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

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/
Rev.2, A/C.4/L.429/Rev.2, A/C.4/L.431, A/
C.4/L.432, T/1206 and Add.1, T/1214, T/
1215) (continued)**

CONSIDERATION OF THE DRAFT RESOLUTION SUBMITTED
BY INDIA (A/C.4/L.428/REV.2) (continued)

1. Mr. BARGUES (France) recalled that his delegation had submitted its amendments (A/C.4/L.431) to the Indian draft resolution (A/C.4/L.428/Rev.1) for two reasons. First, it had felt that the preamble and the operative part of section B should be amended to bring them more closely into line with the facts, in other words, to make it clear that the initiative for a popular consultation had originally come from the Territorial Assembly; the idea had been taken up by the Administering Authority, which had informed the United Nations Visiting Mission to the Trust Territories of Togoland under British administration and Togoland under French administration, 1955, that it would eventually submit proposals on that point.

2. Secondly, his delegation had not wished to see too close a link established between the political reforms listed in the report of the Visiting Mission (T/1206 and Add.1) and the popular consultation. A people's readiness to decide its own fate was not exclusively determined by its degree of political development. As the Haitian representative had pointed out in the Trusteeship Council, the people of Haiti had learnt to govern themselves after and not before they had become independent. That was obviously an extreme case but it was, nevertheless, significant. One of the measures recommended by the Visiting Mission was the institution of universal, adult suffrage and secret ballot in the elections to the *conseils de circonscription* (T/1206, para. 120). In the case of entirely new institutions modelled on Western lines, such as the Territorial Assembly, universal suffrage by secret ballot would be accepted fairly readily by the people as an integral part of the innovation. The problem was more complex in the case of organizations such as

the *conseils de circonscription*, based essentially on the existing tribal structure. It was quite possible, therefore, that the people might be ready to decide on their country's future before they were prepared to accept democratic processes in elections, for instance, to the *conseils de circonscription*. He was glad to note from paragraph 14 of the Liberian amendments (A/C.4/L.429/Rev.2) that the Liberian representative apparently shared his view on the relationship between political institutions and the holding of a plebiscite.

3. Since the second revision of the Indian draft resolution (A/C.4/L.428/Rev.2) met both the points he had just made, he would withdraw his amendments (A/C.4/L.431). He regretted, however, that the Indian representative had been unable to accept his suggestion that the two sub-titles to sections A and B should be deleted. He asked for a separate vote on the retention of the sub-titles, but emphasized that whatever the result of that vote he would vote in favour of the draft resolution as a whole.

4. Mr. BELL (United States of America) said that his delegation was prepared to support the second revision of the Indian draft resolution, which dealt satisfactorily with the basic aspects of the problem before the Committee. His reservations with regard to earlier drafts of the Indian proposal had been dispelled by the changes made in the present draft. The revised draft of section B was both more accurate and more complete than the original text had been. He agreed with the Venezuelan representative that the new operative paragraph 2 in section B added an important element, which was of particular significance because it had been introduced by the Administering Authority concerned. It was, moreover, proper that the Trusteeship Council should be asked to respond to the Administering Authority's initiative and to undertake in co-operation with it the necessary preliminary studies of steps that would lead to the termination of trusteeship over Togoland under French administration. His delegation would follow the evolution of that aspect of the Togoland question with the greatest interest.

5. His delegation preferred the wording of the second revision of the Indian draft to the language contained in the Liberian amendments to section B. The substantive differences between the two texts might not appear to be great, but the Indian text reflected more accurately the Visiting Mission's report and the Administering Authority's statements and provided for a procedure for dealing with the Trust Territory's future which was more orderly and more in keeping with the trusteeship provisions of the Charter. He would therefore vote against the Liberian amendments to section B.

6. The Liberian amendments to section A dealt largely with three matters: the questions to be asked in the plebiscite; the separation of the Territory into separate plebiscite units; and the supervision of the plebiscite by a commission instead of a single commissioner. He had listened carefully to the arguments

advanced in favour of a single question on union with the Gold Coast and in favour of two separate questions making it clear that the alternative to union with the Gold Coast was continuation, at least temporarily, under United Kingdom trusteeship. Practically speaking, the significance of a negative vote on the single question would appear to be that the voter's immediate desire, though not necessarily his ultimate goal, was continued United Kingdom trusteeship. He agreed with the Yugoslav representative that the implications of a negative vote should be made clear to the inhabitants by those responsible for preparing, conducting and supervising the plebiscite, particularly as the various political parties would undoubtedly give their own interpretation of a negative vote in their campaigns. In particular, it should be made clear that any final decision on the Territory's status would have to be worked out by the General Assembly, in agreement with the Administering Authority. Thus, a majority vote against union with the Gold Coast would only mean temporary continuation of trusteeship until the General Assembly and the Administering Authority could agree on the next steps. Moreover, since a negative vote would indicate only what the inhabitants did not want, a subsequent consultation would certainly be required to determine what they did want. One of the alternatives then open to them would of course be to indicate whether or not they wished unification with Togoland under French administration, whatever its status might then be. If the implications of their votes were clearly explained to the inhabitants, it did not appear essential to adhere to the alternative question proposed by the Visiting Mission. His delegation would therefore abstain on the Liberian amendments which would have that effect.

7. Since the final decision would be taken in the General Assembly, it might not be essential to divide the Territory into plebiscite units in advance. As the Indian representative, *inter alia*, had pointed out, if a substantial vote against union with the Gold Coast should be concentrated in one area, albeit representing a minority of the population of the entire Trust Territory, the General Assembly would certainly have to give very careful consideration to the status to be accorded to that area. Hence, the final result would be much the same whether the Territory was divided into plebiscite units or not, and he would abstain on the Liberian amendment directed at establishing such units.

8. He would vote against the Liberian amendments directed at replacing a United Nations commissioner by a commission, for he believed that the plebiscite could be supervised much more effectively by a single commissioner with an adequate staff than by a commission. The United Nations was not called upon to conduct the plebiscite; its job was supervision and observation. That was an operational assignment, not a political one, and it should be carried out by a single person of integrity who could deal promptly and impartially with all the situations that might arise. Furthermore, if any situation arose which the plebiscite commissioner in co-operation with the Administering Authority was unable to deal with—and that was unlikely—he would be able, under paragraph 6 of the Indian draft resolution, to refer the matter to the Trusteeship Council. The speaker agreed with the Australian representative that the balanced composition of the Council would not preclude it from dealing decisively with such problems. Under the Indian draft resolution a single United Nations commissioner would

therefore have all the facilities necessary to carry out his task effectively.

9. Most of the remaining Liberian amendments were unobjectionable but not really necessary. He would therefore abstain on them, except for the first, adding a new title to the resolution. He would vote against it for the reasons for which he was opposed to the existing sub-titles.

10. The Guatemalan amendment (A/C.4/L.432) made explicit the idea that after the plebiscite it would be for the General Assembly to determine, in consultation with the Administering Authority, the manner in which the results should be assessed. While such would indeed be the case, he thought that the somewhat broader formula of the Indian draft resolution was preferable, as it left greater flexibility to the Assembly and would not give rise to certain doubts in the Territory in the way that the Guatemalan proposal might. He would therefore abstain from voting on the Guatemalan amendment.

11. Mr. JAIPAL (India) was glad to find that his delegation's revised version of section B of the draft resolution (A/C.4/L.428/Rev.2) was acceptable to the French delegation. He thanked the French representative for his spirit of compromise and courtesy in withdrawing the amendments his delegation had submitted (A/C.4/L.431).

12. With regard to the amendment proposed by Guatemala (A/C.4/L.432), he agreed that there was apparently some need to clarify the terms of operative paragraph 5 of section A of the draft resolution. The sense of the Guatemalan amendment was already inherent in the Indian text, and he thought, therefore, that the desired result could best be achieved by altering the original rather than by inserting a new paragraph in its place. He proposed to amend operative paragraph 5 by deleting the word "determine" before "in consultation with the Administering Authority" and inserting, before the words "the further action", the words "assess the results and determine". He felt that that wording would convey the essence of the Guatemalan proposal.

13. Mr. ROLZ BENNETT (Guatemala) said that since the most important point of the Guatemalan amendment would thus be incorporated in the draft resolution, he would accept the Indian proposal and withdraw his amendment.

14. He noted that as it had stood, the Guatemalan amendment had referred to a United Nations plebiscite commissioner. He stressed that it had only done so because it repeated the wording of the original Indian operative paragraph 5, and not because Guatemala had abandoned its position in favour of a United Nations commission. The fact that India had agreed to incorporate the chief point of the Guatemalan amendment in the draft resolution would not alter the vote of Guatemala in that connexion.

15. Mr. TRIANTAPHYLLAKOS (Greece) wished to propose an amendment to operative paragraph 2 of section A of the revised Indian draft resolution (A/C.4/L.428/Rev.2). He wished to insert between the words "take" and "steps" the words "in consultation with the", followed by "commissioner" or "commission" according to the Committee's decision on that point. He himself was of the opinion that the plebiscite should be organized by a United Nations commission, but since the prevailing opinion seemed to be

that the Administering Authority should organize the plebiscite, it should at least do so in consultation with the body or person appointed by the General Assembly.

16. Mr. BOZOVIC (Yugoslavia) was glad that India had accepted most of the French Amendments. He felt that it was only right that the initiative taken by the Administering Authority, in conformity with article 5 of the Trusteeship Agreement, should receive recognition.

17. If the Guatemalan amendment had not been withdrawn, he would have been obliged to abstain from voting on it for it did not provide a real solution to the problem.

18. The reasons advanced by the Visiting Mission in favour of asking two questions in the plebiscite and of dividing the Territory into four separate units for the purpose of counting the results were still valid. It might well be that union with the Gold Coast was the best possible solution for the people of the Trust Territory but, nevertheless, their freedom of choice should have every possible guarantee.

19. He would support the Greek suggestion on the grounds that the United Nations supervisory organ should be closely associated with the organization of the plebiscite from the outset, and should therefore be consulted on the arrangements for the plebiscite in addition to supervising its actual conduct.

20. Mr. RIVAS (Venezuela) said that he could not support the revised wording of operative paragraph 5 of section A, which was the result of the Indian acceptance of the idea put forward by Guatemala. He would vote against it as a matter of principle, for it would mean that the views of large sections of the population of Togoland would be disregarded. He would vote in favour of the Liberian amendment referring specifically to paragraphs 105 and 108 of chapter III of the Visiting Mission's report (A/C.4/L.429/Rev.2, para. 7) which would, he trusted, be put to the vote before the revised Indian text.

21. Miss BROOKS (Liberia) said that the many revisions and amendments put forward and accepted during the discussion had affected the Liberian amendments as last issued (A/C.4/L.429/Rev.2), and she was therefore preparing a third revised text to be circulated before the next meeting.

22. Mr. RIVAS (Venezuela) noted that one essential point was lacking from section B of the revised Indian draft resolution after the incorporation of the French suggestions: it was nowhere stated that the popular consultation envisaged would be held under United Nations supervision. Unless some such reference were included, he would have difficulty in voting in favour of section B as a whole, although he would vote in favour of operative paragraph 2.

23. He would vote for most of the Liberian amendments to the draft resolution, and also in favour of the Greek suggestion. He doubted whether he would be able to vote for the draft resolution itself as a whole, even as amended.

24. In conclusion, he again regretted that the Committee was being obliged to deal with so complicated a matter in such great haste.

25. Mr. SAAB (Lebanon) asked the Indian representative whether operative paragraph 1 of section B of the Indian draft resolution covered the recommendation contained in paragraph 121 of the Visiting Mission's report.

26. Mr. JAIPAL (India) replied that the Indian draft resolution was a general endorsement of the Visiting Mission's conclusions and recommendations. His delegation had wished to avoid a detailed endorsement of the Mission's recommendations for the time being, partly to save time and partly because the question of Togoland under French administration was less urgent than that of Togoland under British administration. Moreover the Trusteeship Council would be seized of the matter at its next regular session and would be able to discuss all aspects of it with the Administering Authority and report on those discussions to the eleventh session of the General Assembly.

27. Mr. RIVAS (Venezuela) said that in view of the fact that the decisions taken on the item would undoubtedly establish important precedents for the future, his delegation and that of Haiti proposed that the following new operative paragraph should be added to section B, after paragraph 1:

"Recommends that this consultation of the population be conducted, as in the case of Togoland under British administration, under the supervision of the United Nations."

28. Mr. JAIPAL (India), in reply to the representative of Greece, felt that the amendment the latter had proposed was unnecessary in view of the fact that paragraph 2 of section A already contained the words "under the supervision of the United Nations". He therefore hoped that the Greek representative would be able to withdraw his proposal.

29. He agreed to the insertion of the new paragraph 2 of section B proposed by the representatives of Haiti and Venezuela.

30. Mr. BOZOVIC (Yugoslavia) said that he had understood that the petitioners would be enabled to make a final statement before the close of the item.

31. Mr. SAAB (Lebanon) thought it would be unwise to recommence the hearing of the petitioners. He proposed that if any one of them wished to make any special comment he might be invited to do so.

That proposal was adopted by 25 votes to 6, with 17 abstentions.

32. Mr. GARCIA (Philippines) suggested that the petitioners might be limited to the submission of new material germane to the item.

33. Mr. RIVAS (Venezuela) said it had been his understanding, when voting for the Lebanese proposal, that the petitioners were to be allowed to speak only with reference to the draft resolution and amendments before the committee.

34. Mr. ESKELUND (Denmark) agreed with the representative of the Philippines that the petitioners should be allowed to submit any new information which might affect the voting, but should not take part in the debate since they were not representatives of Member States.

35. Mr. BARGUES (France) pointed out that some of the petitioners had already left New York; it seemed hardly fair that those who had remained should be given a second opportunity to address the committee.

36. Mr. SAAB (Lebanon) recalled that it had been understood all along that the petitioners might be called upon to speak again. He did not see why the petitioners who had remained in New York should

be deprived of the opportunity to do so because some of the others had chosen to leave.

37. Miss ROESAD (Indonesia) thought the petitioners who were still in New York should be given a chance to express their views; it had always been the custom of the Fourth Committee to give petitioners an opportunity to comment on the result of a debate which concerned their future.

38. The CHAIRMAN pointed out that the Committee had already granted the hearing; he could not give the petitioners instructions as to what they were or were not to say. He appealed to the members of

the Committee to refrain from entering into arguments with the petitioners.

39. Mr. APUNTE (Ecuador) observed that at the 544th meeting he had proposed that the Secretariat should prepare a working paper showing the Indian draft resolution and the Liberian amendments in final form, for purposes of comparison.

40. Mr. CORTINA (Argentina) supported the proposal.

41. The CHAIRMAN said that the document could not be ready before 8.30 p.m.

The meeting rose at 12.10 p.m.