FRENCH TOGOLAND: UN COMMISSION APPOINTED

The French request for approval of termination of trusteeship over its Togoland Trust Territory and the creation of an Autonomous Togoland Republic within the French Union has been transmuted by the Fourth Committee into a resolution to send a UN commission to study the situation on the spot. The background for this was detailed in the Africa-UN Bulletin of December 7 and 28. The Trusteeship Council, which first considered the French proposal, referred the question by an 8-6 vote (the US joining the non-colonial countries) to the Fourth Committee, which had already been apprized of facets of the problem while studying the British Togoland proposal.

From the beginning of the Fourth Committee discussion suspicions of French motives were evident on the part of delegates from many non-colonial countries, and sharp questions were raised concerning the terms and applications of the organic statute creating the Autonomous Republic. It was pointed out that in matters such as criminal law, judiciary organization, public rights and freedoms, currency, secondary and higher education, among others, France had exclusive competence, and the African supporters of the French position admitted that in many fields the Togolese had neither trained personnel nor material resources to manage their own affairs; the petitioners insisted, however, that there would be evolution toward Togolese control of these matters with the passage of time and the development of the country. The Moroccan and other delegates seriously doubted whether the Togolese would gain any real advantage under the Togoland Statute which they lacked under trusteeship.

The Fourth Committee invited representatives of seven Togoland political groups to take part in the discussion. Representatives of the Chefs Traditionnels du Nord, Chefs Traditionnels du Sud, Union des Chefs et des Populations du Nord-Togo, and Parti Togolais du Progres informed the Committee that they supported the French position and answered questions about its proposed operation; but the most impressive speech supporting the position was made by M. Houphouet-Boigny of the Ivory Coast, who is president of the Rassemblement Democratique Africaine, a minister of the French Republic, and a leader of great personal influence and integrity. In opposition Andre Akakpo of the Mouvement Populaire Togolais argued that it was premature to end trusteeship, since its objectives had not been achieved, autonomy granted by the Statute was illusory, and its effect would be to make Togoland a French colony. A. I. Santos of JUVENTO (Togo youth movement) backed this argument, saying that a dual system of French and "native" administration would be created with the French having all the realities of sovereignty; he also attacked the fairness of the referendum vote. Sylvanus Olympio of the All-Ewe Conference (which has many members in British Togoland) proposed in a conciliatory speech that discussions of trusteeship termination be dropped, that the Committee concentrate on implementing the Statute so that control of their own affairs might progressively devolve on the Togolese people.

After several days of discussion India introduced a curt resolution calling for transmission of the record to the Trusteeship Council for study, with a report back to the next session of the General Assembly; they subsequently amended this to propose that a commission be sent to Togoland to study the situation. Meanwhile Canada, Denmark, the Dominican Republic, Thailand, and the US introduced a resolution commending the steps taken by France, congratulating the new Autonomous Republic, and dispatching a commission to Togoland in response to the invitation of the Administering
Authority and the Republic, to study and report back to the next session of the Trusteeship Council. Later Canada and others of the "Big Five" succeeded, over Indian opposition, in amending the Indian resolution to soften it and include general commendation of the French for advancing Togolese self-government. A spate of amendments followed, and finally the resolution was voted on paragraph by paragraph, with the Indians opposing most amendments. Approved amendments included one calling for new elections to the legislature (there has been no general election since universal suffrage was introduced), one to delete references to "Autonomous Republic" throughout as prejudging the case, and one to direct the President of the Assembly to appoint the five members of the Commission on the basis of equitable geographic distribution. The final vote on the resolution as a whole was 52 for, 10 (including India) against, and 14 abstentions. It is to be hoped that the outcome of this action will be a big step forward which should be encouraged as a precedent or "pilot project," since the Togolese have gained something approaching self-government while still protected by trusteeship until their new legal status is assured.

THE QUESTION OF ALGERIA

In 1955 the inclusion of "the question of Algeria" on the First Committee's agenda led to a walkout from the Assembly by the French delegation and ultimately to a decision to postpone consideration of the issue for that session. A year later fifteen countries of the African-Asian group again asked for inscription of the "question" stating that the gesture of postponing discussion had not led to any settlement, but rather to increased military repression by the French, who have an army of over 450,000 (including troops assigned to NATO) in Algeria. French action, it is alleged, threatens extinction of the 8,300,000 Algerian Arabs in violation of the International Genocide Convention to which France is a party and endangers international peace, thus making the question cognizable under the UN Charter.

French conduct in the UN relating to Algeria reflects uncertainty. Having threatened a "walkout" at one point (they did not do so though the item was included in this session's agenda), they are now rumored to be sending a "first team" to represent them during discussions. Premier Gyu Mollet on January 9 claimed that France would come before the UN as a plaintiff seeking relief from Egyptian and other military and propaganda interference with Algeria, considered an integral part of metropolitan France; he called for a cease-fire, followed by free elections (possibly supervised by representatives of various "democratic" countries) to determine the true representatives of the Algerians in making certain governmental reforms (France does not accept the leading nationalist spokesmen as "truly representative"). He offered a "new deal" for Algeria based on (1) equal political rights for all; (2) recognition and respect for the rights of communities (European and Arab, possibly also Jewish or other) composing Algeria; and (3) development of Algeria economically, socially, and politically beyond the communal or local level.

Two Algerian groups have already discarded Mollet's speech as a basis for a settlement. Through M'hammed Yasid, currently attending the General Assembly session, the Algerian Front of National Liberation, five of whose leaders were dramatically arrested last fall by the French in Algeria on a plane flight to Morocco, called for a political settlement (with UN guarantees) prior to any cease-fire. This group backs a North African Federation with Tunisia and Morocco. The Algerian National Movement, whose leader, Messali Hadj, is imprisoned and kept incommunicado by the French, has issued a statement through its Secretary-General Moulay Merbah denouncing the use of NATO troops and weapons against the Algerians and establishing terms for settlement: negotiation of the right of the Algerians to self-determination; cease-fire; restoration of democratic freedoms; followed by negotiations between the French and freely elected representatives of the Algerians (cease-fire and elections to be supervised by the UN).

Passage of time makes less and less likely an ultimate settlement for less than freedom for Algeria under terms comparable to Tunisia's and Morocco's.
SOUTHWEST AFRICA: REQUEST THAT INTERNATIONAL COURT EXERCISE COMPULSORY JURISDICTION

The three innocuous resolutions on Southwest Africa passed by the Fourth Committee before the Christmas recess must realistically be expected to succeed no better than similar resolutions passed by preceding Assembly sessions. In response to one directing the Committee on Southwest Africa to study new courses of action open to the UN, the Reverend Michael Scott, who for years has represented the people of the area before the UN, submitted a memorandum suggesting that the UN invoke the compulsory jurisdiction of the International Court as to alleged violations of the terms of the agreement between the Union of South Africa and the League of Nations establishing the Southwest Africa Mandate. As indicated in the December 7 and 28 Africa-UN Bulletin, the Court has already delivered advisory opinions that the Union continues to have the same obligations to Southwest Africa as during the life of the League and that it is responsible for fulfilling these obligations to the UN as successor to the League. Mr. Scott's memo makes the following points: (1) that the obligations of the Union as mandatory power continue and cannot be unilaterally repudiated; (2) that the Union (by the Committee's own findings) has violated these obligations by failing to promote the moral and material welfare and social progress of the peoples, by refusing to submit reports to the UN, by depriving the people of their land without compensation, and by gradually absorbing the Territory into the Union; (3) that the Union under the mandate agreed to submit certain issues to the Permanent International Court of Justice, including disputes between the mandatory power and another member of the League relating to interpretation or application of the provisions of the mandate; (4) that the Union has refused to discuss or negotiate with any country or with the UN on the situation in Southwest Africa; and (5) that nations formerly members of the League are therefore entitled to appeal to the Court under provisions for the exercise of compulsory jurisdiction. The memo urges the Committee to act expeditiously on this suggestion, not to wait till the next session of the General Assembly to report on it. The ACOA supports this position.

SOUTH AFRICA: TREATMENT OF PERSONS OF INDIAN ORIGIN; APARTHEID

The Special Political Committee has again been wrestling, in the absence of the South African delegation, which virtually walked out of this session of the Assembly, with the "hardy perennials" of (1) treatment of persons of Indian origin, and (2) apartheid. On the first problem, India and Pakistan reported that they were always ready to negotiate with the Union, as prescribed by previous UN resolution, but that South Africa refused to discuss this matter of "exclusively domestic jurisdiction." After several days' discussion the Committee recommended to the General Assembly a resolution regretting the South African stand, again calling for negotiations by the countries (and inviting them to report back), and calling attention to the General Assembly Resolution of December, 1955, providing a unified program called Advisory Services in the Field of Human Rights. The US Mission, issuing a statement regretting the position of the Union, backed the proposed resolution.

The Committee has now turned to the broader issue of general South African racial policy, as manifested in "apartheid." In outlining the position of the US on this question, Philip W. Bonsal, American Ambassador to Colombia, said in a speech on January 16 that there was little more the UN could accomplish constructively on apartheid without South African cooperation. Therefore he suggested putting attention on the problem of human rights generally rather than looking only at the manifestation of the problem in South Africa.

However, ACOA feels that it is important to keep world attention focussed on the problem, to keep alive and current the fund of information slowly accumulating in the Commission's files, and to give the aggrieved Africans a specific organization to which to send information and petitions. There is still hope that some delegations will not be satisfied with by-passing the UN responsibility so easily. On January 9 the ACOA gave the US delegation petitions with over 4,000 signatures urging support for the reestablishment of the Commission on the Racial Situation in South Africa.