and West. Some delegations have a confused idea of the meaning of international co-operation or have an altogether different idea from ours. Theirs is a confused idea because, in spite of their nonsensical attacks on the so-called imperialist countries, they still maintain that these imperialist countries must go on providing financial assistance for former colonies and Trust Territories which are about to become independent. I invite you to read once more the statement made in the Fourth Committee by the Soviet delegation.

Theirs are different ideas from ours. We know what they are driving at -- the disruption of the existing co-operation between East and West. They do not want this fruitful co-operation to make it possible for the emerging countries to be eventually in a position to preserve their freedom. They want these countries to succumb to a different kind of foreign domination.

I am approaching the conclusion of my statement, but I repeat once more that we are being confronted with a drive against those logical ties that grow out of former colonial relations. As the representative of Belgium put it, we are in the presence of an attempt to deprive the Administering Authorities of the position they occupy in the Council, which does not exist in the Assembly. He said:

"The Council is a parity body, and that was the intention of the General Assembly. What is desired here is to take away from the Administering Authority the guarantee which is given to them by the parity nature of the Council, and take questions which should be examined by the Council and give them to the General Assembly, where parity does not exist." (T/PV.743, p. 18-20)

The representative of the United States has rejected these arguments on the grounds that the General Assembly is in session, the Fourth Committee is also in session, and therefore we might as well send this matter to the General Assembly forthwith. Apart from the fact that there are precedents for questions being fully debated in the Council while the Assembly and the Fourth Committee are in session, I see that the representative of the United States seems to approve the abdication by the Council of its functions.

Unlike the former Mandates Commission of the League of Nations, the Council is not an auxiliary organ of experts. It is one of the principal organs of the United Nations, like the General Assembly, the Security Council, the Economic and Social Council, the International Court of Justice and the Secretariat. It is a statutory organ. Its rules of procedure are set forth according to a draft which was approved by a resolution of the General Assembly. The functions are treated in the rules of procedure as if they were conferred only upon the Trusteeship Council, as if there were no difference between these functions and those conferred by Article 87 of the Charter directly upon the Trusteeship Council. In other words, there is no difference between the functions exercised directly by the Trusteeship Council and those exercised under the authority of the General Assembly.

Under Article 87 of the Charter, the Trusteeship Council is called upon to "(a) consider reports submitted by the Administering authority" and "(d) take these and other actions in conformity with the terms of the trusteeship agreements." We are fully aware that the Trusteeship Council should exercise its functions under the authority of the General Assembly, but we assume that no one sitting round this table will dispute that these functions must be effectively exercised

As a member of the Trusteeship Council and as a representative of a country which has no colonial interests to assert or to defend, of a country which upholds the Charter of the United Nations in letter and in spirit, of a country which has the co-operation of Asian and African peoples deeply at heart, I find it my duty to raise my voice against this attempt to weaken the constitutional position of the Trusteeship Council for reasons which have nothing to do with the interests of the peoples of the Trust Territories. It is also my duty to call the attention of the other members of the Council to the political implications of such an attempt.

Mr. SEARS (United States of America): In the three short years that I have had the pleasure and privilege of trying to represent the United States of America in this Council, I do not think I have ever heard the United States singled out in such strong terms for rocking the boat and upsetting this and that. Further, I wish to add that I think the speech made by the representative of Italy was not only good but entirely legitimate. However, we have never been opposed to discussion, here or elsewhere. In fact, we agree that the Trusteeship Council is a principal organ of the United Nations which must do its duty and must not shirk that duty.

I think I said the other day that events in Africa were moving with such tremendous speed nowadays that the function of the Trusteeship Council -- its constitutional function or its balanced function -- has, in our opinion, become more important than ever. That was, in fact, the essence of everything that I tried to express last Friday.

We have felt, however, that, since the French delegation has informed us that there are certain witnesses and petitioners who could not appear here until a future date, we could, in any circumstances, not come to a conclusion here. We thought, therefore, that the Council should adopt its report and submit the proceedings to the General Assembly. If the French delegation, or any other delegation, has more to tell us, we will be glad to hear it. We have no particular interest in preventing full or free discussion now or at any other time.

Mr. RYCKMANS (Belgium)(interpretation from French): I am sorry that I must speak again to set forth the point of view of the Belgian delegation on the motion submitted by the delegation of Guatemala to refer this matter to the Fourth Committee of the General Assembly.

We consider that this is not merely a question of a particular decision on expediency, but that it is a decision involving principles, which could have a decisive effect on the functioning of the Trusteeship System and could even endanger the existence of the Trusteeship Council as a main organ of the United Nations. Such a question cannot be decided without previous discussion.

(Mr. Ryckmans, Belgium)

I shall not repeat the background of the Togoland question here. I shall confine my remarks to recalling briefly the present state of affairs. In 1955, the Minister for Overseas France informed the Visiting Mission of the Council that the French Government intended to consult the population of Togoland, by means of a plebiscite or some other democratic process, on the continuation or termination of the Trusteeship System in that Territory. At the eighteenth session of the Trusteeship Council, the representative of France informed the Council that a new Statute for Togoland, made possible by the loi cadre of 23 June 1956, would soon be submitted to the Territorial Assembly of Togoland. He informed us that the Statute would guarantee the territorial, administrative and financial autonomy of Togoland within the framework of the French Union, and that, following the entry into force of that Statute, the French Government intended to consult the population of Togoland by means of a referendum based on the principle of universal adult suffrage. The representative of France asked the Trusteeship Council to send a mission of observers to Togoland to observe the holding of the referendum. A draft resolution setting up such a Mission was rejected by the Trusteeship Council in a tie vote. After that vote, the representative of France stated that, with or without the presence of United Nations observers, the plebiscite would be held on the date fixed. The Council transmitted to the General Assembly the Administering Authority's memorandum and the records of its discussions.

The plebiscite was held on 28 October last. The present special session of the Trusteeship Council has been called at the request of France to consider the results of that plebiscite. We have before us the Administering Authority's memorandum of 6 December 1956 and the report of the Referendum Administrator. We have heard the remarks made by the Referendum Administrator, the representative of France and the representative of the autonomous Republic of Togoland.

It now remains for the Council to discuss these communications and to transmit its conclusions to the General Assembly. Rather than do this, we are asked to send the documents to the General Assembly before having considered them or arrived at any conclusion regarding them. The Trusteeship Council cannot adopt that proposal. By doing so, it would evade its responsibilities and would

(Mr. Ryckmans, Belgium)

fail to carry out its obligation to assist the General Assembly, as set out in Article 87 of the Charter.

The Trusteeship Agreement, approved by the General Assembly on 13 December 1946, gives France full power of legislation and administration in Togoland under French administration. No one can dispute the right of the Administering Authority to organize, whenever it deems such action advisable, a referendum -- a popular consultation -- in which it may ask of the population any questions it feels to be pertinent. Article 5 of this Trusteeship Agreement -- an article which is not to be found in other such Agreements -- contains a commitment on the part of France that it will "in due course arrange appropriate consultations to enable the inhabitants freely to express an opinion on their political regime". Nothing in the Agreement requires France to proceed to these consultations under the supervision of the United Nations. Of course, the Trusteeship Council, the Fourth Committee and the General Assembly, in the supervisory capacity granted to them by the Charter, can discuss, at the time of the consideration of the situation in the Trust Territory, the advisability of holding such a referendum, the questions to be asked in that referendum and the regularity of the consultation. This in no way affects the right of the Administering Authority to organize the plebiscite.

France invited the United Nations to send such a mission of observers to supervise the operation of the plebiscite. I imagine that it did this as a result of the precedent established in British Togoland, in which case the United Nations sent a Plebiscite Observation Mission, under the direction of the United Nations Plebiscite Commissioner, Mr. Espinosa y Prieto. Belgium was happy to associate itself with the tribute paid to the Plebiscite Commissioner for British Togoland, who carried out his mission admirably. I must, however, confess my doubts as to the advisability of setting that precedent. We understand that a plebiscite should be held under United Nations auspices, particularly when the population is divided in its loyalties to two powers, each of which claims to represent the majority and each of which may be suspected of attempting to influence the results of the election by intimidating the electors.

(Mr. Ryckmans, Belgium)

The United Nations urged that a plebiscite be held in Kashmir. However, the situation is not the same when the organizer of the plebiscite is the Administering Authority, when that Authority wants to take the pulse of public opinion and when it has every reason to know the real state of that public opinion. I am not sure that the international Organization which is called upon to supervise the administration of a Trust Territory would be acting wisely by agreeing to become involved in that matter, even through a simple observation mission, in the organization of such consultations.

Belgium voted in favour of the draft resolution submitted by France. It was in favour of sending an observation mission to observe the referendum. We did so because the refusal to send observers, in view of the fact that such observers had been sent to British Togoland, could have been interpreted as taking a stand opposed, in advance, to that of the Administering Authority. I understand the attitude of those of my colleagues who voted against that draft resolution. The sending of observers could have been interpreted, in the Territory, as the approval of a measure decided upon by the Administering Authority on its complete and exclusive responsibility.

(Mr. Ryckmans, Belgium)

Those of our colleagues who have been members of the Council for a long time know that the Belgian delegation has always defended the principle of a posteriori supervision. This is the only way we can avoid dangerous confusion in responsibilities. The Council does not have the right to dictate a future action to the Administering Authority. On the other hand, the Administering Authority does not have the right to evade its responsibilities by asking a priori for approval from the Council of a measure the advisability of which may be doubtful nor to ignore a decision of the Council if the measures taken do not obtain the desired results. The Council does not have to pass in advance on the text of the question which the plebiscite is designed to answer ~~because this would be prejudging the matter.~~

The Council and the Assembly will act wisely, I believe, if they refrain in principle, without any conclusions being drawn from this, from any intervention in the organization of elections or referendums in Trust Territories, thus reserving their right to judge the results freely, taking all the circumstances into account.

In the present case a party had decided, as was its right, to urge abstention. If the United Nations had sent observers, the opponents of that party would have been able to argue that the referendum had the approval of the United Nations and that the party which boycotted it was being hostile to the United Nations. On the other hand, the fact that the United Nations had agreed to send observers to British Togoland and not to French Togoland gave the supporters of the new Statute in French Togoland the right to complain that the United Nations was hostile to their views. This is why a systematic abstention from any previous intervention seems to me to be the golden rule for a body like the Trusteeship Council which is supposed to pass judgements on results.

In any event, the French Government organized a referendum and, it tells us, took measures to make sure that the results of the referendum would express the real feelings of the majority of the population of French Togoland. Did these measures have the desired effect? In other words, did ~~the majority~~ of the population pronounce itself freely in favour of the first question, that is, approval of the Statute of the autonomous Republic of Togoland and termination of the Trusteeship System, and against the second, maintenance of the Trusteeship System? That is the first question to which the Trusteeship Council must give

(Mr. Ryckmans, Belgium)

an answer to the General Assembly. As the representative of Italy said a moment ago, the Council would not be discharging its duty if it did not assume its responsibilities and if it did not answer that question. As far as I am concerned, I answer without hesitation, after studying the report of the Referendum Administrator, Mr. Périer de Féral, that I consider in all conscience that the great majority of the inhabitants expressed themselves in favour of the first question and against the second. I feel that the Referendum Administration fulfilled its duties properly and that the results obtained are the freely expressed will of the population.

Out of a population of 1,084,032 there were 438,175 registered voters, representing more or less all of the adult population of both sexes. Of this number, 313,458 were in favour of ending the Trusteeship System and for the Statute of Togoland; 22,320 voted for the continuance of the Trusteeship System. The abstentions, due to illness, indifference, negligence or systematic boycotting, did not amount to more than 125,000 -- the difference between the number of registered voters and the number who voted in favour of the Statute of Togoland and the ending of the Trusteeship System.

The second question to which the Council must reply is the following: what conclusions as to the results of the referendum should be given to the General Assembly? Here my answer will be much more qualified. I would sum it up in a sentence. The Belgian delegation is prepared to endorse the results of the referendum in French Togoland for the same reasons as the General Assembly approved, by a vote of 64 to none, with 9 abstentions, the results of the plebiscite in British Togoland. The Belgian delegation, after mature consideration of the pros and cons, was among those voting in favour, in the General Assembly, in the case of British Togoland. In the same way, after mature consideration of the pros and cons and without concealing its hesitation, it endorses the results of the referendum in French Togoland. We had the same doubts in the case of British Togoland. What decided us was the fact that in both cases a clear majority of the population accepted the new status.

I am, of course, familiar with the objections. The questions put were not perfect. French Togoland was not offered a choice between pure and simple independence and autonomous status but only a choice between autonomous status

(Mr. Ryckmans, Belgium)

and the continuance of the Trusteeship System. British Togoland did not have a choice between independence and incorporation in the Gold Coast but only a choice between incorporation in the Gold Coast and the continuance of the Trusteeship System. The autonomy of the Republic of Togoland is not complete but at least it retains its individuality, its existence as a distinct entity, whereas British Togoland, once its union with the Gold Coast has been carried out, will be indissolubly united with a much larger electorate and it will never have a chance to gain a majority in the new State. The protection of the Trusteeship System will be withdrawn from French Togoland before all of its national aspirations have been realized but at least, under article 38 of its Statute, it will be able to develop, since modifications may be made to the Statute after a vote in the Legislative Assembly. British Togoland will also lose the protection of the Trusteeship System but without the same possibility of evolution, since it will no longer have its own Legislative Assembly.

The Statute accepted by the majority of the population of French Togoland was accepted only for want of something better since the alternative offered was the maintenance of the status quo. British Togoland, however, does not know what its status will be; the constitution of Ghana will be voted by a parliament in which the whole electorate of British Togoland will be represented by one-tenth of the members at best. In spite of these objections, which led to the hesitation, the reluctance and the abstention of certain Members of the General Assembly, the Belgian delegation voted in favour of the incorporation of British Togoland in the State of Ghana and the end of the Trusteeship System in that Territory. Its vote was determined by the fact, I repeat, that it was convinced that if the new situation did not come up to expectations it was nevertheless sincerely accepted by a considerable majority of the population.

The population of Togoland under French administration manifested its will by a majority even larger than that in Togoland under British-administration. Those representatives who felt obliged to abstain from voting on the resolution dealing with the future of the latter Territory will, I presume, similarly abstain from voting on a resolution dealing with the future of Togoland under French administration. But I see no reason why those who voted in favour of the union of British Togoland with the Gold Coast should fail to vote in favour of the inclusion of the autonomous Republic of Togoland within the framework of the French Union.

In conclusion I wish to recall a question raised at an earlier meeting by a member of this Council with regard to another African Territory. He asked how we would view the treatment accorded the people of that Territory if those people were white rather than coloured. My answer is that we would have to view it in exactly the same way, because all men have the same rights as human beings, regardless of the colour of their skin.

Now it is my turn to ask a question and I ask that it be seriously considered. Had Togoland under French administration asked to be included within the framework of an independent State of black-skinned citizens, would this have been opposed by a single vote? No, not one vote would have been cast in opposition. When this Territory asks to remain associated with the great country which has presided over its destiny for more than forty years, which has led it through progressive stages of development to the point where it freely controls its internal affairs, will the request be opposed because the country with which it wishes to ally itself is France? I trust that the Trusteeship Council will not fail in its duty during the present session.

Mr. BARGUES (France)(interpretation from French): I wish to reserve till later my right to examine the substance of the problem before us, as has just been done so completely and brilliantly by the representatives of Italy and Belgium.

Today I shall limit myself to adding a few brief comments to those which I made at an earlier meeting concerning the proposal presented by the representative of Guatemala. First, however, with the permission of the Chair, I wish to revert to two observations made -- one by the representative of Italy, the other by the representative of the United States -- which seem to call for an immediate reply.

The representative of Italy referred to the provisions of article 38 of the Statute, entitled "Evolution of the Statute". Doubt seems to exist as to the meaning of this article, and I shall take the liberty of recalling a statement which I made at our last session and one I made at this session, which were recalled by the Finance Minister of Togoland. I quote from the record:

"The French representative... added that adoption by the Togolese of the autonomous statute which was offered to them did not preclude other solutions, that the political status of a country is not inflexible, and that the French Government did not consider, in any case, that the statute of autonomy which was offered to the Togolese would, as a consequence, crystallize immutably the political development of Togoland at a particular stage." (T/PV.747, p. 11)

That explains exactly the meaning of article 38 of the Statute which is entitled "Evolution of the Statute" and which begins: "The present Statute which is susceptible of evolution...". This statement in black and white has already been approved, and I shall read it again:

"The present Statute which is susceptible of evolution may be modified following a wish (vœu) expressed by the Togoland Legislative Assembly. No modification may enter into force until it has received the favourable vote of the Assembly."

If a comparison is permitted, I would refer to the White Paper communicated by the Government of the Gold Coast to the Fourth Committee a few days ago. Though I cannot quote exactly, as I do not have the document before me, an article in that White Paper contains the suggestion of the new Government that the new Constitution should not be altered except by a two-thirds majority vote. The provisions in article 38 are almost identical, save that the Gold Coast Government stipulates a two-thirds majority to modify the Constitution, whereas the Statute presented by the French Government and approved by the Government and people of Togoland merely specifies "the favourable vote of the Assembly." I shall not press my comments further, but will reserve my right to examine these points in greater detail in the course of the debate.

I wish merely to refer to a comment by the representative of the United States. If I understood correctly, he stated, in requesting the transmittal of certain documents to the Fourth Committee, that the petitioners from Togoland could not

appear before the Trusteeship Council. So far as I know, no petitioner has asked that he be permitted to appear before this Council. I hope there will be no misunderstanding on this point. I should say that if petitioners from Togoland requested a hearing before the Council, the French delegation would vote unhesitatingly in favour of such a hearing.

During the course of a previous meeting it was stated that even delegations which opposed the holding of a special session of the Trusteeship Council had the right to propose the termination of such a session before the debate was concluded. Every delegation has, of course, the right to behave illogically if it so desires, but we might at least hope that the originators of this manoeuvre -- so clearly placed in its true light by the representative of Belgium -- might present arguments in its support. But one argument only has been produced, namely that the Trusteeship Council is not competent to discuss a matter while the General Assembly is seized of it. This argument might have appeared more reasonable if it had been presented a year ago. In November 1955 the Trusteeship Council -- without protest from any delegation -- held a special session and conducted a long debate on important problems while the General Assembly was in session. But then we heard from Mr. ~~Esarab~~, and now we hear from Mr. Grunitzky -- which seems to change matters completely. The Trusteeship Council showed little interest in the people of Togoland when it refused to send observers to Togoland at a time when that country was taking a step of great importance to the people there. We thought the decision against sending observers was merely ill-considered -- though taken at the conclusion of a very long debate. But if the Council, in line with the proposal put forward by Guatemala, now decides to abandon this item without prior examination of the documents submitted by the French delegation, then the people of Togoland will receive the impression that our Organization refuses to accept its obligations towards them and demonstrates ~~contempt~~ for the political life of that Territory. We are fortunate in having here a qualified representative of the people of Togoland, Mr. Amah, the Finance Minister of the autonomous Republic of Togoland, and I would ask the President to be kind enough to call upon him when I have concluded, so that he can report to the Council the sentiments of his compatriots.

Before yielding my place, however, I wish to state -- as a matter of principle -- the position of my Government. I shall be brief.

(Mr. BARGUES, France)

It is a fact that the autonomous Republic of Togoland exists. The people of Togoland request the termination of the Trusteeship Agreement. History ~~cannot~~ be rewritten. Trusteeship cannot be imposed upon a people which has achieved political maturity and does not want trusteeship. ~~France~~ refuses to do this; the people of Togoland will remain autonomous; and, no matter what happens, the young Republic of Togoland will continue to exist.

I would ask the President to call upon the Minister of Finance at this time.

At the invitation of the President, Mr. Apedo Amah (France), Minister of Finance of the autonomous Republic of Togoland, took a place at the Council table.

Mr. APEDO AMAH (France), Minister of Finance of the autonomous Republic of Togoland (interpretation from French): I do not claim to be completely familiar with the way in which the Trusteeship Council should conduct its business; but I have observed in the past that it has given thorough consideration to all matters before it, and that it has assumed its responsibility completely with respect to them all, without refusing to deal with any of them. As was stated at the last meeting and at this morning's meeting -- the representative of Belgium, in particular, pointed this out -- the Trusteeship Council is an essential element in the United Nations. The representative of Belgium emphasized that the parity system was designed to ensure impartial and objective judgements.

I can recall no case in which the Trusteeship Council transmitted a matter to the Fourth Committee without first considering it, and I do not recall that the Fourth Committee has ever taken a position on a matter without having requested consideration and a report by the Council.

The manoeuvre with which we are confronted would tend to confine the matter of the future of Togoland under French administration to a process of referring it back and forth between the Council and the Fourth ~~Committee~~, in order to delay its solution. If the Council votes the motion of the delegation of Guatemala, and engages in this dilatory manoeuvre, the Togolese population will observe, once again, that the Council has no power when it deals with matters affecting its country. At its last session, the Council, by a tie vote, refused to agree to the request of the Administering Authority -- a request made out of courtesy, since it was not obliged to do so -- that observers should be sent to supervise the referendum. The reason for this refusal to send observers, which was

incomprehensible to the Togolese people, lies, I believe, in something which has recently come to my attention, and which I shall return to at a later time.

Today, the Council has before it a motion recommending that it should not study the statements which have been made and the documents which have been submitted by the representative of France, the Referendum Administrator and the representative of the autonomous Government of Togoland, but should transmit this matter, without debate, to the Fourth Committee. I should like to make an observation in this connexion. The Trusteeship Council agreed to hold this special session, and I assume that this was in order to work; but, having suddenly acquired certain scruples, it wishes now to abandon its prerogatives and limit its functions simply to that of a mailbox. There is something here which is neither clear nor logical. Of course, the proposed procedure has the advantage of saving time and eliminating discussion -- at least, that is the way in which it was justified. In my view, it would have the merit of demonstrating a legal reality, which has apparently escaped observation, and that legal reality is the following.

In an entirely democratic and legal manner, Togoland has been transformed from a Trust Territory under the trusteeship of a European country to the status of a country which has come of age politically, and which is henceforth to be governed by its own autonomous Government. The Trusteeship Council could -- and quite properly, I admit -- decide that it had no further concern with this matter, and that the United Nations would not, in the normal course of events, question the emancipation of the Togolese people, and it would not thus be denying its own principles or jeopardizing its prestige in my country and losing the confidence of the people. If that attitude had been adopted by the Council, it would have been a sound and logical one.

To my amazement, however, there have been two obvious indications that logic has been ignored, and justice sacrificed. On 13 December, from the rostrum of the General Assembly, a representative stated the following:

"We really stand for all that is necessary to make people enjoy the right of self-determination and enjoy their full freedom and liberty."

We agree with him completely. Togoland is determining its own future, and it is free. The representative continued:

"We still hope that the same will be done with French Togoland; and also, by a free plebiscite conducted under the auspices of the United Nations, that it will elect freely to join the new emerging African State."

(A/PV.619, p. 21)

Members of the Council will note the peculiar concept of freedom which is held by this representative.

Thus, I have an explanation of what was meant by certain petitioners, at the conclusion of the discussion in the Fourth Committee -- a discussion which was favourable to the union of Togoland under British administration with the Gold Coast -- when they asked some delegations to recall their promises. The meaning of these promises, made here in New York, was explained by the representative whom I have just quoted.

I find myself in the presence of a manoeuvre directed against my country, and I denounce it most vigorously. This manoeuvre would result in having the United Nations say to the Togolese people: "Well, you have freely chosen your destiny, of course, but we are going to determine your future anyway. Your country will lose its individuality, its independence, but that does not make any difference: it will join the neighbouring country as a subjugated province, and everything will be all right." I should like to state immediately that the Togolese people are not prepared to listen to such words, any more than they are prepared to accept an attitude which would indicate such a state of mind. I am certain that the Trusteeship Council ~~does~~ not share that state of mind; otherwise, it would be preferable for it to say so now, and for the Togolese people to be aware of this.

(Mr. Apedo Amah)

In any case, under these conditions which vitiate the debate, my Government and the Togolese people would like to make the most explicit reservations concerning the value of any decision which would cloak a conspiracy against the freedom and the legitimate interests of the people of Togoland or which would have the effect of inflaming passions in Togoland and setting up any kind of irredentism on that frontier. At any rate, the evolution of Togoland is irreversible. The autonomous Republic of Togoland has won its autonomy. It refuses to enter into any consideration which would limit or question that autonomy.

Who, in fact, could question that autonomy? If it is not to everyone's liking, we cannot help it, but who could, or would, take it away from us? Togoland is not looking back, it is looking ahead with the certainty of a bright future because it has faith in its destiny and in its future.

In this brief intervention I wanted to warn the Trusteeship Council against manoeuvres which might be directed against the legitimate interests of the Togolese and I wanted to draw attention to the responsibilities of the United Nations in this connexion.

Mr. Apedo Amah withdrew.

The PRESIDENT: Before I call upon the next speaker, I want to say to the Council that Mr. Amah, in his intervention, to my mind, was speaking as the representative of France and not as the representative of Togoland. I take it that that is the way in which he made his statement. I would also like to call to the attention of the Council that the Chair does not wish to have any denunciation of the Council recorded on this matter.

Mr. BARGUES (France)(interpretation from French): Mr. Arpedo Amah is part of the French delegation because the Territory of Togoland is still under Trusteeship; until the Trusteeship has been terminated and even after it is terminated, France will be in charge of the external affairs of Togoland. The statement just made by Mr. Amah was made on behalf of his Government and on the responsibility of the Government of the autonomous Republic of Togoland.

Mr. ROLZ BENNETT (Guatemala)(interpretation from Spanish): Since my delegation had the honour of submitting to the Council the motion which is being debated, we believe that it is our duty to refer to certain of the comment which have been made regarding it this morning.

In the first place, I must indicate that my delegation does not wish to refer on this occasion to any substantive aspect of the problem. We simply wish to allude to certain other procedural aspects of the question. We have heard from various speakers this morning that the motion presented by my delegation is a manoeuvre intended to avoid discussion of this question of Togoland under French administration, that, in other words, we are getting the Council to abdicate its powers and making it impossible for it to do its duty and, finally, that my delegation and others supporting it are hindering an examination of the matter as requested by the General Assembly in its resolution 944 (X), second part.

However, exactly the opposite is the truth. My delegation in proposing the motion under debate is not in any way attempting to avoid a broad discussion of the question of the future of French Togoland. We made this very clear in our statement last Friday. We stated further that this discussion would occur as soon as possible in the General Assembly and that the General Assembly is only awaiting the conclusion of our meetings here in the Council so that it can again take up the question of the unification of Togoland and of the future of French Togoland.

The other item under debate before the Fourth Committee is coming to an end. Therefore, this is not a manoeuvre to avoid broad discussion of the matter. Quite the contrary, we proposed that this debate be taken up as soon as possible.

In the second place, I must say that we do not in any way propose to deprive the Council of the ability to do its duty. It is not the delegation of Guatemala, and its supporters, who are hindering the Council. The contrary is the truth. The President will recall that during the eighteenth session of the Council the Administering Authority submitted to us a memorandum containing a summary of the measures which the Administering Authority proposed to take in Togoland. Now, based upon that document -- a simple document setting forth

the measures which the Administering Authority proposed to take -- a broad debate was held during the eighteenth session of the Council and my delegation, and many other delegations, attempted, upon the basis of this very brief and scanty document, to make an analysis and a study -- as serious a study as possible -- of the whole matter. We expressed our regret, then, and many other delegations did also, that the Administering Authority had not placed the Council in a position to become acquainted with all the documentation, so that we could discuss fully the future of French Togoland.

We regretted, especially, that two documents around which the whole debate on this matter should have revolved, namely, the loi-cadre and the Statute for French ~~Togoland~~, were not submitted for consideration to this Council. We did not have these two documents before us. The loi-cadre had already been issued and the Statute for Togoland no doubt had been drawn up in first draft, at least, because in the memorandum of the Administering Authority itself, certain indications were given in regard to the Statute.

However, even without those documents -- and we regretted that they were not available -- we attempted to study the matter and there was a broad and constructive debate in the Council on the matter.

Now, as the President will recall, our eighteenth session came to an end and we rejected the proposal made by the delegation of France. We adopted resolution 1499 (XVIII), which transmits to the General Assembly the memorandum of the Administering Authority and draws to its attention the record of the debates on this matter during the seventeenth and eighteenth sessions of the Council. As that was the course of our meetings in the past, our motion now would simply supplement the decisions which we have already taken. The purpose of our proposal is very clear and understandable, and I believe it is very logical. It is in perfect harmony with the decision which this very Council took at its eighteenth session.

(Mr. Rolz-Bennett, Guatemala)

Therefore, if we hear now that our motion is a manoeuvre, then, logically, we would have to refer to the prior decision of the Council as having been a manoeuvre also. But that decision has already been taken and we have transmitted to the General Assembly, in our report, the results of our deliberations at that session.

I must also very briefly refer to certain allusions which, in my opinion, have some unfavourable implications with regard to the General Assembly. Now, my delegation was elected to the Council by the General Assembly. We have specific duties to the Council and we also have responsibilities to the General Assembly which we bear in mind constantly. My delegation does not in any way share the doubts with regard to the General Assembly, as expressed here by some of the speakers this morning. On the contrary, we feel that the General Assembly is fully empowered to undertake a study and to discuss all these matters and that the General Assembly will proceed, with full responsibility and in all seriousness, to do its duty.

My delegation, therefore, would repeat that our motion is logical and in conformity with prior resolutions; it is in harmony with decisions which we have taken at previous sessions and we recommend our motion to the Council for approval.

Mr. JAIPAL (India): We have heard some very odd statements this morning in this Council and it is necessary for my delegation to comment on them briefly. We shall ~~resist any suggestion~~ that the Council has not done its duty; no one here, as far as I am aware, has questioned the competence of the Council in regard to this particular question. The Guatemalan motion, in our opinion, does not detract anything whatever from the powers or the functions of this Council.

The Administering Authority has been heard, questions have been put to the Administering Authority and we have all listened to the replies with considerable interest and care. But many members here have explained that in their opinion all the elements for judgement are not present: one important factor is that there are petitioners to be heard. We are told that representatives of the territorial government, including the Prime Minister himself, are expected here after Christmas, and their views will no doubt be most relevant. Until the views of all these persons are known, both on the referendum and on the new Statute, it would be improper, in the opinion of some of us here including myself,

(Mr. Jaipal, India)

Any attempt to use the precarious balance of this Council to force a positive or a negative recommendation through this organ would not redound to the credit either of the Council or of its members. The plain fact of the matter is that many of us here are unable to form a definite opinion just now on this rather complicated question and we would like to have the opportunity to put questions to the petitioners and seek further clarification.

I should have thought that in the circumstances the Guatemalan motion would not be opposed, but would have wide support. The motion itself does not commit the Council either way, nor does it reject the French request.

I feel bound to say that, precisely because of parity of representation in the Council, there is all the more need for the greatest care in formulating its recommendations; and when it is unfortunately not in a position to do so, it has in fact no alternative but to refer the matter to the General Assembly. By taking such action, it will not be abdicating its responsibility or acting unconstitutionally, as some representatives here seem to think. And, therefore, I reject categorically all suggestions to that effect.

The representative of Italy hinted that there might be political reasons involved; I am sure that I do not know what he meant. The way the discussion has been going on here, in this Council this morning, leaves in my mind the fear that some members seem to have less faith in the General Assembly than they have in this Council. This manifestation, this lack of faith, in the General Assembly is deplorable, particularly at the present time when the General Assembly has acquitted itself so commendably in many matters.

The representative of Italy, in a very interesting statement, referred to "irresponsible nationalism"; I am sure I do not know what he meant. He referred to this as being one of the great dangers of the day. I do not know whether he was referring to the Anglo-French invasion of Egypt, or to the uprisings in Hungary, both of which are regarded as irresponsible nationalism in different quarters. So far as I am concerned, may I tell him that nationalism becomes irresponsible only when it is thwarted from its legitimate ways, often by extraneous forces. I am glad to note, however, in this context that the representative of Italy has referred to the Indian Prime Minister's statement about the need for genuinely democratic movements everywhere.

(Mr. Jaipal, India)

I do not propose to enter into a detailed discussion of the substance of the question of French Togoland here. Our views on the referendum are on record. The results of the referendum are not very important, though they have their own significance. What is of the greatest importance, however, is the content of the new Statute and the division of competence between the French Government and the territorial government. This particular aspect requires, in our opinion, the most careful consideration in consultation with the representatives of the territorial government and the petitioners. Anyone who seriously examines the constitutional aspects of this question will realize that the integration of British Togoland with an independent Gold Coast, on a basis of complete equality, bears no parallel whatever with the relationships between French Togoland and France. Any attempt to use British Togoland as a parallel here is, in our opinion, to make a mockery of the International Trusteeship System.

The case of the Trust Territory of French Togoland will, no doubt, be decided on its own merits and with reference to its own particular circumstances and, also, according to the provisions of the Charter.

Lastly, may I say that the Guatemalan motion is not a manoeuvre of any kind; it is a simple, straightforward, plain and logical motion necessitated by circumstances which have been very fully and honestly explained by the representative of Guatemala. If any representatives here still choose to regard it as a manoeuvre -- and that includes Mr. Apedo Amah -- may I say that they are responsible only to themselves for such extraordinary notions.

Mr. RIFAI (Syria): It is not my intention to restate the position of my delegation regarding the motion of the representative of Guatemala. I believe that it is quite within our right as members of this Council to choose the time and place to make our views known on the future of French Togoland. This cannot be construed as a reluctance on our part to discharge our responsibilities in this Council.

(Mr. Rifai, Syria)

While I have the floor I should like to refer briefly to certain statements made by the representative of Italy. While my delegation cannot hide its sadness and surprise at what the representative of Italy said in this Council, we do not wish to be drawn into a debate concerned the so-called demagogic nationalism and -- if I may add here something which the representative of Italy had forgotten -- some of the Western Powers' insatiable appetite for domination, regardless of the spirit of this age. However, it is only fair to state that the distinguished representative of Italy seems to see the mote in our eye and to forget about the beam in the eye of the West. History certainly will treat this subject more objectively and the day may come when even the representative of Italy will discover the real sinner in this drama.

Mr. IOBANOV (Union of Soviet Socialist Republics)(interpretation from Russian): At the last meeting of the Council the Soviet delegation expressed itself in favour of the proposal to refer the matter in the Council to the Fourth Committee of the General Assembly, and it gave appropriate arguments. The majority of the members of the Council have expressed themselves in the same spirit. Since that time nothing new has been advanced to support the opposing point of view, not taking into account the fact that one delegation, to judge by its statement, is apparently changing its position. Even if this is so, this fact by itself is not an argument. The panegyric of colonialism which we heard from the representative of Italy is not new either. He very often emphasizes that he does not represent a colonial Power, but his constant praise of colonialism is so immoderate that one receives the impression that he is mourning the by-gone days when he could, perhaps, have represented a colonial Power and could have enjoyed colonial ways of doing things. But, as we know, this does not depend solely on the wishes of any representative here.

As one of the arguments in favour of discussing this question in the Council, the representatives of Italy and Belgium expressed their fear of having this question appear before the General Assembly inasmuch as the majority of the General Assembly does not sympathize with colonialism. However, I do not see how these representatives can avoid this circumstance which they apparently find unpleasant. This, too, is beyond their control since it is impossible to decide

the question of Togoland under French administration without the intervention of the General Assembly.

The Soviet Union delegation wishes once again to state that it supports the proposal of the representative of Guatemala to refer the matter to the Fourth Committee.

Mr. DOBSINVILLE (Haiti) (interpretation from French): During last Friday's meeting, the delegation of Haiti explained its position on this question under discussion. I am speaking this morning only in order to make a brief comment on the observations made by our colleagues from Italy and Belgium.

These representatives made outstanding statements on the position which certain delegations in the Council may hold. The essence of their statements was that the Administering Authorities were faced with a systematic hostility from the non-Administering members. I shall not make such a statement without qualifying it. I think that my colleagues are in a position to understand that the delegation of Haiti, throughout the many years in which it has participated in the Fourth Committee of the General Assembly and in the Trusteeship Council, could not have had such a systematic attitude as has been implied. We have always attempted to study all of the questions which have been taken up in the General Assembly and in the Trusteeship Council with the greatest objectivity and the greatest sincerity. We have approached with the greatest sincerity the purposes and work which, in our view, the Trusteeship Council and the General Assembly should undertake to ensure the progress of the Trust Territories.

Therefore I cannot accept the conclusions which the representative of Italy and the representative of Belgium advanced this morning concerning systematic opposition in this particular case. At the eighteenth session of the Trusteeship Council we dealt thoroughly with the question before us. A decision was taken. My delegation explained very clearly the reasons why it took the position that it did. On Friday last, during this special session, we stated our view that all the documentation submitted to us here can only be annexed to the documentation already transmitted to the General Assembly for a complete study of the question. We do not think that we have avoided our task. We have received the documentation, we have studied it, and our feelings concerning the documents submitted here must be accepted as not prejudging in any way the vote which might be cast by my delegation on the substance of the question. When the opportunity arises in the

General Assembly, the discussion will go on, and at that time the delegation of Haiti will have the opportunity to explain its views in detail on the new proposals, on the results of the referendum held, and on the conclusions drawn by the Administering Authority. But until that time, my delegation is of the opinion that we cannot prejudge the opinion which may be expressed on this particular case and we protest against the charge of systematic opposition, which means blind opposition. Every case has its own merits and every case is to be studied in the light of the particular proposals made.

(Mr. Dorsinville, Haiti)

There is one last point which I would like to emphasize. It has been said that the Council, or some members of it, want to deliver the Administering Powers into the hands of a hostile majority in the General Assembly. This is an opinion which I would not advance. More than once during our debates a parallel has been drawn between the question of French Togoland and that of British Togoland. If this parallel is to be drawn, ~~there~~ is a logical conclusion which must be drawn. I do not know of any case in which the ~~Administering Authority~~ of British Togoland displayed fear or contempt of ~~the General Assembly~~. The Administering Authority of British Togoland brought the question to the General Assembly ~~years~~ ago. The question has been debated more than once, both in the General Assembly and in the Trusteeship Council. If the General Assembly has finally endorsed the results of the proposals made, this only does honour to the General Assembly. We hope that all of the Administering Authorities will go to the General Assembly with the conviction that that Assembly will be perfectly fair in its judgement.

Mr. GRILLO (Italy): I consider myself too good a friend of Mr. Jaipal to start an argument with him at this hour.

In his statement, the representative of the Soviet Union referred to former Italian colonialism. In my statement, I was referring to ~~present day~~ oppressive Soviet colonialism in Asia and in the very heart of Europe.

Mr. LOBANOV (Union of Soviet Socialist Republics)(interpretation from Russian): Point of order, Mr. President. I would ask you to deliver us from the need to listen to all kinds of insinuations addressed to any member of the Council since such questions do not fall within the competence of the Trusteeship Council.

The PRESIDENT: It has been the good habit of this Council to carry on its debates on a high level. May I appeal to all of you to observe this custom, a rule which you yourselves have adopted, and to concentrate on the issue which is now before us.

Mr. BARGUES (France)(interpretation from French): I should like to clarify one matter briefly. This follows upon the statements made by certain of my colleagues. The representatives of Guatemala and India seem to have been somewhat disturbed by a term which I and several other representatives, including the Minister of Finance, have used here. We spoke of "manoeuvres". In so far as a manoeuvre is a considered action, we are faced with such a manoeuvre. The motives of such a considered action or manoeuvre may be very pure. However, I might say that perhaps our arguments have not been convincing enough.

The representative of Guatemala, on the occasion of the eighteenth session of the Trusteeship Council, justified the transmission of all of the documentation available on the matter to the General Assembly because, as he said, the Statute was not available at that time. I will now point out to my colleague that, at the present time, he does have the Statute. However, for some reason, one which is, perhaps, contrary to the one he adduced at the eighteenth session of the Council, he now says that this new and complete documentation ought to be transmitted to the Assembly.

The representative of India justifies transmitting this matter to the General Assembly without debate on the basis of the fact that the Council will want to hear petitioners. We have already pointed out that we have a perfectly ~~well-qualified~~ representative of the Government of Togoland here. The Minister of Finance is here; the other Minister will be here shortly and will make a very authoritative statement but I do not believe that he will add any new information to that we already have.

Some of the petitioners are here in New York but they have not asked to have a hearing before this Council. Why must we wait to hear them in a session of the General Assembly if they do not wish to speak in this Council? I would point out to the representative of Haiti that the French Government, like the Government of the United Kingdom, has no contempt or fear of the General Assembly. The essential facts are that, in effect, the Government of the United Kingdom appeared before the General Assembly after the Trusteeship Council had held a debate and made concrete proposals to the Assembly.

(Mr. Barques, France)

I would like to reply to the representative of the Soviet Union -- perhaps more kindly than did the representative of Italy -- that he is wrong to complain of Italy's praise of colonialism. The history of Italy is a glorious page in the past history of the world. Italy is one of the greatest countries of the world.

The PRESIDENT: The Council has before it a motion presented by the representative of Guatemala. I will read out the essence of that motion. I call upon the representative of the United States on a point of order.

Mr. SEARS(United States of America): Point of parliamentary inquiry, Mr. President. Do I understand correctly that you are about to put this motion to a vote and that there is no delegation which wishes to present any further views or propositions to the Council?

The PRESIDENT: I have no further speakers on my list. I therefore took it that the Council was prepared to vote on the motion. Unless I hear an objection to that proposal, we shall proceed to a vote.

Since there are no objections, we shall proceed to the vote. The motion is to the effect that the Council should transmit to the General Assembly, as an addendum to its special report, A/3169, the memorandum of the Administering Authority contained in document T/1290, the report of the Referendum Administrator in Togoland contained in document T/1292, and the list of petitions and communications relating to the question of the future of Togoland under French administration contained in documents T/1291 and addendum 1.

A vote was taken by roll-call.

Haiti, having been drawn by lot by the President, was called upon to vote first.

In favour: Haiti, India, Syria, Union of Soviet Socialist Republics, United States of America, Denmark, China, Guatemala.

Against: Italy, New Zealand, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, France.

The motion was adopted by 8 votes to 6, with no abstentions.

Mr. RYCKMANS (Belgium)(interpretation from French): I voted against the adoption of that motion for the reasons which I set forth this morning. I now have an additional reason for having cast a negative vote. The Trusteeship Council did not consider it advisable to refer to the General Assembly the records of its debates.

The PRESIDENT: I should like to inform the Council that it will be necessary for us to hold a short meeting tomorrow morning in order to approve the report which the Secretariat will prepare overnight.

The meeting rose at 12,50 p.m.