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**Chairman: Mr. Luciano JOUBLANC RIVAS
 (Mexico).**

AGENDA ITEM 13

**Report of the Trusteeship Council (A/2933, T/
 L.500, T/L.579 and Add.1, T/L.591, T/L.602,
 T/L.609, T/L.617) (*continued*)***

GENERAL DEBATE (*concluded*)

1. Mr. RYCKMANS (Belgium) apologized for interrupting the debate on Togoland, but said that he might not have another opportunity of replying to the questions raised in connexion with the examination of the Trusteeship Council's report (A/2933).
2. The Trusteeship Council had examined the situation in Ruanda-Urundi in the light of the annual report of the Administering Authority¹ and of the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1141). The Committee would find the Belgian Government's comments on that report in document T/1168, pages 47-63.
3. Several delegations had pointed out that the administration was in the hands of Europeans; they had stressed the need to give posts of responsibility to the indigenous inhabitants and to enlarge the powers of organs of local government. He would remind the Committee that Belgium was responsible for the administration of Ruanda-Urundi. Furthermore, there was no basis for the belief that the indigenous inhabitants did not have access to posts of responsibility. The sub-chiefs, the chiefs, the Bami and the judges of indigenous courts were performing extremely important functions. The High Councils of the two States (*pays*) of Ruanda and Urundi possessed genuine legislative power, which was limited only by the veto of the organs of the Administration; that was true of the organs of local government in most civilized countries.
4. A number of representatives seemed to fear that the administrative union between Ruanda-Urundi and the Belgian Congo would prevent the Trust Territory from attaining self-government before the colony. There was no basis for that fear. The union had no more political consequences for Ruanda-Urundi than

had Benelux in Europe. A self-governing Ruanda-Urundi would almost certainly wish to maintain the administrative union with the Belgian Congo, although nothing would prevent it from terminating the union as soon as it ceased to offer any advantages.

5. In regard to the measures taken to promote the Territory's development towards self-government, he would repeat that they could not be listed separately, since that would entail summarizing the whole report. The building of a school or the opening of a road helped to prepare the Territory for self-government just as much as the establishment of a council.

6. A representative had suggested that the Territory should be made financially self-supporting. That seemed a strange suggestion to make at a time when the General Assembly was considering the establishment of an international agency to finance technical assistance. Ruanda-Urundi was an under-developed country and, mindful of its obligations, Belgium was granting it a measure of assistance that might be envied by many States. Such assistance was enabling the Territory to pave the way for future financial independence.

7. Some delegations were urging that a time-limit should be fixed for the attainment of self-government by the Trust Territories. Unfortunately, such a procedure was not feasible, as the rate of development depended on many unpredictable factors. For example, the execution of the 1951 ten-year plan for economic and social development was not proceeding exactly as anticipated, despite the fact that it had been exhaustively studied.

8. With regard to the registration of indigenous inhabitants who wished to be free of the jurisdiction of customary law, it should be explained that it was not a discriminatory measure designed to favour some of those inhabitants at the expense of the bulk of the population. It enabled an indigenous inhabitant to progress from a status governed by customary law to a status governed by written law. While the legislation of Ruanda-Urundi respected customs, the indigenous inhabitants were entitled to advance beyond a customary society and to adopt the European way of life. In that event, it would be unfair to compel them to retain a status that was no longer in keeping with their stage of development.

AGENDA ITEM 35

The Togoland unification problem and the future of the Trust Territory of Togoland under British administration: report of the Trusteeship Council (A/3046, A/C.4/L.428, A/C.4/L.429, T/1206 and Add.1, T/1214, T/1215) (*continued*)

GENERAL DEBATE (*continued*) AND CONSIDERATION OF THE DRAFT RESOLUTION SUBMITTED BY INDIA (A/C.4/L.428)

9. Mr. TARAZI (Syria) reminded the Committee that he had been a member of the United Nations

* Resumed from the 519th meeting.
¹ *Rapport soumis par le Gouvernement belge à l'Assemblée générale des Nations Unies au sujet de l'administration du Ruanda-Urundi pendant l'année 1953*, Brussels, 1954.

Visiting Mission to the Trust Territories of Togoland under British administration and Togoland under French Administration, 1955, and had been unable to accept the majority view regarding the arrangements for a plebiscite in Togoland under British administration. While he agreed with the holding of a plebiscite in principle, he thought that it should not take place until the Territory had been given institutions which were separate from those of the Gold Coast. The administrative union in fact went beyond the limits that had been laid down for it. Togoland under British administration was to all intents and purposes a province of the Gold Coast. Moreover, there was a radical difference between the North and the South of the Territory; in the North, the chiefs still exerted considerable influence and the inhabitants were less interested in uniting with the Gold Coast than in maintaining their ties with their kinsmen; their main objective was union with the Northern Territories. But the further south one went, the stronger was the influence of the political parties, with a corresponding decline in the authority of the chiefs. In the South, one section of the population favoured union with an independent Gold Coast, while another preferred union with the present Togoland under French administration on the understanding that it would be given self-government.

10. To withhold separate institutions from Togoland under British administration would have the effect of forcing the minority into blind acceptance of the majority view, which would create discontent among the people. If, however, the Territory were given an assembly for Togoland alone, representatives of the people would have an opportunity of meeting one another and reaching agreement on a solution.

11. It had been argued that that procedure would delay the Territory's attainment of self-government. He did not share that view. He hoped that the Gold Coast would shortly become independent. Togoland under British administration, however, had a separate legal status and must be given an opportunity freely to express its wishes without interference from outside.

12. Mr. MENON (India), in introducing his draft resolution (A/C.4/L.428), briefly reviewed the circumstances that had led to the establishment of the Mandates System and later of the Trusteeship System. He pointed out that it was the first time an Administering Authority had announced that a territory placed under its trusteeship was ready for independence. That was an event of major importance, whatever decision was taken by the Fourth Committee regarding the practical arrangements for the attainment of independence.

13. The Assembly should take a decision without delay. Eighteen months had already elapsed since the Administering Authority had announced that the objective of trusteeship had been achieved. In those circumstances, it would be most ill-advised to request the United Kingdom to prolong the present régime. Such a step would even be at variance with the principles laid down in the Charter. The United Nations should, on the contrary, do its utmost to promote the attainment of independence by Territories.

14. The difficulty was that Togoland was divided into two parts under two separate administrations. That had resulted in fundamental differences which

had to be taken into account. The French Government had not said that the objectives of trusteeship had been achieved in Togoland under French administration and the question of independence did not therefore yet arise in that Territory. The United Nations could not withhold independence from Togoland under British administration on the ground that Togoland under French administration was not ready for independence. The failure of the Joint Council for Togoland Affairs, set up in 1951, did not of course mean that the two Togolands could not become a single entity, but that was a long-term problem.

15. For the time being, it must be borne in mind that, as the United Kingdom Government had stated (A/2660), the Administering Authority could no longer administer the Trust Territory as an integral part of the Gold Coast, as stipulated in the Trusteeship Agreement, once the Gold Coast became self-governing, as it would in the near future. A Visiting Mission had been sent to Togoland with a view to the revision or termination of the Trusteeship Agreement and had submitted a detailed report (T/1206 and Add.1), for which it was to be commended. It had recommended the organization of a plebiscite to ascertain the wishes of the inhabitants of the Territory, and had reported that that procedure was acceptable to the population throughout the Territory. The Indian Government was therefore respecting the views of the population of Togoland.

16. The Visiting Mission had proposed that, for purposes of the plebiscite, the Territory should be divided into sections, but he personally felt that the United Nations should keep to the terms of the Charter and conduct the plebiscite in accordance with the provisions of Article 76 b. The Trusteeship Agreement had been established for the Territory as a whole, not for its separate parts.

17. In drafting its proposal, the Indian delegation had borne in mind all the views expressed to the Visiting Mission and the arguments for and against put forward by petitioners before the Fourth Committee.

18. Turning to the amendments proposed by the Liberian delegation in document A/C.4/L.429, he said he was unable to accept the first amendment, the deletion of the sub-titles "Section A" and "The future of Togoland under British administration". The latter was actually the wording of the item of the agenda being discussed by the Committee and also the title of the Visiting Mission's report. It was, moreover, usual to divide resolutions into sections A, B and so on. The combination of the two sections would not merely involve a procedural change, but would affect the substance of the question.

19. Amendment 2 was in his view unnecessary, but if the Liberian delegation felt strongly about it, he would not object.

20. With regard to amendment 3, the insertion of the words "(within eighteen months from the present date)" in the fifth paragraph of the preamble after the words "near future", he did not see how it could be accepted. It would be out of place and not in keeping with the parliamentary system to state in a resolution what the Parliament of a country would do, without consulting that Parliament. On the other hand, it was legitimate to say that the Gold Coast would achieve

independence in the near future, especially if the United Nations co-operated to that end.

21. Amendment 4 was inadmissible for the reasons already given.

22. The same applied to amendment 5. Paragraph 1 of the operative part of the draft resolution went a step further than the previous resolutions of the General Assembly. It explained how the wishes of the inhabitants of Togoland under British administration were to be ascertained. To add at the end of the paragraph the words "and that the wishes of the inhabitants of Togoland under French administration as to their future should similarly be ascertained by plebiscite" would have the effect of holding up the progress of the British-administered Territory.

23. Operative paragraph 2 of his delegation's draft resolution was an outcome of the Trusteeship Agreement, in virtue of which the only power which could organize the plebiscite was the Administering Authority. The General Assembly was entitled to see that the plebiscite was properly organized, but its powers ended there. The Indian delegation could not accept amendments 6 and 7, proposed by Liberia, which called for the insertion in operative paragraph 2 of the words "or its continuance under trusteeship pending the ultimate determination of its political future". That would conflict with the general view that the time had come to put an end to the Trusteeship System in the Territory. Continuance under trusteeship would be a retrograde step which would create an unfortunate impression in Togoland under French administration, the Cameroons, and other African Territories. Moreover, Togoland under British administration was administered as an integral part of the Gold Coast. That arrangement had been accepted by the General Assembly when it had approved the Trusteeship Agreement with the Administering Authority, and in view of its geographical situation and small area, the Territory could not be administered or subsist in isolation.

24. In amendment 8, the Liberian delegation proposed that the plebiscite commissioner should be replaced by a plebiscite commission. The Indian delegation considered that the Territory was not sufficiently extensive to justify the appointment of a commission. In any case, the questions it would have to decide on the spot would be matters of procedure, not of principle. It would inevitably lead to complications if a commission were sent to the Territory following the visit of the Visiting Mission. A commission would be unable to carry out the routine work of organizing the plebiscite. What was needed was a supervisory body the head of which would be the commissioner appointed by the United Nations and which would exercise the powers and functions defined by the Visiting Mission in its special report. The staff would be appointed by the United Nations and would work under United Nations supervision. Paragraph 3 of the operative part of the Indian draft resolution should not be changed.

25. The Liberian delegation proposed three amendments to operative paragraph 4. The first (amendment 10) was not acceptable to the Indian delegation. The plebiscite was a definite item dealt with in chapter IV of the Visiting Mission's report. The Indian delegation had no objection to amendment 11, but for the reasons already stated could not accept amendment 12.

26. Turning to paragraph 5 of the operative part of the draft resolution, he said that a slight change should be made in the text. The words "to the Trusteeship

Council for its consideration, and for transmission" should be inserted after the words "to submit". Under the Charter, the Trusteeship Council was the competent body. With regard to paragraph 6, it was desirable to indicate the body to which the commissioner could apply if the need arose pending the next session of the General Assembly.

27. Turning to section B of the draft resolution, he explained that the Indian delegation was not seeking to raise the question of the future of Togoland under French administration in an indirect manner. The agenda item was the "Togoland unification problem" and the Assembly could not completely ignore the other Togoland Territory. For that reason Liberian amendment 14, concerning the sub-title, was not acceptable. The draft resolution was drawn up in flexible terms which did not prejudice the decision of the Administering Authority, but merely derived from the report of the Visiting Mission, the earlier decisions of the General Assembly, and the facts of the case.

28. The first paragraph of the preamble was self-explanatory. He was glad to note that the Administering Authority had accepted the Visiting Mission's recommendation in principle. That was a step forward in the spirit of the Charter.

29. The second paragraph of the preamble noted the recommendation of the Visiting Mission, which left the initiative with the Administering Authority and, in paragraph 120 of its report, paid a tribute to the Administering Authority when it said that, as a result of the contemplated reforms, the Territory should be in a position, in a very few years, to express its wishes. There was nothing in the draft resolution that conflicted with the views of the Administering Authority; the draft merely reflected the general desire that the dependent Territories should be emancipated as soon as possible.

30. With regard to the operative part, he would neither support nor oppose the first Liberian amendment (amendment 15) to paragraph 1. If the amendment was generally accepted, he would not oppose it. He could not accept the second Liberian amendment (amendment 16) to that paragraph because it would mean a step backward for Togoland under French administration. The same applied to the third Liberian amendment (amendment 17) to the paragraph.

31. Paragraph 2 of the operative part of the draft resolution should be amended by the addition of the words "to the Trusteeship Council for its consideration, and for transmission to the General Assembly" after the words "at an early date". Amendment 19 proposed by Liberia, which would substitute a new text for the paragraph, was completely unacceptable as it was irrelevant to the specific issue before the Fourth Committee.

32. He was sure that no country had a greater interest than Liberia in the advancement of the African Territories, and that the Liberian delegation's only wish had been to improve the draft resolution. The Indian delegation had given the amendments sympathetic consideration but had been unable to accept those that were inconsistent with its position, with the principles at stake and with the Charter.

33. A dissenting view had been expressed by the Syrian member of the Mission (T/1206, para. 107). He could not accept that view because in the modern world it would be unwise to set up a territory of 13,000 square miles with its own political institutions.

The trend was towards the establishment of larger units. The Syrian representative's suggestion, which sought to promote the unification of the two Togolands or of the Ewes, might seem more democratic but would in fact inevitably tend to keep not only Togoland but all the Territories in the area under trusteeship.

34. Mr. ESPINOSA Y PRIETO (Mexico) expressed satisfaction at the action that had been taken to give wider publicity to the Committee's discussion of the future of Togoland. He hoped that similar action would be taken in connexion with its consideration of other questions.

35. His delegation had no objection to a plebiscite conducted with a view to giving satisfaction to the freely expressed will of the people of a Trust Territory, but felt that attention should be drawn to the consequences of such a plebiscite.

36. As the wording of the relevant item at successive sessions of the General Assembly showed, the manner in which the problem was raised had changed considerably since it had first been considered by the Assembly. It had originally been a question of reuniting the Ewes, who had been separated by a frontier which was a European innovation. Later it was realized that while the restoration of the former Togoland would have reunited about 320,000 of the Ewes, about 376,000 were permanently settled in a territory with respect to which the United Nations had no authority to order any measure of unification. In those circumstances, the question arose whether, in recommending the organization of a plebiscite in Togoland under British administration, the General Assembly would be giving up the idea of the unification of the two Togolands, which it had studied some years previously. On the other hand, it was difficult to deny a people the right to a plebiscite when it had to decide its future in the light of the specific circumstances described by the Administering Authority in Togoland under British administration.

37. The Mexican delegation did not believe the United Nations would be acting inconsistently if it took the action it was now considering. Like most delegations, the Mexican delegation had been in favour of the unification of Togoland, in the belief that a unified Togoland would be viable. Unification would have been possible if the majority of the population had been more experienced, if the two Administering Authorities had been in agreement and had co-operated unreservedly, and perhaps also if the independence of Togoland had been guaranteed and there had been no question of federations involving one or other of the two Territories. At the eighth session (377th meeting), he had drawn attention to the external influences which had worked against the unification of the Ewes. Those influences had had a rapid effect. The 1955 Visiting Mission had found a situation in the Territories very different from that described in the report of the 1952 Mission (T/1105).

38. In view of the United Kingdom's arguments concerning the early independence of the Gold Coast and its inability to continue to administer the Trust Territory, the Mexican delegation would not oppose the plebiscite, but would like to help in ensuring that it was fairly conducted, that its results were valid, and that it did not raise insoluble problems in the General

Assembly. In the opinion of the Mexican delegation, the people of Togoland should not be confronted with only one question. Of the two questions suggested by the Visiting Mission (T/1206, para. 105), the first was clear, but the second was not, as the Mission had not had enough information to prepare a second question which really offered an alternative. The second question could not be answered without considerable reflection, and that was a serious fault in a plebiscite.

39. If the people of Togoland were asked to answer Yes or No to the first question, they would not really have a choice, because, if they answered in the negative, it was difficult to see what the status of the Territory would be: neither the United Kingdom nor the Gold Coast was prepared to continue administering the Territory under the Trusteeship System, and it would be difficult for an independent Togoland, without an outlet to the sea and with limited economic resources, to survive.

40. He also asked the Committee to give some thought to the division of the Territory into four electoral districts, as proposed by the Mission for the purposes of the plebiscite. He wondered what would happen if the results of the plebiscite in one of the electoral districts were not the same as in the others. The Fourth Committee must take into account the risk that in twelve months' time it would be confronted with voting results that would not enable it to make a just and reasonable decision. He regretted that he had no definite suggestion to offer on that point.

41. The question was what definite proposal must be made to the inhabitants of Togoland. The Mexican delegation had carefully listened to the French representative, and while it had found nothing in his statement which justified the hope that the two Trust Territories would shortly be unified, neither had it found anything in the statement which wholly excluded the possibility of unification. In his delegation's opinion, the inhabitants of Togoland under British administration could be asked whether they wished to join an independent Gold Coast, whether they wanted the two Togoland Territories to be united and to become independent together, under adequate guarantees, whether they wished the two Togolands to be combined and to be joined to the French Union under conditions allowing them full autonomy, or, lastly, whether they wanted the two Togolands to be combined and attached to an independent Gold Coast. He stressed the point that his opposition to a single proposal was not due to any objection to a possible union between Togoland under British administration and the Gold Coast, whose progress he keenly admired.

42. He was not presenting any formal amendment, but was anxious that the plebiscite should be conducted in a fair and impartial manner. He would have desired an equitable solution which enables all the Ewes to be united. Such a solution was today impossible, but it was legitimate to hope that the problem would one day be studied and settled with due regard to the freely expressed will of the peoples concerned. He expressed the hope that the passing disagreements which the question had perhaps caused between the Ewes and their fellow Africans would disappear when all realized the progress they were destined to make together in the great African continent.

The meeting rose at 1 p.m.