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TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

SIXTEENTH SESSION

(Held at Headquarters, New York)

8 JUNE — 22 JULY 1955

ANNEXES

NEW YORK

INTRODUCTORY NOTE

The annexes to the *Official Records of the Trusteeship Council* are published in separate fascicules, each relating to a particular agenda item. The present volume contains the complete series of the annexes to the records of the sixteenth session.

A separate table of contents and a check list of relevant documents are given in each fascicule.

For the agenda of the session and the general check list of all relevant documents, see *Official Records of the Trusteeship Council, Sixteenth Session, Prefatory Fascicule*.

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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¹ No fascicule is issued in respect of agenda items for which there are no relevant documents.



Agenda item 1 : Adoption of the agenda

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
T/1170	Provisional agenda of the sixteenth session	Mimeographed document only
T/1178	Agenda of the sixteenth session	See <i>Official Records of the Trusteeship Council, Sixteenth Session, Prefatory Fascicule</i>

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Agenda item 2: Report of the Secretary-General on credentials

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/2680	Report of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954	See <i>Official Records of the General Assembly, Ninth Session, Supplement No. 4</i>
T/1194	Report of the Secretary-General on credentials	Mimeographed document only
T/1195	Note by the Secretary-General on the designation of Mr. Cosme P. García as Philippine observer at the sixteenth session of the Trusteeship Council	Ditto



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Agenda item 4: Examination of annual reports of Administering Authorities on the administration of Trust Territories

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(a) Somaliland under Italian administration, 1954**DOCUMENT T/1176****Report of the World Health Organization on public health in the Trust Territory of Somaliland under Italian administration¹**

[Original text: English]
[3 June 1955]

The observations in this report are based on a review of the 1954 annual report² of the Administering Authority, the reports of the United Nations Visiting Mission to

Trust Territories in East Africa, 1954 (T/1143 and Corr.1), and the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration (T/1172) and reports from the World Health Organization staff visiting the area.

From these reports it is evident that the Administering Authority has given considerable attention to public health work in the Territory, particularly in the setting up of medical establishments such as hospitals and dispensaries, and in the control of certain epidemic diseases.

¹ Submitted in accordance with Trusteeship Council resolution 47 (IV) of 1 March 1949.

² For references to the annual report, see *Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie, 1954*, Ministry of Foreign Affairs, 1955.

Considering the short period of time left before the Territory becomes independent, the Organization is especially concerned with the steps to be taken with regard to the permanent solution of certain basic problems concerning the health protection of the population in Somaliland.

The first of these is the training of Somalis for medical and health services. It is reported that at present there is no Somali qualified as a doctor out of a total of 69 physicians, chemists and pharmacists working in the Territory. According to the reports, one Somali is now studying medicine on a fellowship in Italy, and 150 Somali students are studying in Egypt under Egyptian Government scholarships (T/1172, para. 217), but no mention is made as to whether any of these students are studying medicine. It is obvious that the time is too short to expect to prepare Somali students to qualify as doctors ready for service at the time of independence, but plans are being made to start preparing a sufficient number for future health services in their own country.³ As the Administering Authority is considering the establishment of a Higher Institute of Legal, Economic and Social Studies, the possibility of including courses of training for professional medical and health personnel under the Institute should be carefully examined.

The existing facilities for the training of nurses, midwives and auxiliary health personnel in the Territory should also be expanded and formalized so as to bring them in line with the general educational programme. Under the heading "Technical and Special Schools" in paragraph 407 of the report of the United Nations Visiting Mission (T/1143), reference is made to schools in domestic science, maritime and fishing, agriculture and Islamic studies, and commercial and vocational schools, but no mention is made in this report of training facilities for medical and health workers. This may be due to the fact that the training for *assistantes-sanitaires*, although requiring four to six years was a type of in-service training and therefore not considered as school training. As the medical and health services in the Territory would have to depend on such types of personnel to carry out the work, and for its extension to rural areas, the training of these categories of personnel should be further strengthened and expanded. Schools of nursing, midwifery and sanitarians, or vocational schools for medical and health personnel should be organized, using the existing facilities for in-service training of *assistantes-sanitaires* as a basis for the development of regular courses. Thus the necessary types of medical and health personnel for the extension of health services in the Territory will be prepared, and Somali students will be attracted into the health field by having their educational status properly recognized.

Taking a general view of the situation, it would appear that one of the major tasks of the Administering Authority is to develop the education of Somali nationals as rapidly as possible, in order that they may be able to assume the maximum possible responsibility for operating their own health services when the trusteeship period comes to an end in 1960. In so far as concerns medical education, WHO would strongly endorse the views set out in paragraphs 403-414 of the Visiting Mission's report. The organization has on occasion granted long-term fellowships to nationals of countries of approximately similar stages of development as Somaliland to enable them to take basic courses in medicine, preferably at universities situated within the

region. It is considered that this form of assistance might prove of great fundamental benefit to the Somali people. Similarly the Organization could assist the Administration in the development of local training facilities for the training of nurses, midwives, sanitarians and of various types of health auxiliaries. Attention is drawn to the fact that the Organization has already offered the Government of Somaliland fellowships to enable Somali nationals to be trained as sanitarians in Italy. This is only a temporary expedient and facilities for training sanitarians and similar workers should obviously be established in the country as soon as possible.

The next problem is the permanent basic organization of health services in the Territory. From the reports it is noted that the Territory is administratively divided into six regions, 29 residencies and a number of municipalities. Steps have already been taken by the Administering Authority toward "Somalization of administrative services" through the establishment of a Territorial Council, residency councils and municipal councils in which the Somalis participate. It is also noted that an advisory council of health has been established under the Territorial Council. It would be very important, at this stage of development of the Territory, to consider the permanent basic health services at each level of this administrative set-up, and the mechanism through which the Somalis are brought to participate in the organization of health services.

Health services are directly concerned with each individual of the population, and should therefore be adequately decentralized in order to make the services available to them. How should such a decentralized system of health services be effectively organized under the social and economic conditions of the Territory? How should the existing hospitals and dispensaries and other specialized services be strengthened and integrated into the health scheme for the Territory? In what way should the development of the health services be co-ordinated with the social and economic development of the Territory, and how should the education and training programme for medical and health workers be planned to meet the needs of such development? These are some of the obvious questions to be studied and answered before effective health services can be planned for the Territory. As in education, a first five-year plan in health should be formulated in order to properly initiate some of these basic steps. The Organization would be prepared, if requested, to assist the Administering Authority in formulating such a plan or in planning the permanent basic health services for the Territory.

The above-mentioned two solutions are fundamental to the success of any health programme to be initiated in the Territory. When these steps are taken, specific health projects or programmes could usefully be considered. The incidence of various diseases in the Territory is difficult to assess owing to lack of adequate information. The following are a few brief comments on the diseases which were mentioned in the reports.

MALARIA

There is no doubt that malaria is one of the major problems in many parts of the Territory, and from reports collected in 1953 and 1954 the splenic index varies from 9-76 per cent. Parasitic indices (no age stated) vary from 5-22 per cent. The United Nations Children's Fund (UNICEF) has already allocated \$89,000 for malaria control work in Somaliland, and WHO has awarded a fellowship to the officer currently in charge of the malaria control programme. WHO has also made available funds for a short-term consultant who will be visiting the country in June, July and August.

³ It is contemplated to make use of a long-range fellowship programme to send students of required standards of training abroad to study medicine so that when they return they can form a nucleus for the future health service.

VENEREAL DISEASES

It is very difficult to assess the incidence of VD in the country, and estimates vary from 20 per cent to 54 per cent of the population for all forms of venereal disease. It appears likely that a form of endemic treponematoses, possibly yaws, is present in the country. WHO has made available funds to send a short-term consultant and a mobile laboratory to Somaliland in the second half of 1955, to make accurate sample surveys in various parts of the country, to assess the incidence, study the types of diseases present, and the problems involved in its control, and to draw up plans for future control programmes.

TUBERCULOSIS

It is again difficult to assess the incidence of tuberculosis in Somaliland. Information available is derived solely from hospital records, and diagnostic criteria vary from place to place and are rarely based on bacteriological studies. No survey of representative groups has yet taken place, but the number of cases reported is increasing. It is interesting to note that this increase includes a considerable number of non-pulmonary cases, which constitute more than 33 per cent of the total number of cases notified. This is interesting in view of the important place milk plays in the diet, especially of the nomads. No surveys have been carried out regarding the incidence of TB in cattle; it is believed that this is low, but the impression is based merely on post-mortem slaughterhouse findings. In co-operation with UNICEF a BCG assessment team will visit the country in the second half of 1955 to assess the problem and draw up plans for future action.

INTESTINAL DISEASES

The Organization does not as yet possess any accurate information regarding the incidence of intestinal diseases in the country, but there is no reason to doubt the statement in the report of the United Nations Mission that these are prevalent and severe.

In general, as the result of visits made by the staff of this Organization, the statement in the Visiting Mission's report that there is "a tendency to set up clinics and that social and preventive medicine have not been sufficiently practised" (T/1143, para. 395) is substantiated. Attention is also drawn to the fact that specialists in various diseases such as tuberculosis, venereal diseases, etc., are

perhaps too largely concerned with the clinical aspects of their specialty in and around Mogadiscio and have not carried out extensive epidemiological surveys in the country nor, on the whole, been concerned with organizing country-wide health services for the prevention and control of these diseases. As stated in the report, the officers working outside Mogadiscio are mainly concerned with clinical activities.

The question of improving the nutrition status of the Somali people has been raised in a number of reports, including that of the United Nations Visiting Mission. The shortage of food and the dietary problems of the Somalis were referred to in the report submitted to the fourteenth session of the Trusteeship Council by the World Health Organization (T/1122, section VII). Attention is also drawn to the extensive report on this subject made on behalf of FAO by Dr. G. Ferro-Luzzi, Food and Agriculture Organization report No. 193. Although the Organization can provide expert advice on nutritional problems, including weaning problems, it is obvious that attempts to improve nutrition, particularly of the pastoral group during the dry season, are mainly the concern of FAO.

The Mission has stressed the importance of the provision of adequate roads and transportation facilities for medical officers attached to district and provincial centres, so as to enable them to cover wider areas.⁴ The Organization strongly endorses this suggestion and hopes that it will be implemented soon. Similarly the Organization considers the plans for irrigation and water conservation are very important also from the public health standpoint. Such plans should be prepared in consultation with public health experts to prevent the spreading of certain communicable diseases.

The Organization also notes the opinion of the Mission that "greater emphasis must be given to the setting up of mobile facilities in order that the population living at a distance from the towns might receive treatment" (T/1143, para. 400). It should, however, be pointed out that the establishment of a system of mobile health units presents many difficulties, and unless it is effectively organized and the utmost care is taken the system might prove to be very costly. Attention is drawn to the fact that the Organization is commencing, in 1955, assistance to the neighbouring territory of Ethiopia to develop a system of mobile rural health care. If requested, it could be considered to give such aid to the Government of Somaliland in the future.

DOCUMENT T/1177

Supplementary information on the administration of the Trust Territory of Somaliland under Italian administration (1 January to 30 April 1955) submitted by the Administering Authority in accordance with Trusteeship Council resolution 997 (XIV)

[Original text: French]
[6 June 1955]

In accordance with Trusteeship Council resolution 997 (XIV) adopted at the 528th meeting of the Trusteeship Council, on 4 June 1954, the following information is supplied as a supplement to the *Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie, 1954*, (Ministry of Foreign Affairs, Rome, 1955). It covers the period from 1 January to 30 April 1955.

INTERNATIONAL RELATIONS

During the period under consideration, the Administration received the report of the United Nations Visiting

⁴ See *United Nations Technical Assistance Programme: The Trust Territory of Somaliland under Italian administration* (ST/TAA/K Somaliland/1), New York, 1952, United Nations publication, Sales number: 1953.II.H.2.

Mission to Trust Territories in East Africa, 1954 (T/1143 and Corr.1). The observations and recommendations in it were carefully considered by the various organs concerned.

Relations with the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration have been intensive and beneficial, owing to the number of arrangements being worked out. Work has proceeded on the organization of the anti-malaria and anti-tuberculosis campaign already announced, in agreement with the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF).

POLITICAL ADVANCEMENT

As stated in the annual report, the following legislative action has been taken:

1. Election of the Territorial Council (ordinance No. 6 of 30 March 1955)

The ordinance is based on the following ideas:

(a) Election by universal male suffrage; both rural and urban population take part on an equal footing;

(b) The rural populations will hold *shirs* to elect their own electoral representatives, who will cast the votes obtained in the *shirs*, as well as their own personal vote, when voting for the members of the Territorial Council;

(c) The urban populations registered in the municipalities will vote in accordance with the system used in the administrative elections;

(d) The 60 seats will be distributed among the districts, in proportion to the number of electors, to be assessed by adding the votes obtained in the *shirs* to the total number of electors on the electoral rolls of the municipalities. The following number of seats will be given to the ethnic minorities: four to the Italians, four to the Arabs, one to the Indian community and one to the Pakistani community.

(e) A minimum of 100 signatures, together with a deposit of 100 somalos, is required for the presentation of electoral lists in the various electoral centres; the deposit will not be returned unless the list musters at least two-thirds of the electoral quota required to obtain a seat.

The bill, which gave rise to some interesting and lively debates in the Territorial Council, was unanimously approved in its present form. The term of office of the councillors thus elected will end in June 1958.

2. Ordinance concerning the district councils

In order to enable the population to take a more active and effective part in the organs of government, ordinance No. 5 of 30 March 1955 was drawn up and approved by the Territorial Council after a lengthy and profitable discussion. This ordinance deals in the first place with the modernization of the *shirs* and then sets up district councils to replace the residency councils. These councils will be mainly composed of:

(a) Chiefs elected by the tribes in the *shirs*;

(b) Traditional chiefs who enjoy great prestige among the population either by hereditary right or because of the religious or political influence they wield;

(c) Representatives of political parties that have at least one branch in the district;

(d) Representatives of economic, cultural and religious interests.

The District Council, which is to be convened more frequently than was the Residency Council, will be presided over by the District Commissioner. It will help him to administer the population and to settle questions of concern to the territorial area. It will express its opinion on all matters submitted to it by the District Commissioner for consideration, when they do not fall within the particular competence of the municipalities.

The Territorial Council rejected a proposal to confer deliberative powers on the district councils with regard to local customs such as the *diah* and the like.

3. Municipal councils

By ordinance No. 4 of 30 March 1955, the body of legislation relating to the municipalities was completely revised and codified in a single text. This ordinance makes considerable changes in the regulations hitherto in force.

(1) It accords deliberative powers with respect to the following matters:

(a) Budget and accounts;

(b) Amendments to the budget during the financial year;

(c) Regulations regarding municipal institutions and services; staff establishment and regulations;

(d) Alienation of real property regardless of its value and of movable property valued at more than 1,000 somalos;

(e) Establishment of easements and other real property rights;

(f) Leasing and maintenance of premises for a period exceeding one year;

(g) Investment of capital;

(h) Floating of loans;

(i) Imposition or amendment, in the interest of the municipal administration, of charges, taxes and duties of all kinds for the performance of services; provisions for their application, within the limits of the existing fiscal legislation;

(j) Suits in which the municipality is plaintiff or defendant; transactions, with the exception of those relating to property rights and easements, involving sums exceeding 1,000 somalos;

(k) Plans for new operations, extraordinary maintenance and, in general, any work the estimated cost of which exceeds 3,000 somalos;

(l) Tenders for the supply of materials and work amounting to more than 3,000 somalos;

(m) Execution of public works exceeding 3,000 somalos in value;

(n) Tenders for public utilities concessions;

(o) Town planning.

(2) Appointment of the head of the municipal administration by the administrator, who may choose him from outside the municipal council, after consultation of the latter (to replace the Resident).

In order to grant these local bodies ever-increasing self-government, the Administration intends later to amend the existing legislation in the light of the experience derived from their operation.

Meanwhile, seven new municipalities have been established and five already in existence have been expanded; the creation of five new municipalities and the expansion of the area of another five already in existence are under consideration.

The distribution of identity cards, the total of which has now reached 73,000, has continued. It is hoped that all people counted in the municipalities census will be provided with this document before the political elections.

ACTIVITIES OF THE TERRITORIAL COUNCIL

During the period from 14 February to 2 April, the Territorial Council was particularly active in matters of considerable importance. The following subjects, *inter alia*, were discussed :

- (1) The granting of deliberative powers to the municipal councils ;
- (2) Draft land legislation ;
- (3) Establishment of district councils ;
- (4) Election of the Territorial Council.

The number of statements made (834) and the discussions to which they gave rise show the ever-increasing political maturity displayed by the members who are taking part in drafting the new legislation for the Territory, and their interest in it.

SOMALIZATION

The following somalization was carried out between 1 January and 30 April :

Customs : Somalization of the customs services at Eil, as from 1 March 1955.

District sub-commissioners :

- (1) Corrado Silvio, at Galcaio, since 1 January 1955 ;
- (2) Omar Mohamed Guled, at Gardo, since 1 January 1955 ;
- (3) Mohamed Iassin Abdi, at Margherita, since 1 February 1955 ;
- (4) Aden Scire Giama, at Lugh, since 1 February 1955 ;
- (5) Ali Aden Mussa, at El Bur, since 1 February 1955 ;

Deputy : Ali Mohamed Nur, from Bullo Burti, since 1 April 1955 ;

Police : Garoe police station (district of Eil), on 13 February 1955 ; a Somali officer was appointed commander of the Baidoa reinforcement detachment on 1 March 1955.

The draft of the new judicial regulations, which will be submitted to the next session of the Territorial Council, in June, was forwarded to the Advisory Council on 30 April.

ECONOMIC ADVANCEMENT

An event of great economic importance for the Migiurtinia was the practical application of measures which had been under study for a long time for the development of the resources of that area, i.e., incense production and fishing.

On 23 March, co-operatives were formed among producers, harvesters and merchants of Bosaso, Scusciuban, Gardo, Candala and Alula, and fishermen's co-operatives in Bedei and Bender Beila.

The Administration's action with regard to incense production has, over and above its economic and productive objective, a social aspect in that it represents an attempt to free the Migiurtinia from the thralldom of merchants and middlemen from Aden, who have hitherto bought incense at a price far below the international market price. A syndicate known as the Consorzio Incenso Migiurtinia Somalia has been formed among the five incense co-operatives ; it ensures uniformity in the

selection of incense and places the product on the international market.

The objects of fishermen's co-operatives are to increase shark catches by converting shark fishing from an individual to a collective activity, and to increase the production and sale of dried fish.

The Somali Credit Institute finances the syndicate and the co-operatives through loans guaranteed by produce.

For the agricultural development outlined in the plans described in the annual report, the Administration has provided 5,975,882 somalos and the United States Foreign Operations Administration 246,892 somalos.

Large-scale work has been undertaken in connexion with the development of water supplies and the building of model farms and so forth.

The Administration regards cotton as one of the Territory's cash crops and, with a view to its development, has studied methods of cotton cultivation, with the technical assistance of an expert supplied by the Egyptian Government at the request of the local Chamber of Commerce. The Egyptian Government was also asked for technical assistance and the services of other experts, for the cultivation, irrigation, selection and sale of cotton. A plan has also been prepared for developing the cultivation of the date-palm, the products of which, it will be recalled, are imported by the Territory to a value of more than one million somalos annually. The Egyptian Government has been approached for 10,000 date-palm plants.

Investments made by the Somali Credit Institute in agriculture and animal husbandry are shown in table A annexed to this report.

PUBLIC WORKS

As shown in table B annexed, the investments amounted to 7,901,563 somalos, of which the sum of 4,032,000 somalos was ear-marked for development plans.

FOREIGN TRADE

In January the restrictions were removed on a large number of goods originating in and destined for all currency areas, except the dollar area. Among the commodities for which export licences are no longer required, particular mention may be made of live cattle, meat and meat products, oil seeds and oleaginous fruits, and raw and tanned hides of all kinds (including semi-worked hides). Other goods which can be imported without licence are manioc, cocoa, finished timber, coconut oil, certain fabrics, spare parts for motor vehicles and tractors, watches, books and brochures.

During the same period, the list of products in which trading with the sterling area is permissible on the basis of private settlement was considerably increased.

LABOUR AND SOCIAL SECURITY

An order in course of preparation will increase the daily benefit payable for temporary disability due to accidents at work from one-half to two-thirds of the daily wage rate. The same order enables persons whose degree of disability is between 16 per cent and 30 per cent and who are drawing a life pension to apply for it to be commuted into a sum equivalent to the capitalized value of the income.

LAND LEGISLATION

A land register was instituted by ordinance No. 7 of 18 March 1955.

THIRD SOMALILAND FAIR

The Third Somaliland Fair, to be held at Mogadiscio in September next, is in course of preparation. This important event has been very successful in the past; this year, the keynote will be African handicraft.

SOCIAL DEVELOPMENT ; HEALTH

In connexion with the carrying out of the preventive medicine programme prepared in agreement with WHO and UNICEF, it may be mentioned that the Executive Board of UNICEF has allotted \$89,000 for an anti-malaria campaign which will be launched this year by a pilot project, to be followed by a mass campaign next year.

WHO will also send an expert to the Territory to make a preparatory study for an anti-tuberculosis campaign.

The two specialized agencies in question did not consider the Administration's request for immediate action with regard to venereal diseases.

EDUCATION

At the close of the school year, which is on 30 March throughout practically the whole of the Territory (with the exception of the Migiurtinia), preparatory courses for teachers were organized and are now attended by 247 pupils, including certificated assistant teachers, schoolmasters already teaching, and supply and volunteer teachers. Of this number, 132 have already taught, whilst future teachers may be recruited from the remaining 115. These figures do not include schoolmasters in the Migiurtinia, courses for whom will begin in May.

SCHOLARSHIPS

Students who won scholarships during the first examinations have begun to leave for Italy. The first seven teachers holding the diploma of the Institute for the Training of Schoolmasters and three pupils with the diploma of the School of Political and Administrative Training have already left. In May, they will be joined by 20 students holding the diploma of the School of Political and Administrative Training. The number of Somalis holding scholarships in Italy will reach 161 this year.

BUILDINGS

A large building which will be the future headquarters of the Somali Upper and Lower Middle School is under construction at Mogadiscio. It is also planned to build other schools and to enlarge some of the existing schools in various parts of the Territory.

FUNDAMENTAL EDUCATION

An important experiment has been undertaken in the Fundamental Education Centre at Dinsor directed by Professor Alfredo Barrera Vásquez, the UNESCO expert. This experiment is a preparation for the establishment of a number of centres to supply indigenous farmers with technical assistance, materials and equipment.

MASS EDUCATION

A radio programme in Somali, Italian and Arabic was recently started; it is broadcast three times a week and is meant for elementary school children on holiday. It covers matters of educational interest and its object is to keep pupils in contact with their schools.

CELEBRATION OF THE END OF THE SCHOOL YEAR 1954-1955

In all schools of all classes and degrees throughout the Territory, the end of the term was marked by ceremonies which included mass gymnastic displays, choral singing, recitations, academic dissertations and the distribution of prizes. Large numbers of relatives attended the ceremonies.

MISCELLANEOUS

Among the Administration's miscellaneous activities, attention may be drawn to the establishment of a Somali Information Agency, with offices in Somaliland and in Rome. The function of the agency, which is under an indigenous director, is to distribute information on Somaliland to the Italian and foreign Press by the publication of a bulletin which appears three times weekly in Italian, French and Arabic. A publication in English will be undertaken very shortly.

Annexes

Table A

INVESTMENTS MADE BY THE SOMALI CREDIT INSTITUTE BETWEEN 1 JANUARY AND 30 APRIL 1955

(Amounts in somalos)

	Agricultural loans		Loans to handicrafts, animal husbandry and small industry		Loans to fisheries		Miscellaneous		Total	
	Number	Amounts	Number	Amounts	Number	Amounts	Number	Amounts	Number	Amounts
Applications accepted (covering a total of 4,644 hectares)	676	115,764	9	32,475	77	194,462	3	27,500	765	370,201
Applications refused or withdrawn	44	36,668	3	22,000	—	—	1	5,000	48	63,668
Applications under consideration ..	—	—	8	217,975	1	22,500	9	319,500	18	559,500
TOTAL APPLICATIONS SUBMITTED	720	152,432	20	272,450	78	216,962	13	352,000	831	993,369

Table B

GENERAL SUMMARY OF PUBLIC WORKS INVESTMENTS FROM 1 JANUARY TO 30 APRIL 1955
(In somalos)

Paragraph of 1953 report	Kind of work	Develop-ment plan	Other work	Mainte-nance, operation, etc.	Total	Days worked		Number regularly employed		Notes
						skilled	unskilled	skilled	unskilled	
75/6	Communications	2,407,000	340,338	240,000	2,987,338	51,065	306,390	955	5,730	Days per month 23
75/9	Airports	-	52,000	40,500	92,500	1,581	9,486	16	96	23
75/11	Marine installations ..	25,000	34,000	25,000	84,000	1,909	5,727	19	57	23
75/12	Signals	-	-	-	-	-	-	-	-	-
78/2	Public health works ..	-	569,100	78,510	647,610	-	-	-	-	-
	Prisons	-	5,600	39,255	44,855	31,964	95,892	326	978	23
	Schools	-	632,730	81,210	713,940	-	-	-	-	-
	Ordinary buildings ...	-	285,185	196,275	481,460	10,942	32,826	112	336	23
78/3	Electrical installations	-	62,000	-	62,000	-	-	-	-	-
78/6	Coriolei Basin	350,000	-	-	350,000	3,977	11,931	40	120	23
78/7	Wells	1,250,000	-	-	1,250,000	10,776	16,144	90	135	30
78/8	River works and ex-penditure connected therewith	-	549,560	638,300	1,187,860	29,352	107,504	310	1,100	23
	TOTAL	4,032,000	2,548,513	1,321,050	7,901,563	141,556	585,900	1,868	8,552	

DOCUMENT T/1188

Observations of the United Nations Educational, Scientific and Cultural Organization on the annual report for 1954 on the Trust Territory of Somaliland under Italian administration

[Original text: French]
[20 June 1955]

Note by the Secretary-General. The Secretary-General has the honour to transmit herewith to members of the Trusteeship Council the observations on the annual report on the administration of the Trust Territory of Somaliland under Italian administration, 1954, submitted by UNESCO in accordance with Trusteeship Council resolution 47 (IV) of 1 March 1949. The Secretary-General was informed by the Director-General of UNESCO that these observations had been examined and approved by a special committee of the Executive Board of UNESCO.

PRIMARY EDUCATION

Among the items of information which make it possible to estimate the extent to which primary education has developed, the three following factors appear to be particularly important: increase in school enrolments (percentage of school population); establishment of new schools and greater number of classes; and increase in the number of teachers serving in primary schools, and in the number of student-teachers or auxiliary and replacement teachers being trained and recruited.

These three points will be considered below in turn.

School attendance

The educational system in Somaliland is original in that primary education is for both children and adults; the schools are attended in the daytime by children and at night by adults.

Assuming that children of school age form 20 per cent of the total population estimated in 1953 as 1,263,584

inhabitants (annual report, p. 211⁵), there are approximately 252,600 children who should be attending school. In 1953-1954, there were 7,032 children and in 1954-1955, 9,198 children were enrolled (annual report, p. 307); it would therefore appear that the proportion of children attending school is approximately 4 per cent for the whole Territory.

There is, however, a very unequal division of the population into town-dwellers and villagers (settled population) on the one hand, and nomads on the other; the proportion is: settled population, 32.5 per cent; nomads, 67.5 per cent. Therefore, while the rate of school attendance in towns and villages may be 12 per cent, for the nomadic tribes it is 0.

The Administration states (annual report, p. 183) that there is no doubt that in future, as the people become increasingly aware that education is both necessary and desirable, there will be a corresponding progressive increase in the number of children of school age enrolled in primary schools. That is a very encouraging thought, but there is a danger to which the United Nations Visiting Mission to the Trust Territories of East Africa, 1954, drew attention—and the Administration is certainly aware of it—namely, that increased school attendance in towns and villages may widen the already existing social gulf between the settled population and the nomadic tribes of Somaliland (T/1143 and Corr.1, para. 409).

⁵ For references to the annual report, see *Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie, 1954*, Ministry of Foreign Affairs, 1955.

A twofold effort must therefore be made—on the one hand, to increase the number of urban schools so that they can take in all the additional children now applying for admission, and, on the other, to establish rural schools and schools for nomad children as soon as possible. There is no time to be lost if the target in the plan for the extension of primary education for children and adults is to be reached (only 9,198 children enrolled as against 13,600 anticipated in the plan⁶).

The number of girls enrolled has increased from 1,053 in 1953-1954 to 1,642 in 1954-1955; this represents an increase of some 4 per cent, i.e., from 14 per cent to 18 per cent of the school-age population, from one year to another. UNESCO therefore supports the recommendation of the Visiting Mission that the number of girls' primary schools be increased (T/1143 and Corr.1, para. 410). In this connexion, the annual report mentions the construction of a girls' school in the Arab village of Mogadiscio (p. 180).

School buildings

In this chapter, it is encouraging to note that expectations in the plan have been fulfilled and even slightly exceeded. The Territory now has 110 primary schools for children, as compared with 86 in 1953-1954, and classes have increased from 353 to 447 (annual report, p. 324, table 74). The rate at which school buildings are being constructed and new classes formed is therefore satisfactory.

Statistics would indicate that the new classrooms are likely to be doubly useful, in that they can also be used for evening classes. The average number of pupils per class (9,198 pupils enrolled for 447 classes) appears to be 20 (29 at Mogadiscio and 18 everywhere else). In a Territory where the rapid extension of education raises problems requiring immediate solution, where, as the Administering Authority itself has stated, the number of pupils is on the up-grade, and where a discrepancy of at least 4,400 pupils between actual enrolments and the number anticipated in the plan exists (9,198 as against 13,600), it would seem that the average of 20 pupils per class might well be increased. Considering that there are 447 classes, those 4,400 pupils could, theoretically, be enrolled at the rate of ten per class, without making the classes too large. While admitting that this is only a theoretical suggestion and continuing, in general, to be against over-large classes, UNESCO thinks that in the particular case of Somaliland, and as an entirely exceptional measure, the Administering Authority might manage, by increasing the size of the existing classes, and in view of the imperative needs of the situation, to bring school attendance up to the level foreseen in the plan. A boarding school for native pupils of the region, constructed at Baidoa, is now open and the 60 places available have been filled.

Teaching staff

In connexion with the problem of teaching staff, the Trusteeship Council, at its fourteenth session, adopted the following conclusions and recommendations:

"The Council, recognizing the fundamental importance of an adequate number of qualified Somali teachers to the effective implementation of the educational plan, recommends to the Administering Authority that it urgently expand the teacher-training

programme and make every possible effort to make the teaching profession sufficiently attractive to ensure the recruitment of an adequate number of suitable Somalis." (A/2680, p. 118.)

The policy of the Administering Authority is to increase the number of enrolments at the Teachers' Training College, so as to have a large group of native teachers as soon as possible (annual report, p. 184). In order to promote the recruitment of trainee-teachers, the latter are admitted free of charge to the Somalia College at Mogadiscio and subsequently follow a course of training in Italy. The United Nations Visiting Mission (1954) (T/1143 and Corr.1, para. 417) moreover reports that "the Administration informed the Mission that, as an incentive, it was offering free boarding facilities to teacher-training students".

The results of these measures, which testify to a considerable effort on the part of the Administering Authority, do not, however, seem very encouraging. For instance, without mentioning the years 1951-1953 when trainee-teachers, after a competitive examination, followed a shortened course of concentrated training rather than a normal teachers' training course, the figures for enrolment and recruitment at the Teachers' Training College are as follows:

(a) Enrolment: 14 trainees in 1953-1954; 37 trainees in 1954-1955.

(b) Recruitment: 5 trainees in 1953-1954; 17 trainees in 1954-1955.

Thus, although the figures for enrolment and recruitment show an increase, the rate of recruitment seems to be very slow when compared to the urgency of training a sufficient number of primary school teachers to meet all the Territory's needs. Account has to be taken also of the loss of trainee-teachers during the three-year course at the Teachers' Training College.

The Administration tries to remedy this situation by holding a competitive entrance examination annually. On page 189 of the annual report an encouraging remark was made to the effect that an increase had been noted in the number of natives wishing to become primary teachers. Nevertheless, if the number of assistant-teachers' posts (45) thrown open to competition in 1954 is added to that of trainee-teachers enrolled at the Teachers' Training College (17), the total is somewhat low, in view of the fact that the competitive examination concerned yielded rather poor results.

The problem of recruiting trainee-teachers and replacement teachers and, consequently, that of supplying the whole Territory with qualified teachers, has therefore not yet been solved satisfactorily.

The number of native teachers serving in schools increased from 131 in 1953 to 188 in 1954 (annual report, p. 189).⁷ During the same period, the number of classes rose from 353 to 447 and the number of enrolments (children) from 7,032 to 9,198. In other words, the number of primary teachers has increased by 57, that of classes by 94 and that of children enrolled by 2,166. Whatever measures are taken—organization of half-time schools, for instance—the discrepancy between the number of serving teachers, the number of classes and the number of children enrolled remains a problem which can be solved only by recruiting a greater number of teachers.

There is certainly a direct connexion between such recruitment and making the teaching profession more attractive—in the first place by revising the salary scale. The highest salaries which primary teachers can earn,

⁶ See *Plan quinquennal pour le développement de l'instruction publique en Somalie, 1952/1953-1956/1957*, Italian Trusteeship Administration of Somaliland, April 1953, p. 4. (Transmitted to the Trusteeship Council under the symbol T/1064.)

⁷ Or 135 in 1953 and 191 in 1954, according to the statistical table on page 301.

given in the statistical table on page 219 of the annual report, are, for example, lower than those of ushers, public works assistants, post office officials, customs office employees, nurses, junior administrative staff, etc. It would seem that the Administering Authority indeed intends to revise the salary scale, for it informed the Visiting Mission that the first primary teachers obtaining their diplomas would receive a monthly salary of 630 to 700 somalos.

There are other measures which should be taken. Owing to the fact that both the entrance examination for the Teachers' Training College and even the annual competitive recruitment examination are difficult, the Administration is obliged to have recourse to students who have failed in these examinations, using them as replacement teachers. That is an acceptable solution, at least while primary education is being extended, provided that the refresher courses which already exist are developed.

The Territory will also have to resort to recruiting foreign teachers. UNESCO maintains, however, that the only satisfactory answer to the problem of training an adequate number of qualified teachers is to expand the existing Teachers' Training College, proceeding at a later stage to decentralize such training by opening regional training colleges.

SECONDARY EDUCATION

The increase in the number of pupils in secondary schools shown in the annual report (table 74, p. 324) is of course due to the extension of primary classes. The Mogadiscio secondary school, which has 107 pupils, has no more places available (annual report, p. 178). The Institute of Legal, Economic and Social Studies began to operate this year with 19 students (annual report, p. 187).

FUNDAMENTAL AND ADULT EDUCATION

Fundamental education is provided for communities where there are specialized administrative departments, and which, in consequence, have not had, or do not have, the benefit of school education services. It is an attempt to supply a comprehensive solution to all the problems connected with under-development: illiteracy, unsatisfactory health conditions, out-dated methods of agriculture and craftsmanship, etc. The Dinsor project may be regarded as typical of the work being done, and it is very encouraging to find that the results secured have already made a favourable impression among certain sections of the indigenous population (annual report, p. 190).

The United Nations Visiting Mission observed that the project is highly useful, and added "The programme of fundamental education must be given far greater support and scope since it is admirably suited to the conditions of the Territory" (T/1143 and Corr.1, para. 445).

UNESCO helped to launch the Dinsor project and is still co-operating with the authorities of the Territory in the district. The Organization hopes that, after the experimental stage, full-scale fundamental education campaigns will be conducted. Such a development will be possible, however, only if a new fundamental education policy is evolved, going much further than village projects. There is obviously a very close interconnexion between the social and economic aspects of fundamental education, and it is therefore essential that fundamental education

campaigns be associated with the economic development plans for the regional divisions. For this, only the Administering Authority can be responsible. The first requisite is that real efforts be made to train qualified staff as, at present, none is available.

UNESCO has helped in the project by placing the services of an expert at the disposal of the Administering Authority and awarding a fellowship to an Italian national who is to assist the expert now working on the project. Sooner or later, however, it should be possible to contemplate the establishment of a national fundamental education training centre, which might, for instance, be attached to the existing teachers' training college at Mogadiscio or to the Baidoa College (Upper Giuba). The existing specialized services of the Territory in the field (health, agriculture, etc.) might then co-operate at a high level in organizing technical courses to be provided at the specialized national centre. The report refers to the use of radio and the cinema as a valuable means of mass education (paras. 86-2 and 86-3). UNESCO would like to see a considerable increase in their use, and especially in that of broadcasting for fundamental education and the teaching of reading. Experiments are being carried out in other countries and UNESCO could supply the Administering Authority with relevant documentation.

The education of nomads (67.5 per cent of the population) involves problems of education in school (for children) and out of school (fundamental education). The policy for the major regional divisions—economic and social development plans—should include plans for dealing with this question, with special reference to the social integration of the nomads and the settled population into the national community.

Evening classes play an important part in adult education. The number of students attending them (13,332) is higher than that of the children enrolled at the schools (9,198), but lower than the figure forecast in the plan (15,400). Moreover, more than half the adults concerned (7,987) live in the Benadir region and 5,585 in the city of Mogadiscio alone. In each of the five other provinces, from 800 to 1,400 students attend these courses. The effects of this form of education out of school are therefore limited geographically but it is probable that its influence penetrates deeply in the regions where advantage is taken of it.

The extension and development of such courses must depend on the recruitment of teachers to staff them and the building of schools to house them.

Fundamental and adult education and school education are therefore connected. UNESCO feels that, unless simultaneous progress is made on both fronts, it will be impossible to hold the ground won on either.

LIBRARIES

The annual report gives particulars, on pages 180 and 192, about the development of school and public libraries. A particularly interesting departure is the establishment of a central library for the use of teachers, run as a free circulating library. Statistics would show the progress made in this respect.

The largest public library, housed in the Museum of the Garesa, has 3,300 volumes. From the description given of the subjects covered, it would seem that these books are intended more for the officials than for the indigenous population.

DOCUMENT T/L.593/Rev.2

Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia.—
Syria : second revised draft resolution[Original text : English]
[20 July 1955]*The Trusteeship Council,*

Recalling that the General Assembly in its resolution 392 (V) of 15 December 1950 recommended that the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia be delimited by bilateral negotiations to be undertaken between the Administering Authority of the Trust Territory and the Government of Ethiopia and that in order to resolve any and all differences arising in the course of such negotiations, the respective parties agree, on the request of either party, to a procedure of mediation by a United Nations Mediator to be appointed by the Secretary-General and, further, in the event of the inability of the parties to accept the recommendations of the Mediator, to a procedure of arbitration,

Recalling further that the General Assembly, in its resolution 854 (IX) of 14 December 1954, noted with concern that no progress had been made to date in the direct negotiations between the Governments of Ethiopia and Italy on the delimitation of the frontier, urged the Governments of Ethiopia and Italy to exert their utmost efforts to achieve a final settlement of the frontier

question by direct negotiations and recommended that, should direct negotiations fail to achieve any results by July 1955, the two Governments agree to the procedure outlined in General Assembly resolution 392 (V) of 15 December 1950,

Noting the statements of the petitioners, and the observations and comments of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration and of the 1954 Visiting Mission to the Trust Territory,

Noting the statement of the Administering Authority of the Trust Territory at its sixteenth session that the Italian Government had continued its efforts to negotiate directly with the Ethiopian Government and that at a recent meeting it was agreed to appoint representatives to study this question further,

Noting further that such negotiations as may have taken place so far have not yet yielded substantial results,

Recommends to the Administering Authority that it avail itself of the mediation procedure contained in General Assembly resolutions 392 (V) and 854 (IX).

(b) Western Samoa, 1954

DOCUMENT T/1192

Observations of the New Zealand Government on the recommendations of the Constitutional Convention on
Western Samoa[Original text : English]
[6 July 1955]

The Minister of Island Territories has sent the following letter to the Acting High Commissioner on Western Samoa, setting out the views of the New Zealand Government on proposals for constitutional reform made in December 1954 by the Constitutional Convention of Western Samoa.

The text of the letter was made public in Wellington on 16 June and was released in Apia at the same time.

LETTER ADDRESSED BY THE MINISTER OF ISLAND TERRITORIES
TO THE HIGH COMMISSIONER OF WESTERN SAMOA

I have studied the recommendations of the Constitutional Convention of Western Samoa, which have been formally submitted for the New Zealand Government's consideration. I have also read with interest the proceedings and I am impressed with the thoroughness with which the people and their representatives have examined and debated these important constitutional issues.

It is apparent that the Convention has seen no compelling reasons to depart substantially from the general pattern of political organization outlined in the Prime

Minister's statement of March 1953.⁸ The New Zealand Government regards these firm and almost unanimous recommendations of the Convention as encouraging evidence of confidence in its policies and has invited me to make the following statement of its views on a number of the principal proposals.

I have also thought it useful to comment, in the section concerning the future relationship between New Zealand and Samoa, on the associated question of the effect of the international obligations accepted by New Zealand under the United Nations Trusteeship Agreement.

The recommendations are referred to below in the order of their appearance in the Prime Minister's statement.

Legislature

The New Zealand Government agrees that a single legislature should replace the Legislative Assembly and the Fono of Faipule. It is proposed that the new legislature should be convened following the expiry of the term of the present Fono of Faipule in September 1957.

⁸ See T/1079, annex I.

It will be necessary to extend to September the life of the current Legislative Assembly, which would normally be dissolved in March 1957. The question of the composition and powers of the new legislature will receive the fullest consideration by the New Zealand Government before any final action is taken.

Suffrage

The expression of differing opinions on matters of public importance is an essential ingredient of political progress, and it has been noted with satisfaction that the question of suffrage was one of the issues before the Convention on which a valuable exchange of views took place. The Constitutional Convention has recommended that "In the Samoan constituencies only Samoan *matai* should have the right to vote or to be nominated as candidates for election."

The New Zealand Government understands that the recommendation reflects the present wishes of an overwhelming majority of the Samoan people and it therefore agrees that the suffrage in the Samoan constituencies will be limited for the time being to *matai*.

I desire to make it clear, however, that the New Zealand Government does not share the misgivings of the Convention that a widening of the formal basis of political representation would necessarily have harmful effects; on the contrary, it is of the opinion that Samoan custom, which in the past has shown itself capable of adjustment to the needs of a changing society, might thereby be strengthened and rendered more capable of meeting the challenges which will inevitably face the emerging State.

Previous experience of Samoa's willingness to absorb and to adapt to its own needs the concepts of Western democracy gives the Government good reason to expect that the inhabitants will continue to give thought to ways and means of liberalizing the franchise.

A register of *matai* in each constituency would appear to be a prerequisite for the orderly operation of a system of nomination or balloting.

Constituencies

I note that the Convention prefers as constituencies the 41 Faipule districts rather than the 11 traditional political districts. It is understood that the suggestion to consider later an increase in the number of constituencies from 41 to 45 was adopted in recognition of the problem which is posed by the disparity in the number of people in the various Faipule districts.

These recommendations are, in general, acceptable to the New Zealand Government, which agrees that a permanent Samoan membership of 45 would be suitable.

Head of State

This question is obviously one in which the feelings and loyalties of the Samoan people are properly and deeply involved, and the New Zealand Government does not, at this stage, propose to comment on the recommendations of the Convention.

Executive Government

The New Zealand Government agrees that ultimately a premier and cabinet of ministers, all of whom will be members of the legislature, should constitute the executive branch of government.

The most careful thought has been given to the Convention's proposal that a cabinet system should be introduced simultaneously with the reform of the legis-

lature. The Government has, however, concluded that it will be in the best interests of Samoa if the political representatives of the Territory take additional time and opportunity to acquire a greater knowledge and understanding of problems of executive government before full governmental responsibility is assumed.

To establish the reformed legislature will require the full co-operation and energies of all representatives after 1957. In the Government's view, a cabinet system could not function satisfactorily during this period of reorganization and the High Commissioner should continue to act as chief executive. Apart from the need to settle its procedures, the new body will no doubt wish to adapt the committee system, which has demonstrated its value in the Legislative Assembly, to suit conditions in the enlarged chamber.

Meanwhile, unofficial members of the Executive Council will be offered wide practical experience of executive government through the extension and development of the "associate member" scheme. It will possibly be found desirable to appoint more associate members in addition to increasing their responsibilities.

An acquaintance with the practices of other parliaments would, I believe, be useful to members of the Legislative Assembly and I was pleased recently to convey an invitation from the New Zealand Government for a group to visit New Zealand while Parliament is in session.

Control of the public service

It is envisaged that the future self-governing State of Western Samoa will control its own public service, subject only to such separate arrangements relating to seconded officers as may be agreed on. The New Zealand Government will be concerned to see that whatever system is introduced will ensure the maintenance of efficient, impartial and loyal service to the State.

It might, in the meantime, be useful to give the Government of Western Samoa a more direct voice in matters affecting public service policy and the possibility is being examined of amending the legislation to provide for this.

Relationship with New Zealand: New Zealand's trusteeship obligations

As the Convention recognized, the form of the future relationship cannot be determined at this stage; it will depend on the course of Samoa's constitutional development. The scope of the responsibilities which it will be proper for New Zealand to bear if it is to provide protection for the Territory's interests in the international sphere will, in part, be defined by the same process; the Convention has, I note, suggested that the subjects of defence and foreign affairs might be placed in this category.

In considering what degree of responsibility it should accept, the New Zealand Government must have regard to its obligations under the United Nations Trusteeship Agreement. The major constitutional changes which are contemplated will involve eventual amendment or termination of the present Trusteeship Agreement. Even though there will then be complete accord between New Zealand and Samoa, both as to the Constitution of Samoa and as to the form and spirit of the relationship existing between the two countries, the United Nations will need to satisfy itself that in these arrangements the objectives of the trusteeship system are being realized. New Zealand has no reason to doubt that policies which have in the past commended themselves to the Trusteeship Council and to the General Assembly will continue to receive their endorsement.

Common domestic status

Though the Convention did not debate the problem of common status, which was set aside also by the Working Committee, the New Zealand Government considers that it has a responsibility to encourage further discussion. I therefore welcome the Executive Council's agreement that a Samoan Status Committee should be set up to continue the search for a solution equitable to all sections of the community.

In the message which Mr. Powles delivered to the Convention on my behalf, I remarked: "The stages of political advance by which Samoa will achieve self-government will have to keep in step with and be appropriate to the growing capacity and understanding of problems of government among those of your people on whom the bulk of the responsibility and the actual task of governing will fall."

It is, of course, a feature of constitutions modelled on the

British parliamentary system that they are not established at one stroke; their institutions, and the practices and conventions which make the institutions effective, evolve at a pace which is determined largely by experience of their successful functioning.

Samoa's progress towards self-government under trusteeship has been steady and unhindered. Some proposals for the further development of the existing political institutions have been outlined in my comments on the Convention's recommendations. Before formulating these proposals more specifically I should welcome their discussion in public as well as in the Executive Council, in the Legislative Assembly and in the Fono of Faipule.

I shall be glad, therefore, if you will publish this letter and ensure, in particular, its circulation to all delegates who attended the Constitutional Convention.

(Signed) T. L. MACDONALD
Minister of Island Territories

(c) New Guinea, year ended 30 June 1954**DOCUMENT T/1187****Observations of the United Nations Educational, Scientific and Cultural Organization on the annual report on the Trust Territory of New Guinea for the year ended 30 June 1954**

[Original text: English]
[20 June 1955]

Note by the Secretary-General. The Secretary-General has the honour to transmit herewith to members of the Trusteeship Council the observations on the annual report for 1953-1954 on the administration of New Guinea submitted by UNESCO in accordance with Trusteeship Council resolution 47 (IV) of 1 March 1949. The Secretary-General was informed by the Director-General of UNESCO by a letter dated 17 June 1955 that these observations had been examined and approved by a Special Committee of the Executive Board of UNESCO.

POLICY AND ADMINISTRATION

The goals of educational policy remained unchanged during 1953-1954. The 1952 Education Ordinance, described on page 84 of the annual report,⁹ provides a framework for the educational system, but the necessary regulations arising from the Ordinance are expected to be passed only during the 1954-1955 school year.

An important advance in the planning of education is recorded in the 1953-1954 report. UNESCO notes with interest that the Administration has adopted a short-term plan for the years 1953-1958, with an indication of 11 major lines of development during the period (annual report, pp. 86-87). This list gives priority to the training of teachers, both quantitatively and qualitatively, and consequently also to the more rapid development of

secondary education. These provisions, as well as those relating to the use of vernaculars as media in the lower classes and the preparation of a literacy campaign, appear to answer the preoccupations of the Trusteeship Council, as expressed in recommendations adopted during the fourteenth session (A/2680, pp. 261-265). The annual report is unfortunately too condensed to give the actual terms of the plan and the annual targets assigned for different parts of the educational system. UNESCO would welcome detailed information on this point in future reports: in part, as an aid to studying the progress reflected in the reports themselves, and in part because so many States and territories are seeking information on the technique of educational planning.

The 1953-1954 annual report shows that the administrative structure of the Territory has not changed. The number of European posts in the education department is 97, as in the previous year. A new table (p. 85) is to be welcomed, since it gives a clear view of the department's total strength. Including teachers, both indigenous and European, the department has a staff of 214. One of these is a full-time inspector, concerned mainly with European-type schools, and four are district education officers who supervise primary education. The Territory possesses some 2,800 schools, where the need for professional guidance of teachers is admittedly greater than in more developed school systems. It would seem, therefore, that a good case could be made for increasing the supervisory staff of the department instead of keeping it constant. Even allowing an estimated minimum of one inspecting officer per 200 schools (which still does not permit of annual visits), a supervisory staff of 14 would be required.

⁹ For references to the annual report, see Commonwealth of Australia, *Report to the General Assembly of the United Nations on the Administration of the Territory of New Guinea from 1st July, 1953, to 30th June, 1954*, Canberra, Government Printing Office.

Local participation in educational matters is beginning to take shape with the creation of the first two district education committees. So far no indigenous representatives sit on these committees or on the advisory board, and it is to be hoped that such representation will be secured as soon as possible.

FINANCE

The data in appendix XXII, of the annual report (p. 104) give a summary of educational finances over the past five years. A more detailed table for a four-year period is as follows :

Educational finances
(in Australian pounds)

	1950-1951	1951-1952	1952-1953	1953-1954
Expenditure by Education Department on schools	241,882	300,155	249,727	297,492
Expenditure by Education Department on libraries	3,388	2,997	4,689	5,233
Capital expenditure on buildings	-	13,308	21,125	26,458
Expenditure by other Government Depts	25,225	29,354	16,122	13,615
TOTAL PUBLIC EXPENDITURE ON EDUCATION	270,495	345,814	291,663	342,798
Education as percentage of total government expenditure	7.6%	7.5%	6.7%	6.7%
Missions from our sources	63,605	91,039	135,133	178,166
Total funds devoted to education	334,100	436,853	426,796	520,964
Percentage rise over previous year		31	-2	22

Analysis of this table shows that the drop in public expenditure during 1952-1953 recovered in 1953-1954. UNESCO notes this new upward trend with satisfaction, but would draw attention to the fact that the education budget remains at 6.7 per cent of public spending. In view of the Territory's urgent problems in education, the sum available appears inadequate; for any planned extension of schooling, a considerably larger sum will be needed. An important component of educational expenditure is the amount spent on building construction. In 1953-1954 the sum of £26,458 represents only 8 per cent of the total government expenditure on education; this may be due to the generally limited budget for education, but it is a further sign that in capital works as elsewhere education is suffering from lack of funds.

The sum granted to the missions has thus risen slowly, but represents a fairly constant percentage of the department's spending. On the other hand, the sum spent by the missions from their own funds has risen sharply—from £63,605 in 1950-1951 to £178,166 in 1953-1954. The annual report gives no indication of the source of these funds, which presumably are drawn from voluntary contributions within and outside the Territory. It would seem reasonable that the official grant should at least match these private funds, as was the case in 1950-1951.

Finally, it should be noted that education is free in all public and public aided schools.

ORGANIZATION OF EDUCATION

The Trusteeship Council at its fourteenth session recommended that the Administration should increase financial aid to the missions (A/2680, p. 263). The following table shows the position over the past four years.

Grants-in-aid to missions
(in Australian pounds)

	1950-1951	1951-1952	1952-1953	1953-1954
Total value of subsidy and supplies	63,650	48,879	50,474	56,597
Item as percentage total public expenditure on education	24%	14%	17%	17%

The school plan consists of an 8-year primary course (4-year village school, 4-year intermediate or village higher school) followed by five years of secondary education. For European and Asian pupils who do not face the same language difficulties, the course is shorter.

An over-all view of educational progress, for all types of school and different ethnic groups, is given below.

The table shows the important part played by mission schools.

Of the several ethnic groups in the Territory, European and Asian pupils appear to be well cared for at the primary level, and the scholarship system in Australia offers sufficient opportunity for secondary schooling. The remainder of these comments will therefore deal only with the situation of indigenous pupils.

Schooling in New Guinea

Year	Administration			Missions			Total number of pupils
	Number of schools	Number of pupils	Girls	Number of schools	Number of pupils	Girls	
1949-1950	50	2,827	375	2,310	85,899	...	88,726
1950-1951	65	3,675	656	2,407	87,134	...	90,809
1951-1952	69	3,757	793	2,560	91,389	35,634	95,146
1952-1953	76	3,949	686	2,643	83,506	28,984	87,455
1953-1954	79	4,495	931	2,773	88,492	33,540	92,987

Primary education

Indigenous New Guinea pupils have a 4-year village school, provided mainly by the missions, and a 4-year higher school where both the Administration and the

missions are active. The medium of instruction changes from vernacular to English during the course.

The situation over the past three years has been :

Indigenous primary education

Year	Administration			Missions			Total	
	Schools	Teachers	Pupils	Schools	Teachers ^a	Pupils	Schools	Pupils
1951-1952	45	115	2,594	2,528	3,261	88,709	2,573	91,303
1952-1953	52	138	2,786	2,613	3,121	80,912	2,665	83,698
1953-1954	53	129	2,953	2,741	3,377	85,545	2,794	88,498

^a Including post-primary teachers who are not reported separately.

The enrolment of pupils suffered a set-back in 1952-1953 through the elimination of over-age and under-age pupils, and the annual report shows that there has been a recovery during 1953-1954. It may be doubted, however, whether the rise—less than 4 per cent in public and 6 per cent in mission schools—is doing much more than maintain the *status quo*. The natural increase of the population must be at least 2 per cent per year, and new areas of the Territory have been brought under the Administration's control.

The total enrolment should be set against the total school-age population. Allowing that some 20 per cent of the population is of school age, this gives over 200,000 children; the educational gap is only too obvious, and UNESCO believes that a far more vigorous extension of schooling is necessary if the gap is to be closed within a reasonable time.

The annual report shows that the public schools progressed little in 1953-1954, while the missions made an appreciable advance in schools, teachers and pupils. This is due largely to the fact that the first stage of primary education is left in the hands of the missions.

In terms of the access of girls to education, there has been a steady rise : 30 per cent of primary enrolments in

1953-1954 were girls, against 34 per cent in the preceding two years.

The principal curriculum problem in primary education is that of the medium of instruction. Village schools are conducted in the vernacular medium, and the annual report (p. 95) records progress made in reducing the vernaculars to writing and in standardizing orthographies. UNESCO notes with interest that a survey of the Territory's literature requirements has been made by the Organizer of Island Literature of the South Pacific Commission, and that a territorial literature bureau is now projected. These steps should have a beneficial effect both on the extension of primary schooling and on campaigns for adult literacy.

A rural bias is introduced in primary schools through the teaching of gardening and handicrafts.

SECONDARY EDUCATION

This stage of education for indigenous pupils is essentially practical, designed to produce the teachers, assistants for government service and skilled artisans which the Territory so urgently needs.

Over the past three years, the situation has been as follows :

Post-primary education

Year	Administration			Missions		Total	
	Schools	Teachers	Pupils	Schools	Pupils	Schools	Pupils
1951-1952	10	51	521	28	2,192	38	2,713
1952-1953	9	38	474	23	2,084	32	2,558
1953-1954	10	42	709	25	2,393	35	3,102

This table shows the more active part taken by the Administration in secondary education : 23 per cent of pupils in the year under review attended government schools, whereas only 3 per cent of primary school pupils did so. The total rise in enrolment during 1953-1954 amounted to 544 pupils, or 21 per cent of the previous enrolment. There is thus an appreciable growth in secondary education, and the present policy of the Administration is to develop these schools still further. It may be noted that even with an enrolment of 3,100, the post-primary schools are thinly populated in comparison with the 88,500 pupils in primary schools.

A scheme for sending indigenous pupils to secondary schools abroad was inaugurated in 1954, with six scholar-

ships covering board, accommodation, tuition, clothing, personal requirements and one return air-fare annually. Pupils have the choice between general and vocational studies. UNESCO notes with satisfaction this first step in study abroad and congratulates the Administering Authority on achieving it. A certain expansion of the scheme may be hoped for.

TEACHERS

The quantitative situation shows a rise in the number of mission teachers (3,377 instead of 3,121 the previous year, an increase of 8 per cent) while the Administration staff remains constant.

The supply of qualified teachers is regarded as the major educational problem in the Territory, and the annual report (p. 92) describes measures taken to improve the situation. The statistics reported do not differentiate at the secondary level between teachers in training and other forms of secondary schooling, so that no quantitative estimate is possible of the extent to which the supply of teachers is rising. If this were possible, UNESCO would welcome the enumeration of teachers in training in future reports.

The present annual report gives little indication of the type of training given to native teachers.

Information on the nature of the courses, their basis and duration, would allow some assessment of the extent to which the training is adapted to the Territory's needs.

FUNDAMENTAL AND ADULT EDUCATION

As in previous years, considerable use is made of mass education media, periodical publications, broadcasting and films (pp. 92-93).

Although the 1953-1954 annual report makes little reference to the area education centres and other com-

munity development projects, the UNESCO Secretariat has received, during the past year, interesting communications from the Administration about progress in this field. The results obtained from these experimental activities appear to be significant. The projects are broadly conceived to affect all areas of community interest and correspond closely to what UNESCO terms "fundamental education".

LIBRARIES

The references to the four local libraries intended to serve local needs and to the Native Library Service which maintains a steady flow of English literature to 45 schools (p. 89) or centres (p. 92) are noted with interest. Fuller statistics on the size of staff—including the number of professional librarians and the number of users—would be needed to give an accurate picture of these services in the Territory.

In its comments presented at the fifteenth session (T/1150), UNESCO drew attention to the importance of providing reading materials for new literates; in this connexion, the announcement of the project to set up a literature bureau in the Territory is most welcome.

(d) Nauru, year ended 30 June 1954

DOCUMENT T/1180

Observations of the United Nations Educational, Scientific and Cultural Organization on the annual report on the Trust Territory of Nauru for the year ended 30 June 1954

[Original text: English]
[9 June 1955]

Note by the Secretary-General

The Secretary-General has the honour to transmit herewith to members of the Trusteeship Council the observations on the annual report for 1953-1954 on the administration of Nauru submitted by UNESCO in accordance with Trusteeship Council resolution 47 (IV) of 1 March 1949. The Secretary-General was informed by the Director-General of UNESCO by a letter dated 6 June 1955 that, in view of the time-table of the sixteenth session of the Trusteeship Council, those observations, which had been prepared by the Secretariat of UNESCO, had had to be despatched before the meeting on 15 June 1955 of a Committee of the Executive Board of UNESCO set up to examine comments on the annual reports on Trust Territories.

POLICY AND ADMINISTRATION

In its observations submitted at the fourteenth session (T/1125) concerning the report for 1952-1953 on Nauru, UNESCO noted that the mobility of the population is likely to be far greater than for most island peoples. This presents a problem in educational planning, particularly at the post-primary level, since immediate needs must be met while a problematical future must be provided for. In practical educational organization, the immediate needs of the community must be the basis for policy; but it must also be possible to modify the system as the future

of the island and its people becomes clearer and as specific plans of rehabilitation or resettlement are developed. It is believed by UNESCO that the first condition is at present met by the Nauru education system. A statement of official resettlement policy is awaited and a study of its educational implications would appear to be desirable at an early date. The local Education Advisory Committee set up in 1953 might well be helpful in carrying out such a study.

FINANCE

The increase in expenditure on education from £18,469 (excluding certain administrative costs) to £50,076 is extremely gratifying, the 1954 figure representing 22 per cent of the total administrative expenditure. It is realized that £27,000 was devoted to the building of the new secondary school; even so, the expenditure, not including capital costs and the costs of overseas education, represents an average of £22 per pupil, a significant expression of the desire of the Administration to meet the educational needs of the children. Estimates for 1955 forecast an even higher expenditure for that year.

The £8,064 spent on education of Nauruans overseas is a good partial substitute for the inevitable lack of specialized and higher educational facilities on the island. The extension or modification of this form of assistance will have to be determined by the results of the study of the resettlement plans.

THE SCHOOL SYSTEM

A summary view of the past five years in respect of the major statistics places the 1953-1954 situation as follows:

	1949- 1950	1950- 1951	1951- 1952	1952- 1953	1953- 1954
Children enrolled in schools (total)	406	425	487	548	612
Nauruan and Gilbertese	358	380	453	512	560
In secondary schools ..	—	32	56	82	106
Abroad	10	18	23	36	39
Teachers	25	30	29	29	34
Education budget (in Australian pounds) ..	4,471	5,396	11,179	18,469	50,076

School enrolments increased during the year, and the provision made for staff and accommodation to meet this increase appears to have been adequate.

In the annual report for 1953-1954,¹⁰ no specific statistics are given for overseas students but the inference from part VIII, chapter 4 (p. 33) is that three more students are studying outside the island than in 1953. The increasing standard of overseas attainment is a tribute to the increasing effectiveness of preliminary education in Nauru.

It will be several years before the retardation problem which UNESCO noted at the fourteenth session (T/1125) and which is again demonstrated in the age/grade table in appendix XXII C, page 75, can be expected to be solved; but it is pointed out that the non-promotion of children is administratively an expensive action, since each non-promoted child will take longer to complete the elementary school course. The educationally undesirable aspects of retardation are well-known and the authorities in Nauru would serve the interests of their community if they were to undertake a close investigation of the causes with a view to remedying them. In general, the causes of retardation are most likely to be found in poor

school attendance, in poor teaching, in unsuitable curricula, or in too rigid an examination system. It is understood that poor school attendance is normally not a serious problem in Nauru, although during 1954 certain unusual problems caused abnormal absences. The standard of training of the Nauruan teachers is not generally high at present, but it is certainly improving and future recruitment is expected to be at a high level. The present in-service training programme is a useful aid to increased efficiency.

Is the curriculum suited to the needs of the children? The original elementary school curriculum was modelled on that of the Victorian (Australia) primary school which still has a strong influence and it could not be expected that the curriculum of a highly developed Australian State would entirely suit Nauruan needs. However, UNESCO notes with interest that, during 1955, a revision of the curriculum will be undertaken and that its greater relevance to the special needs of Nauru will be aimed at. The Education Advisory Committee, or committees sponsored by that body, would be able to contribute considerably to the curriculum development programme.

The 1953-1954 annual report notes that two small schools were combined during the year and that complete consolidation of the primary schools into one central school, with the provision of transport for the children, is eventually planned. This is a realistic approach to the organization of a school system in a confined area; it will undoubtedly contribute to the provision of better educational facilities for many of the children and will allow general standards to be raised progressively.

LIBRARIES

Reference is made on page 35 of the annual report to the free library service available for all residents in the island from the Commonwealth National Library, Canberra, and to the special services to schools and teachers. Statistics regarding the services would help in the assessment of the quality or extent of this particular activity.

(e) Trust Territory of the Pacific Islands, year ended 30 June 1954

DOCUMENT T/1179

Summary of major developments in the Trust Territory of the Pacific Islands since 30 June 1954: supplementary information submitted by the Administering Authority in accordance with Trusteeship Council resolution 997 (XIV)

[Original text: English]
[9 June 1955]

1. It will be remembered that the Micronesian inhabitants of only two atolls, Rongelap and Uterik, were affected by the March 1954 nuclear fall-out and that the entire population of both atolls, numbering 82 Rongelapese and 154 Uterikese, was at once evacuated to Kwajalein.

Having been found to have escaped unharmed, the Uterikese were returned to their atoll in May when it was declared safe for re-occupancy. On several occasions since 1 July 1954, they have been visited by Trust Ter-

ritory medical and other personnel. They have entirely resumed their former pattern of life and show no latent radiation effects whatever.

The Rongelap population, which suffered some depilation and superficial burns, were given the best of medical treatment on Kwajalein and in June 1954 were moved to a temporary village constructed for them on Ejit close to the district centre. There they will remain until their entire home atoll is declared safe for permanent occupancy. Fortunately, the ill-effects of their exposure were entirely cleared up by 1 July, as continuing medical examinations by both specialists of the Atomic Energy Commission and Trust Territory physicians have demonstrated beyond question. Because they have been unable to resume their customary pursuits in their new environment, their basic

¹⁰ For references to the annual report, see Commonwealth of Australia, Report to the General Assembly of the United Nations on the Administration of the Territory of Nauru from 1st July, 1953, to 30th June, 1954, Canberra, Government Printing Office.

subsistence is being supplied at the expense of the United States, as will continue to be done until their repatriation. Moreover, administrative supervision is being given them by members of the Marshalls District staff. It is hoped that their return to Rongelap may be possible in the near future.

The pigs, fowl and ducks of both groups were replaced, animal for animal, in the summer of 1954 by excellent new stock imported from Japan and Hawaii. All property claims were settled in full in April 1955; they amounted to \$1,707.27 in the case of the Uterikese, who filed 37 claims, and to \$5,162.53 for the Rongelapese, whose claims totalled 70. No personal injury claims were submitted by members of either group. In addition, the people of Rongelap are being compensated for the loss of their copra production at the full rate of three tons monthly.

2. The sum of \$26,500 has been allotted for the payment of yen claims. All claims received have been settled. Up to the present time, \$64.67 has been disbursed in the Palau district, \$4,755.41 in the Truk district, \$6,549.61 in the Ponape district, and \$2,500 in the Saipan district.

3. No compensation has yet been paid any landowners in the Trust Territory for the use of their land by the United States Government or of its agencies. Claims for such compensation are being received and recorded and arrangements are now well under way which should permit compensation to be made in the near future.

The programme of returning public domain to the Micronesians as homesteads has gone forward. In Rota, the site of Songsong village, measuring approximately 40 acres, has been surveyed preliminary to the assigning of the property to its current residents, and another 150

acres of farm land is being readied for homesteading. In the Marshalls 132.4 acres of agricultural land have been returned to the Micronesians during the past fiscal year. Several thousand acres of agricultural land are now available for homesteading on Ponape. Sixty families from Kapingamarangi and Pingelap have moved into the homesteading area and an additional 15 families are joining them monthly. In Truk, 27 acres of the government retention area have been made available for the school garden programme and 13 acres as house sites for Micronesian government employees and as a hotel site for visiting out-islanders. Truk has also seen the unqualified release of 383 acres of private lands from partial government control. In the Palaus, 332 acres of government land have been leased to Micronesians. No homesteading has yet been carried out either in the Palaus, where such a programme will soon begin, or on Yap, where there is very little public domain available for resettlement. In the Saipan district, title determinations on 90 per cent of the parcels of land in which claims are involved have been completed.

4. During October 1954, the headquarters of the Trust Territory was moved from Honolulu to Guam. A more efficient direction of Territory affairs is now possible by virtue of the consolidation of headquarters and the Guam offices and the more central location of the whole in terms of the six districts. At the same time, the Department of Education was relocated at Truk and the Department of Public Health at Ponape, with a view to placing them within the Territory itself and with the most important of their respective activities. On the other hand, the staff agriculturist has moved his office to headquarters in the interests of a more efficient direction of the expanded agricultural programme.

DOCUMENT T/1181

Observations of the United Nations Educational, Scientific and Cultural Organization on the annual report on the Trust Territory of the Pacific Islands for the year ended 30 June 1954

[Original text: English]
[9 June 1955]

Note by the Secretary-General. The Secretary-General has the honour to transmit herewith to members of the Trusteeship Council the observations on the annual report for 1953-1954 on the administration of the Trust Territory of the Pacific Islands, submitted by UNESCO in accordance with Trusteeship Council resolution 47 (IV) of 1 March 1949. The Secretary-General was informed by the Director-General of UNESCO, by a letter dated 6 June 1955, that, in view of the time-table of the sixteenth session of the Trusteeship Council, those observations, which had been prepared by the Secretariat of UNESCO, had had to be dispatched before the meeting on 15 June 1955 of a Committee of the Executive Board of UNESCO set up to examine comments on the annual reports on Trust Territories.

POLICY AND ADMINISTRATION

The annual report for 1953-1954¹¹ follows the lines of earlier reports and hence allows an estimate of progress

¹¹ For references to the annual report, see *Seventh Annual Report on the Administration of the Territory of the Pacific Islands, July 1, 1953, to June 30, 1954, transmitted by the United States of America to the United Nations pursuant to Article 88 of the Charter of the United Nations*, Department of State Publication 5735, International Organization and Conference Series III, 103, Washington 25, D.C., U.S. Government Printing Office.

in the development of the Territory. It appears that the lines of established policy, particularly those of local adaptation of the curriculum, and the development of community participation in the provision of educational facilities, are being followed carefully. If one can judge from the annual report alone, it seems clear that the over-all provisions for education are improving both quantitatively and qualitatively from year to year. The statistics made available in the report are most valuable as an aid in measuring progress; some additional statistical information which would be useful to the Administering Authority, to the Trusteeship Council and to UNESCO is noted below.

FINANCE

UNESCO has noted in previous reports that the decentralization of education and the consequent difficulty in reporting total educational effort (in terms of money expended or its equivalent in kind) handicaps an attempt to make an adequate study of the financial structure. The annual report for 1953-1954 estimates the average salary of a teacher as \$25 per month, taking into account the equivalent value of payment in kind, but there is an extremely wide range of salaries paid to individuals (presumably with comparable qualifications and duties) whose remuneration is determined by the ability of com-

munities to pay. The salary varies from subsistence only, to \$60 per month (excluding Saipan where all salaries are said to be higher). UNESCO again suggests that a study of the cost structure of education would reveal, among other useful information, some means of subsidizing the poorer communities (without sacrificing the established principle that they should share the cost) so that wide differences in salaries paid could be reduced.

In other respects, particularly in the provision of school buildings, there seems to be a more equitable distribution of available resources between communities. In this regard, UNESCO notes with considerable interest the efforts made by the authorities to advise communities in the erection of low-cost buildings from local materials.

It is noted that the obligations for education fell from \$399,540 in 1953 to \$309,396 in 1954 (excluding the district of Saipan). The total expenditure for the Territory, and the proportion of educational expenses to the total expenditure, were also reduced: whereas in 1953 the Department of Education spent 5.8 per cent of the total, in 1954 it used 5.2 per cent.

THE SCHOOL SYSTEM: STATISTICS

A summary of the past five years in respect of the main educational statistics situates the year 1953-1954 as follows:

	1949-1950	1950-1951	1951-1952	1952-1953	1953-1954
Schools:					
Public: Elementary	130	138	139	144	149
Secondary	6	6	6	6	6
Private	14	20	20	24	23
Pupils:					
Public: Elementary	6,715	6,609	6,171	6,363	7,265
Secondary	626	707	789	802	
Private: elementary and secondary	1,439	1,760	1,695	1,652	1,833
TOTAL ELEMENTARY AND SECONDARY PUPILS	8,780	9,076	8,655	8,817	9,098
Higher:					
Pacific Island Central School	98	106	101	125	121
Abroad			151	157	183
TOTAL HIGHER STUDENTS			252	282	304
Teachers:					
Public: Elementary	221	246	266	275	285
Secondary	46	49	57	60	53
Private	63	83	84	113	109
Pacific Island Central School	8	6	4	5
TOTAL		386	413	452	452

The total enrolment increased from 8,942 in 1943 to 9,219 in 1954, an increase of 277 pupils (in public and private schools and in the Pacific Island Central School).

It is noted, however, that the total population between the ages of 5 and 19 years has increased from 12,516 to 15,307 (increase of 2,791) and that of children of school age—8 to 14 years—by 2,100 (excluding Rota and Saipan districts); therefore the increase in enrolments does not appear to have kept up with the increase in population. This would not be serious for one year only, but it is an indication of possible difficulties during the next few years. The population statistics available indicate that for the next five years at least, the number of children reaching school age will be in the vicinity of 2,000 per year, whereas the number passing out of the age range will note be much above 1,000 per year—a net gain of 1,000 potential pupils per year. The report does not indicate whether building and teacher-training plans have taken this regular increase in school-age population into account.

For the year under review two more elementary schools are reported to have been operating, but no additional secondary schools. The statistics as reported indicate that there has been a drop in secondary enrolments from 1,171 in 1953 to 855 (excluding one school in Saipan in which

the enrolment is certainly less than 100 students). The decrease appears rather serious.

In the Pacific Island Central School, which among other tasks, provides the best source of potential teachers, the enrolment has remained approximately the same. An extension of the work of this school is desirable in the interests of providing more and better teachers as well as other semi-professional workers in the Territory. It is noted, however, that the total number of students receiving higher training in this school and outside the Territory has risen from 282 to 304, an increase due principally to higher enrolments at the Guam High School.

The total number of teachers (annual report, p. 168) in the Territory has not changed: 452, as in 1953). It would appear that efforts are necessary to increase the number of teachers in order to keep pace with the rise in school-age population as well as to meet the present demand; 260 students completed a six-week training programme as against 281 in 1953; together the total exceeds the total teaching strength and it is clear that in some cases the same teachers attend more than one course. There is no indication in the report of the number of teachers who have not completed the course in any year. The district teacher-training courses proposed for 1955 are presumably of a more intensive nature than those

already existing. Some indication of their scope and size would allow a better estimate of their probable effect. In any case improved facilities for teacher training are a most welcome advance.

THE SCHOOL SYSTEM : QUALITATIVE ASPECTS

The territorial authorities are rightly aware of the fact that the establishment and introduction of school curricula suited to the needs of the indigenous community is a long process and their work so far indicates that the problem is being realistically tackled and is producing most satisfactory results. Samples available in the UNESCO Secretariat have been praised by experts as an illustration of one way in which a serious educational problem can be tackled in under-developed areas. Comparison with a 1950 syllabus for the same area reveals a very real advance towards a school curriculum suited to the local situation.

The annual report (p. 7), states that "excellent relationships and co-operation with the South Pacific Commission have continued during the year under review". UNESCO welcomes this and other evidence of regional co-operation and trusts that the Territory will avail itself as fully as possible of the work of the Research and Development Division of the South Pacific Commission, particularly of its studies of the use of vernacular languages in education. The literature bureaux established by the Commission might be a form of development which would assist the Territory in solving its problem of providing reading material for new literates and for the less advanced members of the adult community.

FUNDAMENTAL AND ADULT EDUCATION

The report notes that the initial enthusiasm and large enrolments in adult classes in formal subjects usually wanes, but that less formal educational activities aimed at community improvement (falling within UNESCO's definition of fundamental education) are more successful. This is in line with experience elsewhere, and UNESCO suggests that further encouragement of the latter type of educational activity would be more effective in developing higher standards of living and self-dependence.

LIBRARIES

The annual report (pp. 105 and 172) includes a statement that the development of public libraries outside the district centre remains to be undertaken and adds that library development should be one of the vital functions of good community development programmes. UNESCO strongly endorses this statement, though fully aware of the difficulties of providing good libraries when there is very little reading material in the indigenous languages.

References are made to the school libraries. It would seem that these might be used, as perhaps they are used, as the starting point for the development of public libraries open to adults as well as school children.

There is no reference to trained librarians. It would be interesting to know if any librarians are sent to the United States for professional training. It is thought unlikely that a good indigenous library system can exist unless there are some indigenous librarians.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/1856	Report of the Trusteeship Council covering its third special session, and its eighth and ninth sessions		<i>Official Records of the General Assembly, Sixth Session, Supplement No. 4</i>
A/2150	Report of the Trusteeship Council covering its fourth special session and its tenth and eleventh sessions		<i>Ibid., Seventh Session, Supplement No. 4</i>
A/2427	Report of the Trusteeship Council covering the period from 4 December 1952 to 21 July 1953		<i>Ibid., Eighth Session, Supplement No. 4</i>
A/2680	Report of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954		<i>Ibid., Ninth Session, Supplement No. 4</i>
A/C.4/277	Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia: report of the Secretary-General		<i>Ibid., Ninth Session, Annexes, agenda item 13</i>
S/3272	Report of the Trusteeship Council to the Security Council on the Trust Territory of the Pacific Islands covering the period from 22 July 1953 to 16 July 1954		Mimeographed document only
T/1010	Questionnaire as approved by the Trusteeship Council at its 414th meeting, eleventh session, on 6 June 1952		<i>Official Records of the Trusteeship Council, Eleventh Session, Special Supplement</i>
T/1076	Report of the United Nations Visiting Mission to Trust Territories in the Pacific, 1953, on Nauru, together with the relevant resolution of the Trusteeship Council		<i>Ibid., Twelfth Session, Supplement No. 2</i>
T/1078	Report of the United Nations Visiting Mission to Trust Territories in the Pacific, 1953, on New Guinea, together with the relevant resolution of the Trusteeship Council		<i>Ibid., Twelfth Session, Supplement No. 4</i>
T/1079	Report of the United Nations Visiting Mission to Trust Territories in the Pacific, 1953, on Western Samoa, together with the relevant resolution of the Trusteeship Council		<i>Ibid., Twelfth Session, Supplement No. 5</i>

Document No.	Title	Page	Observations and references
T/1122	Observations of the World Health Organization on the annual reports for 1953 on the Trust Territories of Somaliland under Italian administration, Western Samoa, New Guinea, Nauru and the Pacific Islands		Official Records of the Trusteeship Council, Fourteenth Session, Annexes, agenda item 4
T/1125	Observations of the United Nations Educational, Scientific and Cultural Organization on the annual report for 1952-1953 on the Trust Territory of Nauru		Ibid., Fourteenth Session, Annexes, agenda item 4
T/1143 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Somaliland under Italian administration		Ibid., Sixteenth Session, Supplement No. 2
T/1150	Observations of the United Nations Educational, Scientific and Cultural Organization on the annual reports for the year 1953 on the Trust Territories of the Cameroons under French administration, the Cameroons under British administration, Togoland under French administration, Togoland under British administration, Tanganyika and Ruanda-Urundi		Ibid., Fifteenth Session, Annexes, agenda item 3
T/1171	Note by the Secretary-General transmitting the report of the Commonwealth of Australia on the administration of the Trust Territory of Nauru from 1 July 1953 to 30 June 1954		Mimeographed document only
T/1172	Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration covering the period from 1 April 1954 to 31 March 1955		Official Records of the Trusteeship Council, Sixteenth Session, Annexes, agenda item 17
T/1173	Note by the Secretary-General transmitting the report of the Government of the United States of America on the administration of the Trust Territory of the Pacific Islands from 1 July 1953 to 30 June 1954		Mimeographed document only
T/1174	Note by the Secretary-General transmitting the report of the Government of Italy on the administration of the Trust Territory of Somaliland under Italian administration for the year 1954		Ditto
T/1175	Note by the Secretary-General transmitting the report of the Commonwealth of Australia on the administration of the Trust Territory of New Guinea from 1 July 1953 to 30 June 1954		Ditto
T/1176	Report of the World Health Organization on public health in the Trust Territory of Somaliland under Italian administration	1	
T/1177	Supplementary information on the administration of the Trust Territory of Somaliland under Italian administration (1 January to 30 April 1955) submitted by the Administering Authority in accordance with Trusteeship Council resolution 997 (XIV)	3	
T/1179	Summary of major developments in the Trust Territory of the Pacific Islands since 30 June 1954: supplementary information submitted by the Administering Authority in accordance with Trusteeship Council resolution 997 (XIV)	16	
T/1180	Observations of the United Nations Educational, Scientific and Cultural Organization on the annual report on the Trust Territory of Nauru for the year ended 30 June 1954	15	
T/1181	Observations of the United Nations Educational, Scientific and Cultural Organization on the annual report on the Trust Territory of the Pacific Islands for the year ended 30 June 1954	17	
T/1186	Note by the Secretary-General		Official Records of the Trusteeship Council, Sixteenth Session, Annexes, agenda item 13
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T/L.587	Outline of conditions in the Trust Territory of Somaliland under Italian administration: working paper prepared by the Secretariat		This document, together with documents T/L.610 and T/L.611, as adopted by the Trusteeship Council at its 644th meeting, constitutes the chapter on Somaliland under Italian administration in the Council's report to the General Assembly at its tenth session
T/L.593	Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia.—Syria: draft resolution		Replaced by T/L.593/Rev.1
T/L.593/Rev.1	Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia.—Syria: revised draft resolution		Replaced by T/L.593/Rev.2
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T/L.596	Report of the Drafting Committee on the Trust Territory of the Pacific Islands		This document, together with document T/L.599, as adopted by the Trusteeship Council at its 641st and 642nd meetings, constitutes part II of the Trusteeship Council's report to the Security Council on the Trust Territory of the Pacific Islands (S/3416)
T/L.599	Summary of the observations made by individual members of the Council during the general debate and of the comments of the special representative of the Administering Authority		See observation on document T/L.596
T/L.606	Report of the Drafting Committee on New Guinea		This document, as amended by the Trusteeship Council at its 643rd meeting, together with document T/L.607, constitutes the chapter on New Guinea in the Council's report to the General Assembly at its tenth session
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T/L.608	India and Syria: draft resolution		Replaced by T/L.608/Rev.1
T/L.608/Rev.1	India and Syria: revised draft resolution		<i>Official Records of the Trusteeship Council, Sixteenth Session, Annexes, agenda item 13</i>

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T/L.610	Report of the Drafting Committee on Somaliland under Italian administration		See observation on document T/L.587
T/L.611	Summary of the observations made by individual members of the Council during the general debate, and of the comments of the representative and the special representative of the Administering Authority		<i>Ditto</i>
T/L.612	Report of the Drafting Committee on Western Samoa		This document, together with document T/L.616, as adopted by the Trusteeship Council at its 645th meeting, constitutes the chapter on Western Samoa in the Council's report to the General Assembly at its tenth session
T/L.616	Summary of the observations made by individual members of the Council during the general debate, and of the comments of the representative and the special representative of the Administering Authority		See observation on document T/L.612
T/L.618	United States of America: amendment to the second revised draft resolution submitted by Syria (T/L.593/Rev.2)		Incorporated in the summary record of the Council's 645th meeting, para. 1



TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

ANNEXES

SIXTEENTH SESSION

NEW YORK, 1955

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DOCUMENT T/L.571

One hundred and eighteenth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]
[29 March 1955]

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INTRODUCTION

1. At its 240th and 242nd meetings, on 14 and 21 March 1955, the Standing Committee on Petitions, composed of the representatives of Belgium, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents.

2. Mr. G. Lo Faro participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-VI inclusive.

I. PETITION FROM MR. AVES YAHIA ABIKER (T/PET.11/413)

1. The petition is dated 6 September 1952. It was addressed to the Advisory Council with a request for the latter's direct intervention on the spot, without forwarding the matter to United Nations Headquarters. The established procedure for the examination of petitions was then explained to the petitioner, and he was asked whether he wished his communication to be circulated to the Trusteeship Council as a petition. He did not reply to the question until 29 January 1954.

2. In his earlier communication the petitioner stated that Mr. Pellegrini, an Italian settler, had been endeavouring for months to take by force a piece of land belonging to the petitioner. The land was said to be 51 *darab*¹ in extent, situated on the left bank of the Uebi Scebeli near Mobarek in Afgoi District. It had passed from father to son and no one had ever disputed its ownership. At the time of writing, the petitioner was cultivating sesame on it. Mr. Pellegrini, however, had already started to fill in the petitioner's irrigation canal, and intended to lay out a road and annex the land.

3. The petitioner had complained to the Resident and the Provincial Commissioner, but to no avail.

4. In his letter of 29 January 1954, the petitioner refers to the forced appropriation of his land by Mr. Pellegrini who, he says, has leased it to Mr. Cavessale. The latter cultivates it, and the Administration supports him.

5. The Administering Authority observes (T/OBS.11/34, section 1) that the subject matter of the petition is the same as that of petitions T/PET.11/235, 263 and 275 on which the Council adopted its resolutions 603 (XI) and 678 (XII), and did not find it necessary to make any recommendation concerning the specific complaints of the petitioners.

6. The Committee will recall that the concession of 350 hectares of land to Mr. Pellegrini at Mobarek, in Afgoi District, was the subject of section II of its thirty-first report (T/L.346), during the course of which it noted observations by the Administering Authority (T/982, p. 125) to the effect that the concession had been granted by the Colonial Administration in 1940. Somalis had subsequently encroached on parts of the concession and, although the encroachment was illegal, Mr. Pellegrini had not insisted on his right of eviction, but had endeavoured to negotiate an exchange, for an equivalent compact block of his land, of the scattered lots on which the people had encroached.

7. The Committee will recall also that, in the introduction to the report referred to, there are recorded certain statements by the special representative of the Administering Authority concerning the general policy governing the grant of concessions of land to immigrant settlers, concerning the procedure adopted in granting them, and concerning the position of Somalis who had encroached on them.

8. The petition was examined and discussed at the 240th and 242nd meetings of the Standing Committee (T/C.2/SR.240 and 242).

9. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

¹ One *darab* equals 0.62 acres.

II. PETITION FROM THE ASSOCIAZIONE COMMERCianti DELLA SOMALIA (T/PET.11/438)

1. The petitioners' grievance was set out briefly in a telegram dated 17 June 1954, which was reproduced as T/PET.11/L.14. In their letter dated 26 July 1954, they furnish fuller details.

2. They state that prior to April 1950 the Territory had close trade relations with its adjacent East African Territories, Aden Colony, India and Pakistan. Hides, skins, ghee, maize and other products were exported to these territories in return for imports of textiles, and other consumer goods, under an import quota regulated by foreign trade. Under the Trusteeship Administration, however, restrictions have been imposed on imports from sources other than Italy, resulting in higher prices to the indigenous consumer and in the cost of living. For example, while a quintal of rice imported from Italy costs 210 somalos in a Mogadiscio godown, the same, if imported from other sources, would be 170 somalos, or 20 per cent less; flour from Italy at 90 somalos c.i.f. Mogadiscio, from other sources would be 70 somalos or 22 per cent less; household washing soap locally-produced at 64 somalos a case, from other sources would be 35 somalos per bundle of equal volume, or 45 per cent less. These, the petitioners say, are only a few examples reflecting the trend in prices in essential consumer goods.

3. In addition, they say, the inhabitants are compelled to pay unreasonably high prices for locally-produced consumer goods such as sugar and grey sheetings. A quintal of imported sugar costs 80 somalos c.i.f. Mogadiscio, compared with 140 somalos for locally-produced sugar. Locally-produced grey sheetings, which form the bulk of the textile grade, cost 20 per cent more than those textiles that could be imported from Aden and India.

4. As a result of these restrictions imposed on foreign trade, many retail and wholesale traders have been compelled to abandon their business and to seek occupation elsewhere. The petitioners state that during the last four years the gap between imports and exports has increased, due to discrimination of trade in favour of Italy and due to a lack of foreign exchange. Therefore, they propose that the 1954 Visiting Mission should be instructed "to pay particular attention to the betterment of foreign and internal trade, and to the lot of the indigenous inhabitant", who is said to bear the brunt of a 35 per cent *ad valorem* tax on cotton piece-goods, and a 45 somalo tax on a quintal of sugar, plus an additional 60 somalos per quintal, making a total of 105 somalos imposed on each quintal of sugar consumed in the Territory.

5. In an annex to their letter, the petitioners discuss in detail the situation as it affects textiles. Since the beginning of 1954, import licences for textiles from sources other than Italy have ceased, except for coloured cotton piece-goods, Khangas or Garess, and Colombawi's or *futas* on handmade looms. Of all other items Italy was the sole supplier, particularly of grey sheetings and printed cotton piece-goods. Rayon of all descriptions is also imported from Italy, although there are said to be other and cheaper sources of supply. The petitioners are of the opinion that the tendency is to favour the Italian market. Merchants under present regulations have no alternative but to import from Italy. Since import licences for goods from other sources for the textile industry have ceased to be issued, with few exceptions, they assume that the whole of the textile trade which in 1953 totalled 15,398,984 somalos, will pass over to Italian manufacturers to the detriment of the population.

6. The Administering Authority (T/OBS.11/42, section 1) first draws attention to those parts of its annual report

on the Territory for 1953² that deal with economic conditions—particularly to paragraphs 45.2, 48, 54.1, 54.2, 54.4, 54.5 and to the statistical tables. It denies that the Territory's trade relations with its adjacent territories are less active than formerly; but while the British Administration had no reason to concern itself with questions of foreign exchange and the Territory's financial independence, the Trusteeship Administration has had to give these problems its closest attention in order to ensure that the economy of the future Somali State should enjoy the greatest possible measure of independence. Thus with regard to the sterling area, with which Somaliland has always had a large deficit, it has been necessary to discriminate between necessary imports (petroleum products, tea, coffee, dates, coloured textiles and other types of textiles in local use) and optional imports; the Administration has also made it a practice to provide adequate protection for the development of local industries wherever possible.

7. Naturally these restrictions have been felt rather severely by the small local traders who, through indiscriminate imports, had been indirectly responsible for the Territory's serious exchange situation. The Administration has always made, and continues to make, every effort to increase Somali exports to the sterling area to the maximum, and the deficit in Somaliland's trade balance with that area is at present made up by the Italian Treasury.

8. The following points should be noted with regard to the comparison between the foreign and Italian prices of certain goods:

(a) No comparison is possible between the prices of Italian rice and Asian rice since from the market point of view they are widely different in quality and commercial value. It is true that some qualities of Italian rice cost 210 somalos a quintal, but there are others on sale at a price more than 30 per cent lower.

(b) Flour is now imported from Italy because among other reasons it costs less than flour from Aden or Mombasa. The difference in price between Italian flour and flour from Kenya, which dominated the Somali market for a decade, is over 25 per cent despite the fact that Italian flour is of better quality. It is not impossible that more favourable prices may be quoted on other world markets, but only for whole shiploads. It is true, however, that as soon as flour and bread began to be imported there was a marked drop on the domestic market.

(c) The difference in price between foreign and local soap of equal fatty acid content is not as stated. The ban on importation from abroad, however, is due to the need to protect one of the few local industries and to avoid increasing the Territory's exchange deficit.

(d) The reasons for the protection of domestic sugar production are known. It is true that in the present state of the world market the Territory could obtain foreign sugar at 86-88 (not 80) somalos c.i.f. Mogadiscio. It is equally true, however, that only a few years ago the price of foreign sugar was as much as 50 somalos a quintal higher than that of Somali sugar. The Administering Authority here invites reference to its observations (T/OBS.11/26 and Add.1) on T/PET.11/382.

(e) The restrictions adopted with regard to textiles are based solely on the availability of foreign exchange. It should be remembered that the exchange deficit with the sterling area, from which the petitioners wish all textiles to be imported, amounted to over 36,000 shillings in 1953.

² See *Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie, 1953*, Ministry of Foreign Affairs, Rome. Istituto Poligrafico dello Stato, 1954.

Less sterling is available for 1954, and the measures adopted are thus quite unavoidable; it was clearly impossible to restrict imports of fuel, necessary foodstuffs and other articles which are much less expensive in the sterling area than in other areas. The restriction on grey sheetings is also due to the need to protect local industry. The grey sheetings imported into Mudugh and the Mijertein by barter from the sterling area are placed on sale in those markets at prices ever higher than those of local sheetings. Printed and synthetic fibre textiles from Italy are less expensive, quality for quality, than those from India, as the large exports of such Italian goods to the Asian markets show.

9. The petition was examined and discussed at the 240th and 242nd meetings of the Standing Committee (T/C.2/SR.240 and 242).

10. The special representative stated that the Territory's trade gap in 1954 had been about 45 million somalos (imports 80 million somalos; exports 35 million somalos). In addition to the reasons already given for protecting the local sugar industry was the fact that the sugar millers had started to produce alcohol from molasses, which would be a valuable addition to the Territory's sources of power.

11. At its 242nd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM MESSRS. DAHIR SCIACUL, GHELBE DUALE GULED AND OTHERS (T/PET.11/427 AND CORR.1)

1. This petition consists of a long series of general complaints against the Administration. Most of the complaints concern matters on which the Council has made recommendations in the past. These are: arrest and imprisonment, the judicial system, public health, the charge that the Administration incites one section of the people against another, land distribution and the general economic situation. Three of the complaints concern new matters, however, and are as follows.

2. In the first place, it is stated that, while motor vehicles and trucks are completely laid up in the Territory, an "extraordinary tax is levied on them".

3. Secondly, the department of the Guardia di Finanza is accused of "obtaining profits from shops and restaurants" and its officers are said to be breaking into houses without warning for the purpose of taking "the profits and indeed some of the capital". This, the petitioners say, is unlawful and they request that their rights be restored to them.

4. Finally, it is stated that the Administration is preventing workers from obtaining education because workers who formerly worked in the morning and studied in the afternoon are now compelled to work all day.

5. The Administering Authority observes (T/OBS.11/37, section 4) that motor vehicles and dhows are not idle as stated by the petitioners. It is possible that they are referring to the fact that during certain monsoon periods dhows cannot leave their anchorage because of heavy seas. Anchorage and maritme dues, which are very low, were regulated by Decree No. 7 of 29 January 1951 which fixed the licence tax at 10 somalos per annum; anchorage dues are 0.15 somalo per ton (net tonnage) for vessels coming from abroad, and 0.05 somalo per ton (net tonnage) for coastal vessels.

6. The Administering Authority states that the Guardia di Finanza is an institution which exists in all modern countries, and which makes investigations that must be

carried out without prior notice. It does not appear that there have ever been cases of violence or of officers having overstepped their instructions.

7. With regard to the charge that Somalis are prevented from studying and improving their education, the Administering Authority states that since April 1954 working hours have been divided into two morning and afternoon periods, while prior to that date there had been one long period in the morning. It is pointed out that provision was made to the effect that employees attending school are exempted from afternoon work.

8. The petition was examined and discussed at the 240th and 242nd meetings of the Standing Committee (T/C.2/SR.240 and 242).

9. At its 242nd meeting, the Committee adopted, by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM MESSRS. TAHIR SHAKUL, AHMAD HASSAN AND OTHERS (T/PET.11/429)

1. The petitioners complain of ill-treatment of Somalis in prisons. It is charged that food served to them has no nutritional value, is unhygienically handled and weakens the prisoners to such an extent "that they are deprived of the power of speech". Moreover, they complain, prisoners have no clothes, beds or doctors to treat them. Some hundred persons are said to be confined in "a cell one metre wide by one metre long", and without air. "Prisoners are flogged with whips every morning when commencing work and on completing work."

2. The Administering Authority (T/OBS.11/36, section 1) describes these charges as false and tendentious and draws attention to the following passages in its annual report on the Territory for 1953 concerning conditions in prisons: Paragraphs 146-147—work, punishment and medical facilities; Statistical Annexes, table 72—sizes of cells; Statistical Annexes, table 74—food rations.

3. The petition was examined and discussed at the 240th and 242nd meetings of the Standing Committee (T/C.2/SR.240 and 242).

4. The special representative pointed out that prison conditions in the Territory had engaged the attention of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, and that in paragraph 401 of its report (T/1143) the Mission had noted, *inter alia*, that prisoners were generally inactive. Subsequently, the Administration had drawn up and enacted as a decree a new disciplinary code for prisons which provided, *inter alia*, for prisoners to be kept employed.

5. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM CHIEF ALI NUR ADANE (T/PET.11/442)

1. The petitioner describes himself as a Somali and a refugee living in Belet Uen together with 50 others from various tribes. He complains that the head of the Department of Internal Affairs has decided that refugees, with the exception of those from Ogaden, have no right to assistance.

2. He states that the allowances which refugees from Ogaden receive are twice as much as other refugees' and he requests that all refugees be treated alike.

3. The Administering Authority states (T/OBS.11/42, section 2) that the statement made by the petitioner Ali Nur Adane is without foundation. The Administration makes no distinction between refugees of whatever origin. The Administration simply confines itself to assisting the destitute with grants, as in all other cases of proved necessity.

4. The petition was examined and discussed at the 240th and 242nd meetings of the Standing Committee (T/C.2/SR.240 and 242).

5. The special representative explained that the petitioner is one of the 500 or so refugees who preferred to come over into the Trust Territory when the provisional administrative boundary was delimited. Some of them found employment; others, like the petitioner, receive assistance from the Administration.

6. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM MR. MAHMUD WAHELIA BARRE AND OTHERS (T/PET.11/435)

1. This petition contains a number of general complaints and one specific complaint.

2. Generally, the petitioners complain of the public health service and of the fact that people are required to pay for medicines. The Administration is said to encourage dissension among the people. A very heavy tax—"the heaviest ... in the world"—is levied on them. The Guardia di Finanze are rapacious, and the *Municipio* is a burden.

3. Specifically, the petitioners complain that the Administration forbade the burial of a body in the grave that the deceased's friends had dug for it and obliged them to bury it in a place far off. The name of the deceased person is not given, but he is described as a Moslem who died on 25 May—a great man, "popular and honoured in his generation"—and there was an enormous following at his funeral. The order forbidding the burial in the grave already prepared came just as the funeral procession was starting out.

4. The Administering Authority states (T/OBS.11/42, section 3) that, under a decree enacted in October 1953, persons of insufficient means who are admitted to any health establishment must pay one somalo a day as hospitalization fee. The fee covers accommodation, board, medical treatment, the usual attention and all necessary medicaments. The poor, on the other hand, are treated completely free of charge on presentation of a certificate issued by the local authorities. Those of insufficient means are required to pay 0.50 somalo for each treatment at a dispensary while the poor are treated free of charge. These are clearly only token charges introduced in order to establish the educational and social principle that everyone must contribute towards the Territory's considerable expenditure on the health service.

5. The intervention of the technical departments of the *Municipio*, in order to ascertain who is responsible whenever a dwelling falls into ruins (to which the

petitioners refer) is one of the most elementary duties of the authorities responsible for public safety. The legislation of the most advanced countries is obviously bound to contain such a provision.

6. There is no foundation for the general complaints about the activities of the Guardia di Finanza. The Administering Authority points out that no reference is made to any specific case of action *ultra vires* on which an investigation could be held.

7. The Administering Authority states that the incident mentioned in paragraph 3 above relates to the funeral of an Italian, Francesco Giuliano, who was a convert to the Moslem religion. The Residency withheld permission for his burial near the tomb of Sheikh Sufi because it had been decided some time previously, in agreement with the Municipal Health Department, that no more graves should be allowed in the area around the tomb itself in view of the very large number of graves already in existence there.

8. The petition was examined and discussed at the 240th and 242nd meetings of the Standing Committee (T/C.2/SR.240 and 242).

9. The special representative repeated that if a person was absolutely destitute he received medical attention free of charge.

10. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, V and VI, adopted without change at the 614th meeting of the Trusteeship Council, see resolutions 1265 (XVI), 1269 (XVI), 1266 (XVI), 1270 (XVI) and 1268 (XVI), respectively.]

DRAFT RESOLUTION IV

Petition from Messrs. Tahir Shakul, Ahmad Hassan and others (T/PET.11/429)

The Trusteeship Council,

Having examined the petition from Messrs. Tahir Shakul, Ahmad Hassan and others concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/429, T/OBS. 11/36, T/L.571),

1. Draws the attention of the petitioners to the observations of the Administering Authority, and to the statement of its special representative;

2. Notes, with regard to the petitioners' statement concerning work in prisons, that the United Nations Visiting Mission to Trust Territories in East Africa, 1954, had noted that the inmates of prisons were generally inactive;

3. Notes further the statement of the special representative that the Administration has subsequently enacted a decree providing, *inter alia*, for prisoners to be kept employed;

4. Invites the Secretary-General to communicate to the petitioners the text of that part of the Visiting Mission's report on the Territory that is concerned with conditions in prisons (T/1143, para. 401).

7. In order to convey to the Committee an idea of the order of a tax of from two to 12 somalos, the special representative stated that one kilogramme of white bread costs one somalo and 50 cents.

8. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITIONS CONCERNING THE TEACHING AND USE OF ARABIC FROM: THE GENERAL COMMITTEE FOR EDUCATIONAL AND CULTURAL AFFAIRS IN SOMALILAND (T/PET.11/397); THE UNIONE GIOVANI BENADIR (T/PET.11/L.8); THE SOMALI YOUTH LEAGUE (T/COM.11/L.85)

1. The Standing Committee decided at its 99th meeting that the established procedure concerning petitions should be applied to T/PET.11/L.8 and T/COM.11/L.85.

2. The terms of T/PET.11/L.8 and T/COM.11/L.85 are almost identical. The authors begin by recalling that a referendum held in 1950 disclosed that there was an overwhelming majority in favour of the adoption of Arabic as the official language of the Territory, and that the choice was later approved unanimously by the Territorial Council. Despite this, the petitioners say, the teaching of Arabic in the schools is superficial and that, if the Administration wished to secure Arabic teachers, other Moslem States—notably Egypt—would be ready to assist.

3. The petitioners register their objection to any measure to replace Arabic with any other language. Particularly do they object to the selection of one of the many Somali dialects as the Somali language: it would result in confusion, split the people and separate them from the Moslem world; moreover, the development of an alphabet would take too long.

4. The petitioners have no objection to the use of Italian side by side with Arabic in the higher grades of the schools, but they strongly request that instruction in the first four grades be given solely in Arabic.

5. The authors of T/PET.11/397 cover much the same ground in their petition. In addition, they note that Arabic is "not being considered" in the Press, radio broadcasts and government offices; they request that Somalis be sent to study in Arab countries, and that school programmes in the Territory be co-ordinated with those in Arab countries.

6. A petition very similar to T/PET.11/397 has been circulated as T/PET.11/L.10. It was signed by the President of the Moslem League in Somaliland.

7. In its observations (T/OBS.11/27, section 1) the Administering Authority describes what it is doing in connexion with the use of Arabic and the use of Somali. It concludes by recording its opinion that, in a matter so close to the hearts of the people, the Administration must limit itself to enlightening public opinion as to the exact terms of the problem, to encouraging ample and free discussion, and to examining possible solutions with technical advice so that, when the time is ripe, the Legislative Assembly of the Territory can make its own decision.

8. The Administering Authority states that more school hours are devoted to the teaching of Arabic than to the teaching of any other subject. For the first two years in the elementary schools writing is taught in Arabic only—six hours a week—and writing in Italian is not taught until the third year. Arabic is regarded as a *sine qua non* qualification for a teacher. A large number of young school-age Somalis are at present benefiting from numerous scholarships offered by the Government of Egypt.

9. At the same time as the 1950 referendum was held, the Administering Authority obtained from the Advisory Council the opinion that the possibility should be studied of reducing the Somali language to writing. In 1952 the Territorial Council unanimously agreed with the results of the referendum, pointing out that Arabic could be used at once whereas Somali would need longer preparation since it was not a written language.

10. The Administering Authority states (T/OBS.11/28/ Add.1) that the question submitted to the population through the plebiscite in 1950, and to the Territorial Council in 1951, did not concern the official languages to be used in the Territory, but merely the languages to be used in teaching. The reply was definitely in favour of Italian and Arabic, which, being ready for use, lent themselves to an immediate development of education in the Territory. The question of the official language, on the contrary, can be settled only by the Somali people themselves in due course. Arabic and Italian have always been considered official languages, and public news and speeches always appear in Arabic in local newspapers. Most of the applications and petitions of Somalis are addressed in Arabic to the Administration, which employs special interpreters for this purpose.

11. The Administration, nevertheless, did not overlook the Advisory Council's opinion, and the Administering Authority describes the steps subsequently taken by it in the teaching of Somali. On expert advice it was proposed in 1953 to try teaching Somali in some villages—by agreement with the local population—using Latin characters in some places and Arabic characters in others. In implementation of recommendations adopted by the Trusteeship Council at its eleventh session (A/2150, p. 138) and at its twelfth session (A/2427, p. 61) the Administering Authority has taken steps to develop Somali as a written language. Two works have been produced on the subject. An Italian teacher has started a practical course in Somali in Mogadiscio. In 1955 other such experimental courses will be held in some of the villages. Short notices are being published in Somali in the *Corriere della Somalia*.

12. The Administering Authority states (T/OBS.11/28/ Add.1) that a General Committee for Education and Culture in Somaliland was set up by some political party leaders on 15 November 1953. Its programme is to assert and develop in the Territory the use of the Arabic language, as opposed to the Society for Somali Language and Literature which, on the contrary, supports the creation and diffusion of a Somali language.

13. The petitions were examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

14. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITIONS CONCERNING THE VISITING MISSION'S VISIT TO BARDERA FROM: SHEIKH ABDI RISAK SHEIK ABDIO (T/PET.11/452); MR. AINLE OMAR ABDI (T/PET.11/453); CHIEF ABDULLAHI HAJI AHMED (T/PET.11/454); CHIEF SAFFE ABDULLE AHMED (T/PET.11/455); CHIEF ABDULLAHI HASSAN NUR (T/PET.11/456 AND Add.1)

1. All the petitioners complain that they were prevented by the District Commissioner of Bardera from crossing the Giuba river and thus from being heard by the United Nations Visiting Mission of 1954 when it went to Bardera.

2. Approximately 50 policemen and 25 *ilalos* who had been sent from Bardera are said to have driven back

some 2,000 people coming from the Upper Giuba Province, many of whom had travelled several days to greet the Mission.

3. Several chiefs and notables who called at the Resident's office to express their desire to see the Mission personally were driven away by policemen and *ilalos* on orders of the Resident.

4. The Administering Authority states (T/OBS.11/47, section 1) that as far as can be ascertained none of the signatories of these petitions is a recognized chief. With the exception of Sheikh Abdi Risak Sheikh Abdio they are all almost or completely unknown. The Administering Authority denies that the Authorities at Bardera prevented anyone from seeing the Mission. The general programme for the Visiting Mission's visit to various places in the Territory was prepared in advance and the time allowed for each stop was rather limited, and in fact the Mission spent only a few hours at Bardera. The District Officer had drawn up the local programme in agreement with the Residency Council meeting in plenary session. No prohibitions or restrictions were imposed on anyone who wished to see the Mission, nor was the ferry traffic restricted in any way. It is further denied that there were 50 policemen and 25 *ilalos* at Bardera. The entire force at Bardera consists of seven policemen and eight *ilalos*, some of whom are engaged in office duties. However, on the day preceding the Mission's arrival ten policemen were brought from Baidoa solely in order to provide a guard of honour for the members of the Mission. No policeman or *ilalo* was stationed to prevent people from crossing the river in either direction and the crossing remained open to everyone. The 2,000 people who allegedly wished to demonstrate exist only in the petitioners' imagination, as there was no such assembly at Bardera, nor, if there had been, would it ever have been disbanded if it had assembled for the purpose of greeting and welcoming the members of the Mission.

5. Only the limited time at its disposal prevented the Mission from seeing everybody. When some people asked to be conducted into the presence of the Mission, the Somali interpreter attached to the Mission told them in accordance with his instructions that in view of the late hour they should submit their requests in writing and gave them the address in Mogadiscio to which the Mission would return.

6. The petitions were examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

7. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM MESSRS. ABDI HAJI MOHAMED HUSSEN AND NUR MOHAMED (T/PET.11/457)

1. The petitioners complain that they were prevented from holding peaceful manifestations in honour of the Visiting Mission of 1954 and from letting the Mission hear their views regarding "acts of injustice and destruction we suffered during these last four years and of the fact that we do not enjoy freedom from any point of view".

2. They attach a copy of a letter dated 4 October 1954 from the Head of Mogadiscio District in which he states that the petitioners' request to hold manifestations could not be granted for reasons of public order. He adds that anybody may submit applications or petitions to the Italian Administration, to the United Nations Advisory

Council or to the Visiting Mission, and that the petitioners' complaints could therefore be entertained without the prior holding of manifestations.

3. The Administering Authority states (T/OBS.11/47, section 2) that during the Mission's stay in the Territory the population enjoyed complete freedom to approach its members when they were holding meetings.

4. The Administration did not authorize public manifestations in Mogadiscio for reasons of public order because on 28 August 1954 certain criminals had taken advantage of a demonstration of ex-servicemen to disturb the peace and to commit acts of violence.

5. The petition was examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

6. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM MR. MOHAMED ADDO MOHAMED GIRIACE AND OTHERS (T/PET.11/458)

1. The petitioner, describing himself as the leader of 17,139 unemployed persons, requests an opportunity to present his grievances to the Visiting Mission of 1954. He says that he and his fellows have been unemployed for 14 years.

2. The petitioner also levels against the Administration a general charge that it has done nothing for the Somali people.

3. The Administering Authority states (T/OBS.11/46) that there is no association of unemployed in the Territory. There are district labour exchanges where the unemployed are registered so that they may be directed to the most suitable work available.

4. Mr. Mohamed Addo Mohamed, the self-appointed head of a non-existent organization, is an unskilled worker, which makes it more difficult to find him steady employment. He is regularly assisted by the Mogadiscio District Labour Exchange, which has already on several occasions found him temporary employment. He has also been helped with sums of money. The authorities tried, among other things, to direct him to agricultural work and sent him, with his fare paid, to his native district, but he returned to Mogadiscio.

5. The problem of unemployment actually affects only a few urban centres, like Mogadiscio, Chisimaio and some areas of the Mijertein, while in other parts of the Territory economic development is almost impossible because of the chronic shortage of man power. It is not easy to persuade town-workers to move to areas where labour is in greater demand. Moreover, the Somali who moves into the town from the bush seeks employment primarily in public or private offices or other occupations and dislikes agricultural work. The Administration is combating this tendency by encouraging the unemployed to return to their native districts and by recruiting personnel for the anti-locust campaign. The nomadic character of much of the population makes it difficult to assess the number of unemployed. It is estimated that in the Mogadiscio District there are no more than 2,500 unemployed, of whom about 1,500 have some means of subsistence, while the remaining 1,000 have to be helped by the district or by the chiefs of their tribes, who receive funds from the Administration for this purpose. The general problem is being tackled by the execution of economic development projects, which will provide ample employment in the various sectors for the next few years. In a completely

free society, however, such as exists in the Territory, it is difficult to eradicate unemployment altogether when in many cases it is caused by the feeling that manual labour and handicrafts are degrading.

6. The petition was examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

7. At its 242nd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM CHIEF ADEN GUHAT MOHAMED (T/PET. 11/459)

1. The petitioner states that on 24 July 1954 he and three others sent a telegram to the Advisory Council concerning a Somali, Mohamed Hussien, who had been beaten by the *Brigadiere* (he refers presumably to T/PET. 11/439, of which he was a co-signatory—see T/C.2/L.112, section X). He writes further: "The judge supported the *Brigadiere's* cause on the ground that we had sent the telegram without having been authorized, and we were put in prison by the said *Brigadiere* without reason, and only set at liberty when the Trusteeship Council arrived." (Presumably the Visiting Mission of 1954 is meant.)

2. The Administering Authority observes (T/OBS.11/47, section 3) that judicial proceedings were taken against the petitioner as the result of a charge of slander and false pretences laid by the officer in command of the police station at Bardera. Together with the other accused, the petitioner was cleared of these charges by a judgment dated 16 December 1954 because no offence had been committed. The Administering Authority points out that the petitioner was free when the charge was made against him. His statement that he was put in prison and later set free is therefore false.

3. The petition was examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

4. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

VII. PETITION FROM DEPUTY CHIEF OSMAN DAUD ALI (T/PET.11/460)

1. In this petition a complaint is made that the population was refused permission to enter the office of the District Commissioner, who is also accused of oppressing most of the population.

2. The Administering Authority states (T/OBS.11/47, section 4) that Mr. Osman Daud Ali is not entitled to call himself a chief and that there is no foundation for his statements. The District Commissioner's office at Lugh is always open to the public from 7.30 a.m. to 1 p.m. and from 4.30 p.m. to 7 p.m., and anyone who so desires can have free access to the offices and see the District Commissioner. Between 15 and 24 October 1954, the District Commissioner gave the petitioner hearings on at least three occasions.

3. The petition was examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

4. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VIII. PETITION FROM CHIEF OSMAN DAUD ALI (T/PET.11/462)

1. The petitioner complains about the economic and social situation in the Territory and states that all trading operations with foreign countries are blocked and forbidden to Somalis and that the price charged for dura in the Baidoa stores is too high—"Municipal dura costs 32 somalos, and is being sold by Baidoa stores at 58 somalos". He complains that the District Commissioner of Lugh "ruined the population of this territory".

2. The Administering Authority observes (T/OBS.11/47, section 5) that in order to reduce the price of grain in the interests of the poorer classes and acting with the approval of the Municipal Councillors, the District Commissioner organized the purchase of a certain amount of dura from the Magazzino Ammassi at Baidoa. The purchase was carried out under the direct supervision of the Municipal Councillors who were consulted at all stages of the operation. The price of the dura was of course increased by transport and administrative costs. The retail price was determined on the basis of the delivered cost at Lugh and Dolo, the figure being rounded to the nearest cent in order to facilitate the sale and to ensure that the operation was not conducted at a loss. This resulted in a slight profit of 630 somalos on 150 quintals of millet for the municipality which was paid into the municipal funds and will be used for public assistance. All operations connected with the purchase and sale of the grain were carried out by the Municipal Councillors at Lugh and Dolo, all of whom are Somalis, with the District Commissioner merely supervising the process. The sale of the dura in the markets at Lugh and Dolo kept the retail price to 0.85-0.90 somalo a measure, while the traders' sale price was stabilized at 1.20 to 1.40 somalo a measure. The price reduction policy was therefore effective.

3. The petition was examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

4. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

IX. PETITIONS FROM: JUSBASHI HAJI NUR DUALE ELMI AND OTHERS (T/PET.11/466); JUSBASHI MOHAMED LUYAN AND OTHERS (T/PET.11/467)

1. The petitioners, ex-servicemen of the Italian army from 1912-1941, claim various military pensions and gratuities. In addition they claim pay for the years from 1941 to 1954 for, they say, "no recognized discharge was effected". They further say that they have submitted a number of letters to the Administering Authority claiming their rights, but that they have received no satisfaction. The authors of T/PET.11/467 state in addition that some of them were pensioned by the former Italian Government, but that the pensions were discontinued by the present administration.

2. The Administering Authority states (T/OBS.11/43, section 3) that the Italian Government has been endeavouring to settle the back pay due to Somali ex-servicemen. Provisions authorizing such payments were issued in Ordinance No. 20 of 20 May 1950. No complaints concerning the amounts of the payments were, however, received during the period when they were being made. The payments were made on the basis of the regulations in force when the soldiers ceased to draw their pay, i.e.,

under the terms of Viceregal Decree No. 1681 of 18 November 1940. In addition, a gratuity of six to 12 months' pay depending on seniority was granted. The question of revaluing the amounts due cannot be considered because there is no provision of Italian law under which this could be done.

3. Pending the issue by the Italian Government of appropriate legislation to grant pensions to entitled persons, a special board was appointed in September 1954 to determine the more urgent cases of ex-servicemen needing assistance with a view to granting them amounts approximately equal to the amounts of pension to be paid.

4. The petitions were examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

5. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

X. PETITION FROM MR. MOHAMED ADEN (T/PET.11/471)

1. The petitioner complains that a consignment of tea, valued at 200 somalos, which he and one Haji Mohamed imported from Kenya to Chisimaio, was confiscated by the authorities, who also imposed fines on them. The consignment was confiscated in May 1954 and is still in custody at the customs shop in Chisimaio.

2. The petitioners say that "Magistrate who taking cause is Italian and whom we caught as a lawyer is Italian so that we cannot be safly".

3. The Administering Authority states (T/OBS.11/48, section 3) that the petitioner and Haji Mohamed were fined 3,850 somalos and 5,656 somalos respectively, and that their goods and ship were ordered to be confiscated by the Regional Judge of Lower Giuba because they were found guilty of smuggling, aggravated by conspiracy.

4. On appeal, the Judge of Somaliland on 12 December 1954 reduced the fines to 2,500 somalos and 4,000 somalos respectively, rescinded the order to confiscate the ship but confirmed the sentence in other respects. The two persons concerned have appealed against the decision of the Judge of Somaliland and the case is at present pending before the Court of Cassation at Rome.

5. The petition was examined and discussed at the 241st and 242nd meetings of the Standing Committee (T/C.2/SR.241 and 242).

6. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

XI. PETITIONS CONCERNING AN INCIDENT NEAR GERIBEN FROM: REPRESENTATIVES OF THE RER ABDI ISSA (T/PET. 11/472); CHIEF ABDULLAH ALI AND OTHERS (T/PET.11/473 AND ADD.1); MR. NUR ALI GIAMA AND OTHERS (T/PET.11/477); MR. ABDURAHMAN ABDULLA AND OTHERS (T/PET.11/486)

1. In the first (T/PET.11/472) of these four petitions, the representatives of the *rer* Abdi Issa state that two Somalis were killed near Gerriben in a fight which was started by "rebels" coming from the Ethiopian border. When informed of this incident, the Provincial Commissioner of Mudugh "sent motorized troops against people Omar Mahmud *rer* Abdi Issa" and ordered the area to be occupied by troops. The petitioners state that

three persons were killed and one inhabitant was wounded, that all livestock was stolen and that most people were arrested. They also say that most women and children went into hiding. They request intervention "in aid of non-guilty people" and the revocation of "dictatorial orders".

2. The second petition (T/PET.11/473) is in the form of a telegram dated 1 November 1954 protesting against raids conducted against the *rer* Herzi Farabadane and demanding that an end be put to them. This is followed up by a letter dated 24 November 1954 giving some details concerning these raids. According to the petitioners, a former policeman who had deserted in 1950 and had gone to Ethiopia with three rifles and ammunition had returned from there and together with two of his brothers and several members of the tribe Omar Mohamud of the *rer* Hildid had killed two Averghidir Saad tribesmen of the *rer* Nemale and had stolen 24 camels. Following this incident a certain Said Issa Aden informed the authorities in a petition that the *rer* Herzi Farabadane was not to be blamed for the disturbances, whereupon steps were taken by the authorities to have him arrested.

3. On 26 November, 1,500 goats and 130 camels belonging to the *rer* Herzi Farabadane were seized. The chiefs and elders of the *rer* then petitioned the authorities to return their livestock, pointing out that they were not responsible for the disturbances. They request that their property be returned to them.

4. The third petition (T/PET.11/477) which is signed by chiefs and notables of the Saad tribe contains a request that measures be taken against Somalis who stir up tribal disputes by spreading false tales. The petitioners say that the complaint by the *rer* Abdi Issa against the Provincial Commissioner of Mudugh is unfounded since in fact he did his duty by intervening and by pacifying the Somali people.

5. The authors of T/PET.11/486 also declare that the Provincial Commissioner acted in the best interest of the population and caused the return of part of the livestock "stolen by *rer* Nemale from *rer* Abdi Issa", but that there is a great deal of concern over the return of the remainder. They say that the "S.Y.L. Committee, Galcaio, very busy so that nothing can be found against *rer* Nemale. They are annoying poor injured people and protecting guilty people". The petitioners demand compensation for the damage done to them for which they hold the Somali Youth League Committee responsible because of its protection of the *rer* Abdi Issa. They also request that public order be maintained to prevent further incidents in the Territory.

6. In its observations (T/OBS.11/48, section 4) on T/PET.11/472 and 473 and Add.1, the Administering Authority states that the events in question occurred on 17 October 1954 when, during a raid carried out by Omar Mohamud tribesmen of the *rer* Abdi Issa against Saad *rer* Nemale tribesmen, two Saad tribesmen were killed. The Omar Mohamud tribesmen also seized 100 camels and about 200 goats during the raid. A little later on the same day the Saad tribesmen killed two Abdi Issa tribesmen in revenge.

7. In order to restore public order which was seriously jeopardized by the feelings aroused in the two opposing camps by the killing of their fellow tribesmen, the Provincial Commissioner sent police forces and *ilalos* to the spot with orders to seize livestock belonging to the attackers, with a view to making restitution of the livestock carried off in the raid, and at the same time to fine both camps. For this purpose Sheikh Omar Mohallim Yusuf, the *cadi* of Galcaio, went to the spot to arrange for the restitution of the livestock in question and prepared a report.

8. The Saad *rer* Nemale immediately paid a fine of 3,000 somalos and their livestock was returned to them accordingly. The *rer* Abdi refused to pay the fine and consequently their confiscated livestock, consisting of 500 goats, was sold in the public square at Galcaio and the proceeds, amounting to 2,057.05 somalos, were handed over to the Administration.

9. The *rer* Herzi of the Abdi Issa contended that the *rer* Hildid was responsible and this matter is still being discussed by the chiefs of the Omar Mohamud tribe—including the Islam of Abdulla Islam Farah—who have been directed by the Chief Regional Officer to decide how much livestock should be returned to the *rer* Herzi Ferabadane.

10. The Administering Authority states further that Said Issa Aden went to the Regional Commissioner in order to protest against the Authority's activities, but that he is neither a chief nor a recognized notable, and was refused admittance, and because he adopted a rebellious attitude and threatened to incite his own tribe to rebellion he was warned verbally by the District Commissioner.

11. All the other allegations contained in T/PET.11/473/Add.1 are unfounded.

12. The petitions were examined and discussed at the 242nd meeting of the Standing Committee (T/C.2/SR.242).

13. At its 242nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, IV, V, VII, VIII, IX and XI, adopted without change at the 614th meeting of the Trusteeship Council, see resolutions 1263 (XVI), 1264 (XVI), 1271 (XVI), 1272 (XVI), 1273 (XVI), 1275 (XVI), 1277 (XVI), 1281 (XVI) and 1285 (XVI), respectively.]

DRAFT RESOLUTION VI

Petition from Chief Aden Guhat Mohamed (T/PET.11/459)

The Trusteeship Council,

Having examined the petition from Chief Aden Guhad Mohamed concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/459, T/OBS.11/47, T/L.572),

Draws the attention of the petitioner to the observations of the Administering Authority, in particular that together with the other accused the petitioner was cleared, by a judgment of the court on 16 December 1954, of the charges which had been preferred against him.

DRAFT RESOLUTION X

Petition from Mr. Mohamed Aden (T/PET.11/471)

The Trusteeship Council,

Having examined the petition from Chief Aden Guhad Mohamed concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/459, T/OBS.11/47, T/L.572).

1. Draws the attention of the petitioner to the observations of the Administering Authority;

2. Decides that, as the matter is before the competent courts of the Territory, no action by the Council is called for.

DOCUMENT T/L.572/Add.1

Addendum to the one hundred and nineteenth report of the Standing Committee on Petitions

[Original text: English]
[10 June 1955]

1. At its 250th meeting, on 6 June 1955, the Standing Committee on Petitions noted that a petition from Chief Aden Guhat (T/PET.11/483) which was received by the United Nations Visiting Mission to Trust Territories in East Africa, 1954, was identical in subject matter with a petition from the same person received through the United Nations Advisory Council for Somaliland and transmitted to the Council as T/PET.11/459. In its observations (T/OBS.11/51, section 5) on the present petition, the Administering Authority merely refers to its comments relating to the previous petition. The Standing Committee reported on T/PET.11/459 in its 119th report (T/L.572, section VI), and has proposed a draft resolution.

2. Accordingly, the Standing Committee decided unanimously to propose the following amendment to its report and draft resolution on the previous petition in order to dispose of the present petition at the same time:

"Amend section VI of T/L.572 as follows:

"The title of section VI and draft resolution VI of the annex should read:

"Petitions from Chief Aden Guhat Mohamed (T/PET.11/459, T/PET.11/483)"

"Amend the text of the first paragraph of the draft resolution VI of the annex to read as follows:

"Having examined the petitions from Chief Aden Guhat Mohamed concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/459, T/PET.11/483, T/OBS.11/47, T/OBS.11/51, T/L.572 and Add. 1)."

3. At the same meeting the Standing Committee noted that a petition from Haji Mohamed Gure Abdullah and Mr. Mohamed Aden Mao (T/PET.11/511) which was received by the United Nations Advisory Council for Somaliland, is identical in subject matter with a petition from the same persons received through the United Nations Visiting Mission to Trust Territories in East Africa, 1954, and transmitted to the Council as T/PET.11/471. In its observations (T/OBS.11/54, section 2) on the present petition, the Administering Authority merely refers to its comments relating to the previous petition. The Standing Committee reported on T/PET.11/471 in its 119th report (T/L.572, section X), and has proposed a draft resolution.

4. Accordingly the Standing Committee decided unanimously to propose the following amendment to its report and draft resolution on the previous petition in order to dispose of the present petition at the same time:

"Amend section X of T/L.572 as follows:

"The title of section X and of draft resolution X of the annex should read:

" 'Petitions from Mr. Mohamed Aden and from Haji Mohamed Gure Abdullah and Mr. Mohamed Aden Mao (T/PET.11/471 and T/PET.11/511) ' "

"Amend the text of the first paragraph of the draft resolution X of the annex to read:

" 'Having examined the petitions from Mr. Mohamed Aden and from Haji Mohamed Gure Abdulla and Mr. Mohamed Aden Mao concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/471 and T/PET.11/511, T/OBS.11/48 and T/OBS.11/54, T/L.572 and Add.1) ' "

DOCUMENT T/L.573

One hundred and twentieth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]
[29 March 1955]

1. At its 241st and 242nd meetings, on 16 and 21 March 1955, the Standing Committee on Petitions, composed of the representatives of Belgium, France, India, Syria, the Union of Soviet Socialist Republics and the United States of America, examined the following three petitions concerning the Trust Territory of Somaliland under Italian administration from: The General Committee for Educational and Cultural Affairs in Somaliland (T/PET.11/397); The Unione Giovani Benadir (T/PET.11/L.8); The Somali Youth League (T/COM.11/L.85).

2. Mr. G. Lo Faro participated in the examination as

the special representative of the Administering Authority concerned.

3. The Standing Committee has reported to the Council on these petitions in the course of its 119th report (T/L.572). At its 241st meeting, however, the Committee decided in addition to recommend that the Council take into consideration during its sixteenth session the questions raised in the petitions, the observations thereon of the Administering Authority (T/OBS.11/27, section 1) and the statements made to the Committee at its 241st meeting by the special representative of the Administering Authority (T/C.2/SR.241).

DOCUMENT T/L.574

One hundred and twenty-first report of the Standing Committee on Petitions: petitions circulated under rule 85, paragraph 2, and communications circulated under rule 24, of the rules of procedure of the Trusteeship Council

[Original text: English]
[2 June 1955]

1. The Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, has, as provided in rule 90, paragraph 3, of the rules of procedure of the Trusteeship Council, examined further petitions circulated under rule 85, paragraph 2, and further communications circulated under rule 24, in order to decide which, if any of them, should have the established procedure concerning petitions applied to them.

2. In carrying out this examination, which took place at the 243rd and 244th meetings, on 25 and 26 May 1955, the Committee had before it a working paper prepared by the Secretariat (T/C.2/L.149)⁴ which contains lists of the petitions and communications, brief summaries of their

contents and the grounds for their initial classification by the Secretariat.

3. As a result of its examination, the Committee decided that the established procedure should be applied to the following communication, which will be reported upon separately by the Committee in due course:

Petitioners:

Representatives of the Washambala (T/COM.2/L.24)

4. The Committee also noted that the communication from the Secretary-General of the Union des populations du Cameroun of Mbalmayo (T/COM.5/L.100) contained a request that the Council should reconsider a decision taken at its 565th meeting, on 27 January 1955, not to grant him a hearing. The Committee decided to bring the communication in question to the Council's attention, so that it might decide whether to grant a hearing or not.

5. The attention of the Council is drawn to the fact that the established procedure for the examination of

⁴ The classification of document T/COM.11/L.173 was, however, postponed by the Committee pending the receipt of further information from the authors.

petitions to the documents listed below failed to be adopted because, even after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against the proposals were equal:

Petitioners:

- Mr. Antoine Bigiraneza (T/PET.3/L.5)
- Mr. Barnabé Ntunguka (T/PET.3/L.6)
- Central Committee of the Union des populations du Cameroun of Manjo (T/PET.5/L.57)
- Branch of the Union des populations du Cameroun of the Bamiléké Region (T/COM.5/L.96)
- Mr. Hassan Mohamed Nalie and others (T/COM.11/L.171)
- Somali Youth League, Branch of Dusa Mareb⁵ (T/COM.11/L.175)

6. Proposals to apply the established procedure for the examination of petitions to the documents listed below were rejected by 3 votes to 2, with 1 abstention.

Petitioners:

- The population of the town of Akonolinga (T/PET.5/L.58)
- The Central Committee of the Union des populations du Cameroun of Yaoundé (T/COM.5/L.101)
- The Central Committee of the Union des populations du Cameroun of Bafia Ville (T/COM.5/L.109)

7. Under rule 90, paragraph 5, of the rules of procedure, the Committee is required to make such recommendations as it deems necessary concerning the consideration by the Council of the petitions circulated under rule 85, paragraph 2, and the communications circulated under rule 24. In this connexion the Committee recalls that the Council approved the recommendations contained in the Committee's report on procedure for the examination of petitions (T/L.465, paras. 16-20) that petitions raising general questions as well as communications raising general problems, should, as a general rule, be considered by the Council during the examination of the next annual report on the Territory to which they refer and that the working paper prepared by the Secretariat on conditions in each Trust Territory should contain an annex setting forth, under headings corresponding to those in the working paper, the problems raised in such petitions and communications.

⁵ On this document, the Committee adopted a proposal to invite the Secretariat to ascertain from the petitioners whether they wished the United Nations to take action thereon.

8. The Committee accordingly recommends that, with the exception of the documents listed in paragraph 9 below, petitions and communications raising general questions should be considered by the Council during the examination of the next annual report on the Territory to which they refer.

9. The Committee notes that the following petitions refer to the Togoland unification problem:

Petitioner:

- Mr. E. K. O. Kugblenu (T/PET.6/L.62)
- The Gold Coast Regional Headquarters of Juvento (T/PET.6/L.63)
- Mr. Norbert Gbikpi (T/PET.6 and 7/L.44 and Add.1)

Since this problem has been referred to the United Nations Visiting Mission to the Trust Territories of Togoland under British administration and Togoland under French administration, 1955, for special study, the Committee recommends that the petitions noted above should be brought to the attention of the Mission so that they may be taken into consideration by the Mission when it carries out this study.

10. The Committee recommends that the communications reproduced in the following documents should be taken into consideration together with the petitions to which they relate.

<i>Communication</i>	<i>Related Petition</i>
Communication from the Fédération des travailleurs agricoles, forestiers et paysans du Cameroun (T/COM.5/L.98)	T/PET.5/433
Communication from the Chairman of the Association for the Social and Economic Progress of the Sub-division of Ngaoundere (T/COM.5/L.104 and Add.1)	T/PET.5/560 and Add.1

11. The Committee has no recommendation to make to the Council concerning communications other than those which raise general problems or are related to particular petitions.

12. This report was adopted by the Committee at its 248th meeting, on 2 June 1955, by 5 votes to none, with 1 abstention.

DOCUMENT T/L.575

One hundred and twenty-second report of the Standing Committee on Petitions: petitions concerning Togoland under British administration

[Original text: English]
[3 June 1955]

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INTRODUCTION

1. At its 244th and 248th meetings, on 26 May and 2 June 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India,

Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Togoland under British administration which are listed in the preceding table of contents.

2. Mr. B. O. B. Gidden participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on the resolutions covered by this report.

I. PETITION FROM THE TOGOLAND COCOA FARMERS' COMMITTEE (T/PET.6/338/ADD.1)

1. The petitioners sent identical petitions to the United Nations and to the Secretary of State for the Colonies in London. (Their petition to the United Nations was circulated as document T/PET.6/338.) Their petition to the Secretary of State for the Colonies was returned to them with the request that their attention should be drawn to the correct channels of communication in accordance with the United Kingdom Colonial Regulations.

2. The petitioners claim that this reference is an official communication to the Colonial Regulations and implies that the Administering Authority regards the Territory as a colony, i.e., that it does not recognize the special status in international law of the Trust Territory.

3. The gist of the observations of the Administering Authority (T/OBS.6/11/Add.2) is that the application to the Trust Territory of the Colonial Regulations in no way derogates from the special status of the Territory. The Colonial Regulations cover the procedures to be followed in various administrative matters in all Trust and Non-Self-Governing Territories administered by the United Kingdom. The fact that they are entitled "Colonial" Regulations does not imply that all the territories in which they are applicable are "colonies".

4. The Administering Authority adds that the application of Colonial Regulation 10 to a Trust Territory is significant only in so far as it ensures that an inhabitant of a Trust Territory under United Kingdom administration shall not, because of the special status of his Territory, be denied any right which he would enjoy were he resident in any other territory under United Kingdom administration. It does not affect his special additional right of access to the United Nations in any way whatsoever.

5. The petition was examined and discussed at the 244th and 248th meetings of the Standing Committee (T/C.2/SR.244 and 248).

6. At its 248th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM THE TOGOLAND NATIONAL FARMERS UNION (T/PET.6/341)

1. The petitioner states that on 14 November 1954 the chief farmer of Jasikan, Mr. Yawo Bani, whose farm is divided by the international boundary, was bagging his cocoa on the British side of the frontier when six preventive policemen arrested him and his 14-year old son, took them to the Kdjebi Preventive Station and placed them in leg-irons.

2. On 20 November, the man was tried and fined £150. Twenty-five bags of cocoa belonging to the farmer and valued at £87 10s. were confiscated.

3. The petitioner requests that the Administering Authority be enjoined to return the fine and the cocoa to the farmer.

4. In its observations (T/OBS.6/13), the Administering Authority states that Mr. Yawo Bani was seen by a customs preventive patrol to be bagging his cocoa in new unmarked bags on his farm near, but not on, the frontier. Since all cocoa in Togoland under British administration must be bagged in Cocoa Marketing Board bags and marked as such, the patrol's suspicions were aroused. Mr. Bani claimed to have obtained the bags from one of the Board's buying agents in Jasikan. A letter found on his person, however, showed the bags to have come from French territory with a view to the cocoa being sold there. Mr. Bani admitted his guilt and, although he was given the opportunity for the case to be tried in court, he elected to have it disposed of out of court, after investigation by the Collector of Customs, who imposed a penalty of £150 and demanded the forfeiture of the cocoa.

5. The Administering Authority adds that Mr. Bani's son was not handcuffed and that neither Mr. Bani nor his son were placed in leg-irons. Mr. Bani was handcuffed for a short time while resisting search.

6. The representative of the Administering Authority explained that the farm belonging to Mr. Bani does not extend across the frontier as indicated by the petitioner, but lies entirely within the Trust Territory of Togoland under British administration.

7. The petition was examined and discussed at the 244th and 248th meetings of the Standing Committee (T/C.2/SR.244 and 248).

8. At its 248th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I and II, adopted without change at the 614th meeting of the Trusteeship Council, see resolutions 1357 (XVI) and 1358 (XVI), respectively.]

DOCUMENT T/L.576

One hundred and twenty-third report of the Standing Committee on Petitions : petitions concerning Somaliland under Italian administration

[Original text : English]
[13 June 1955]

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INTRODUCTION

1. At its 250th, 251st, 255th and 256th meetings, on 6, 10 and 13 June 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents.

2. Mr. V. Zadotti participated in the examination as the special representative of the Administering Authority concerned. Members of the United Nations Advisory Council for Somaliland also participated in the examination.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on the resolutions covered by the present report.

I. PETITION FROM CHIEF ABDULLAHI HASSAN DORRE MOHAMUD AND OTHERS (T/PET.11/461)

1. The petitioners, who describe themselves as chiefs and notables of the Merehan tribe, protest against the unlawful arrest of three persons and declare that "when we chiefs called at the residence to inquire, we were told, 'I do not want to hear anybody, go away or else we will put you in jail'...".

2. The Administering Authority states (T/OBS.11/50, section 1) that a Somali clerk charged with the collection of market taxes at Lugh Ferrandi encountered difficulties on 23 October 1954 in collecting fees from Merehan women who were selling milk. When he attempted to

persuade one of the women to pay her dues, another milk vendor intervened and told him that neither she nor any of the other vendors would pay their taxes. When the clerk continued to press for payment, a certain Osman Mohamed Hussen stepped into the argument and told the clerk to go away. An *ilalo* who was present during the incident took Osman Mohamed Hussen to the district office, together with the clerk who related what had transpired.

3. When the clerk returned to the market place, a certain Dahir Nur Abdulle approached him and, brandishing a stick, told him, "If you don't clear out in five minutes, I shall break your head with this stick". Dahir Nur Abdulle, Osman Mohamed Hussen and Muraied Mohamud Hussen, the woman who started the argument, were taken to the police station and, after investigation of the case, were charged before the Regional Judge of the Upper Giuba with "threatening a public official in the course of his duties", but they were not detained. The case is *sub judice*.

4. On the night of 23-24 October a kind of *shir* was held on the right bank of the river in which many Merehan, led by the petitioners, took part. As the participants expressed the intention of creating greater disturbances at the Bardera market than those of the previous day, the District Officer ordered police to patrol the area throughout 24 October. This served to calm the excited Merehan elements and to convince them that they must pay the market taxes due.

5. The petition was examined and discussed at the 250th, 255th and 256th meetings of the Standing Committee (T/C.2/SR.250, 255 and 256).

6. The special representative of the Administering Authority stated that the market fees which were collected by the municipalities were very low and were designed to enable the municipalities to meet their own expenditures.

7. At its 256th meeting, the Committee adopted unanimously draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM MR. ABUCAR HAJI MAHADE AND OTHERS (T/PET.11/463)

1. The petitioners state that they are the real owners of a piece of land located in Piazza Rava, Mogadiscio, and they cite four separate documents attesting to their claim. They complain that they have lost their property since the arrival of the present Administration and that when they applied to the Authorities the decision was not in their favour. They state that they cannot obtain justice in the courts and that the lawyers do not treat them as human beings.

2. The Administering Authority states (T/OBS.11/50, section 2) that on the basis of the documents produced by those concerned and the surveys referred to in their petition, the petitioners' claim was dismissed as unfounded, first by the Mogadiscio municipal administration and, secondly, by the Central Department of Law and Justice, which thus confirmed the previous decision taken on the subject by the British Occupation Administration in 1946. Those concerned were notified of this decision by a note dated 8 October 1953. They were also advised that the administrative decision did not preclude appeal to the competent judicial authority for review of the case. The petitioners have not so far availed themselves of this opportunity.

3. The petition was examined and discussed at the 250th and 256th meetings of the Standing Committee (T/C.2/SR.250 and 256).

4. At its 256th meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM HAJI ALI MOHAMED SHOBLE (T/PET. 11/464)

1. The petitioner declares that his property, consisting of four large shops, was set afire and that he himself was threatened by the raiders because of his membership in the Somali Youth League (SYL). The raiders were recognized by one Ahmed Idris, who reported their names to the authorities, but no action was taken against them.

2. The petitioner lost all his possessions in the fire, including all his books and papers. As a result he has been unable to collect all the money owed him.

3. The subject of this petition was also raised in T/PET. 11/423 (T/L.469) which the Council examined at its fourteenth session. At that time the Administering Authority observed that preliminary investigations indicated that the fire might have been started by a Mr. Mohamed Iero Mamo, whose motive would have been an old grudge arising from business competition. Charges against him were the subject of a judicial investigation at the time of writing. The Administering Authority discounted the idea that the fire was started from political motives.

4. The Administering Authority states (T/OBS.11/50, section 3) that following the fire, which was probably arson and which within a few minutes destroyed six shops housed in one wooden hutment at the Uanle Uen market at 11 p.m. on 23 April 1954, eight indigenous inhabitants of the area suspected of setting the fire were charged with culpable negligence but were not detained.

5. Although there was insufficient evidence to sustain the charge, the competent Regional Judge of Benadir interrogated those summoned on the basis of the accusations filed by the witness Ahmed Idris Alio, referred to in the petition. However, in the absence of sufficient evidence to sustain the charge against them, the Judge ordered on 21 August 1954 that the records of the case be filed.

6. The Administering Authority denies that there was any connexion between the Judge's decision and the fact that the petitioner belongs to the SYL.

7. The petition was examined and discussed at the 250th and 256th meetings of the Standing Committee (T/C.2/SR.250 and 256).

8. The special representative of the Administering Authority stated that the petitioner was free to appeal his case to the Judge of Somaliland. He further stated that the petitioner could avail himself of a loan from the Credit Institute in Mogadiscio if he required funds to reopen his business.

9. At its 256th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM HAJI NOOR SALAT DUALE AND MR. SALAT HERSI NOOR (T/PET.11/465)

1. The petitioners protest against the unlawful imprisonment in February 1953 of Mohamed Halane Jama, who is still in prison without having been charged and convicted by a court.

2. The Administering Authority states (T/OBS.11/50, section 4) that Mohamed Halane Giama was arrested on 18 February 1954—not 1953—on a charge of aggravated multiple homicide and robbery, but that the Regional Court of Mudugh dismissed the case on 5 October 1954 on the grounds of insufficient evidence.

3. The petition was examined and discussed at the 250th and 256th meetings of the Standing Committee (T/C.2/SR.250 and 256).

4. The special representative of the Administering Authority explained that draft judicial regulations governing detention of arrested persons is at present in preparation and will be laid before the Territorial Council at the earliest possible moment.

5. At its 256th meeting, the Committee adopted unanimously draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM MR. ABDI ULUSSO IBRAHIM (T/PET.11/490)

1. On 3 September 1954, the petitioner, who describes himself as an ex-soldier with 34 years of service, was arrested at his home and taken to police headquarters. There he was questioned about his previous service. He says that he was stripped naked and beaten by the Italian *carabinieri*. After having been under arrest for 24 hours he was released. He protests against the arrest which he considers unjust in view of the fact that he committed no offence.

2. The Administering Authority states (T/OBS.11/49, section 5) that he was arrested by Somali policemen of the Mogadiscio Police Force at about 7 p.m. on 3 September 1954, suspected of being the person responsible for stabbing a policeman during an incident which took

place on 28 August. The following day he was confronted with the wounded policemen, but was released since there was no evidence of his involvement in the crime.

3. The Administering Authority denies that the petitioner was maltreated by policemen during the period of his detention.

4. The petition was examined and discussed at the 250th and 256th meetings of the Standing Committee (T/C.2/SR.250 and 256).

5. At its 256th meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM MR. MOHAMED GAVERRE (T/PET.11/468)

1. The petitioner states that an application he made on 28 September 1954 to the Ufficio Affari Industriali e Commerciali for a public transport licence was refused. He states that the Administration at present only issues such licences to Italian nationals, and that this represents discrimination. He requests that his rights be respected and states that he requires the licence to maintain his family.

2. The Administering Authority states (T/OBS.11/50, section 5) that the petitioner had applied for a licence to operate a taxi service using motorcycle combinations. Ordinance No. 17 of 15 December 1951 provides that the issuance of licences for this purpose does not fall within the competence of the Bureau of Industry, Internal Trade and Labour, but specific responsibility for it rests with municipal authorities under regulations governing public services.

3. In the case of the petitioner, the municipality of Mogadiscio had suspended three such licences and denied the issuance of three further applications in response to complaints made by all taxicab operators in Mogadiscio. It is stated that their business had suffered as the result of the introduction of other forms of transport in the taxi trade, in which more vehicles were already engaged than were warranted by the normal demand in Mogadiscio.

4. The Administering Authority denies that such licences have been issued only to Italians and points out that of the 35 licences in force at the moment, 19 are held by Somalis and 16 by Italians.

5. The petition was examined and discussed at the 250th and 256th meetings of the Standing Committee (T/C.2/SR.250 and 256).

6. At its 256th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

VII. PETITION FROM SHEIKH MOHAMED GHEDI GULET (T/PET.11/469)

1. The petitioner states that he was forcibly deported from Belet Uen to Mogadiscio in May 1953, from Mogadiscio to Galcaio in August 1953 and from Galcaio to Obbia on 21 July 1953 (*sic*). The petitioner's family is still living in Galcaio. The petitioner contends that the only reason for his deportation is the fact that he had preached in various mosques and that the present Administration is not respecting the religion of the people.

2. The Administering Authority states (T/OBS.11/49, section 1) that on 30 April 1953 several holy men from

Belet Uen went to the District Officer with a request that he deport from the town some women who they said were practising prostitution. The District Officer explained to them that it was impossible to do this since the women concerned had not committed any offence or done anything to disturb law and order. The other holy men were convinced by this argument and took no further action, but the petitioner began a propaganda campaign among the people with a view to creating disturbances and thus forcing the local authorities to comply with his request.

3. The chiefs of the local tribe, realizing that the activities of the holy man might lead to disturbances of law and order, asked the District Officer to deport him from Belet Uen as an undesirable element and a troublemaker. On hearing of this the holy man himself requested to be transferred to Mogadiscio. On his arrival there he continued to create disturbances in the mosques and in public places. On 18 June 1953 he attempted to force his way into the Administrator's office and was seized and handed over to the police. He told them that he had behaved in that way because his name had not been included in the list of the leaders and members of the "Committee for the Protection of the Moslem Faith", who had that morning been received by the Administrator. The Administering Authority states further that he had never held any position on that Committee.

4. As his presence in Mogadiscio seemed likely to give rise to further disturbances, the petitioner was sent to Galcaio, the place which he had given as his place of residence, and from there to Obbia, which was found to be his place of origin. He was informed that he could return to Galcaio whenever he wished, provided that he did not cause any trouble to the people or their chiefs.

5. The petition was examined and discussed at the 251st and 256th meetings of the Standing Committee (T/C.2/SR.251 and 256).

6. The special representative emphasized that the Administration was concerned with the maintenance of law and order which the behaviour of the petitioner had appeared to endanger. The Administration in no way wished to discourage propaganda directed against prostitution on that account alone.

7. At its 256th meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VIII. PETITION FROM MR. IBRAHIM ABDI GIUMALE (T/PET.11/478)

1. The petitioners, cabling from Galcaio on behalf of the *rer* Sinole, complain that the Provincial Commissioner of Mudugh has seized three and a half camels from *rer* Sinole tribesmen "in favour of" Councillor Duale Cahie. The Councillor, they say, has no right to the camels since the *rer* Sinole does not belong to his *rer* Duale. In sum, the petitioners do not want to pay for damages not caused by them.

2. They refer to their cable of 26 October 1954, circulated as T/COM.11/L.140, in which they made the same complaint. At that time, however, only three camels were said to have been seized.

3. In its observations (T/OBS.11/51, section 1), the Administering Authority merely draws attention to its observations (T/OBS.11/48, section 4) on petitions T/PET.11/472 and T/PET.11/473 and Add.1 which the Standing Committee examined at the fifteenth session of the Council and which are reported in T/L.572, section XI.

4. The petition was examined and discussed at the 251st and 256th meetings of the Standing Committee (T/C.2/SR.251 and 256).

5. The special representative confirmed that the present petition did in fact relate to the same incident as described in petitions T/PET.11/472, 473 and Add.1, 477 and 486 on which the Standing Committee on Petitions had submitted draft resolution XI contained in document T/L.572 above.

6. At its 256th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

IX. PETITION FROM MR. YAHYA ABDALLAH AGIL (T/PET. 11/484)

1. The petitioner states that his son was killed by one Abdullahi Assan, a member of the Warsengheli tribe, in January 1952 near the local schoolhouse in Bur Acaba. The Italian school master and an *ilalo* were witnesses to the deed and testified accordingly. The perpetrator of the deed was arrested on a charge of homicide and tried by the Judge's Court.

2. The petitioner states that he applied for the payment of a *diah* (blood money) to which he was entitled under Moslem law and he requests that his case be settled.

3. The Administering Authority states (T/OBS.11/49, section 2) that the *diah* referred to arose from the murder of the Arab Tabit Iahia Abdalla by Abdulle Assan Salah of the Warsengheli tribe in January 1952. After the murder, it was agreed between the representatives of the Arabs and of the Warsengheli that the latter were to pay 3,000 somalos to the Arabs. One thousand somalos were to have been paid to the Arabs themselves and 2,000 to the Averghedir Saad, to the credit of the Arabs, in respect of another *diah* between the same parties.

4. However, it proved difficult to put the agreement into effect, since there are only 15 Warsengheli families in Mogadiscio, who possess neither cattle nor any other resources. Nevertheless, small Warsengheli groups living in other districts together with other groups belonging to the Darot family collected and paid the following sums:

	Somalos
To the Averghedir Saad, to the account of the Arabs	1,440
To the Arabs of Bur Acaba	300
leaving the following sums still owing:	
To the Averghedir Saad	560
To the Arabs of Bur Acaba	700
	1,260

5. The Administering Authority states that the petitioner complains that two-thirds of the sum provided for in the agreement has been used, with the consent of his own representatives, to pay another debt of the entire Arab community of Bur Acaba. It is accordingly considered that he can legitimately claim, through the Administering Authority, the reimbursement of at least part of this amount from his own community, which paid one of its own debts to the Averghedir Saad with money most of which should have been paid to the petitioner who is the father of the murdered man.

6. The petition was examined and discussed at the 251st and 256th meetings of the Standing Committee (T/C.2/SR.251 and 256).

7. At its 256th meeting, the Committee adopted unanimously draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

X. PETITION FROM MR. HUSSEIN AHMED ALI (T/PET.11/494)

1. The petitioner states that on 11 October 1952 a number of persons broke into his home and severely beat him. The individuals were subsequently arrested, tried, and three of them were sentenced. Following the criminal proceedings, a suit for damages was instituted as a result of which the *Cadi* ordered the guilty persons to pay a compensation of 93 camels. This payment, however, was reduced to 54 camels by the Administrator of Somaliland.

2. The District Commissioner of Mogadiscio, who had been entrusted with supervising that the sentence was carried out, convened a meeting of the chiefs of the petitioner's and of the opposing tribes and invited certain other chiefs from tribes not involved in the dispute. In the course of their meeting the opposing tribe proposed to offer its *samen* (peace offering) to the petitioner. The petitioner says that this offer was, however, rejected by his tribe since according to custom the *samen* may only be accepted immediately after the incident and not, as in the present case, two years later. The offer of the *samen* together with the payment of 100 somalos, however, was agreed to by the District Commissioner, although he had no power to do so.

3. When on 7 October 1954 the petitioner requested that the District Commissioner carry out the court sentence, he was told that, in view of his refusal to accept both the *samen* and the reduction of payment, he was not entitled to anything.

4. The Administering Authority states (T/OBS.11/52, section 3) that following the conviction by the Mogadiscio Assize Court of three individuals for maliciously wounding the petitioner, the latter instituted proceedings before the *Cadi* at Mogadiscio for the payment of damages. The *Cadi* ordered the assailants to pay 93 camels. This judgment was confirmed by the *Cadi's* Court, but on 2 July 1954, on appeal by the defendants, the judgment was reviewed by the Administrator and the number of camels to be paid was reduced to 54. The Mogadiscio District Officer then attempted to enforce the payment of damages by the three defendants, but was unable to do so as the defendants were in fact completely insolvent. This was explained to the petitioner on several occasions.

5. The Administering Authority states further that what the petitioner does not understand is the fact that it is impossible to make the collateral relatives (*aqilah*) or the tribes of the three defendants responsible for the payment of damages in the case of a premeditated offence, as may be done in respect of damages awarded in connexion with unpremeditated offences. In the case of a premeditated offence the responsibility is wholly individual and cannot be "extended" to the tribe as a whole unless there is a prior agreement between the tribes concerned or unless, in accordance with the tradition and usage of Somali customary law, such extension of responsibility is possible in the specific case. The agreement can normally be regarded as a precedent for similar cases arising subsequently. In the absence of such an agreement, the Mogadiscio District Office, after attempting to exact payment of the camels awarded as damages from the three persons directly responsible for the offence, approached the tribes of the plaintiff and of the defendants in an attempt to reach an agreement for the settlement of the damages.

6. The Administering Authority explains that the first step towards such an agreement is the payment of the *samen* by the guilty party's tribe. The chiefs of that tribe agreed to pay the *samen* soon after the negotiations were instituted. However, the petitioner rejected the

samen and thus ruled out the possibility of a peaceful settlement. Moreover, he did so against the advice of his own chiefs who, being versed in Islamic law and Somali customary law, knew that the petitioner could not expect to obtain any compensation for the damages he suffered except by following the course indicated by the District Officer and the lower *cadis*, which had been followed successfully in numerous cases of this kind.

7. The petition was examined and discussed at the 251st and 256th meetings of the Standing Committee (T/C.2/SR.251 and 256).

8. At its 256th meeting, the Committee adopted by 1 vote to none, with 5 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

XI. PETITION FROM MR. JUSUF OMAR MOHAMUD (T/PET. 11/485)

1. The petitioner, who describes himself as an ex-police sergeant at Chisimaio, states that he was discharged by the Administration without cause on 15 November 1951 after 21 years of service, without having been paid any gratuities for his years of service, and that three requests for payment addressed to the Commissioner of Lower Giuba and to the Administrator of Somaliland remained unanswered.

2. The reason given him for his discharge was that he belonged to the Somali Youth League, but he states that a check of the SYL membership registers showed that he was not listed as a member. He therefore requests the payment of the gratuities and adds that he has not received his pension as a Somali ex-serviceman.

3. The Administering Authority states (T/OBS.11/49, section 3) that the petitioner enlisted in the Somali Police Force on 1 April 1941. When authority was transferred from the British Administration to the Italian Administration, he was transferred to the Corpo di Polizia della Somalia and continued to serve in his post at Chisimaio. On 15 November 1951 he was discharged from the Force for "breach of the oath of office". He belonged to a political party and attended its meetings regularly, and thus failed to abide by the pledges he had given when he took his oath of office, which forbade members of the Force to belong to any political party. The Administering Authority adds that the petitioner is not entitled to any gratuity for his previous years of service.

4. The petition was examined and discussed at the 251st and 256th meetings of the Standing Committee (T/C.2/SR.251 and 256).

5. The special representative stated that the regulations relating to membership of political parties apply only to the police but that they do not prohibit participation by the police in elections. He explained that the procedure under which discharges of this nature are effected consists of a preliminary warning and that if thereafter the offence continued the offender would be brought before an administrative board of discipline.

6. At its 256th meeting, the Committee adopted by 3 votes to 1, with 2 abstentions, draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

XII. PETITION FROM SHEIKH ABUBAKAR SHEIKH AMUDI (T/PET.11/496)

1. This petition is a request for consideration of the writer's grievance set forth in T/COM.11/L.92. In that communication the petitioner states that he served in the Police Corps from June 1943 until 30 November 1953,

when he was discharged. On his discharge certificate the reason given was "indiscipline", but he says that he was never guilty of any indiscipline. He approached a police officer with a view to having the word "indiscipline" altered to read something else, but the latter refused. The reason why he wants the word changed is in order that he may be entitled to a gratuity in respect of his service.

2. T/COM.11/L.92 was addressed to the Administrator, and in the present petition the petitioner states that he has received no reply to it.

3. The Administering Authority states (T/OBS.11/49, section 6) that the petitioner was enrolled in the Somali Police Force on 1 September 1943 and when authority was transferred from the British Administration to the Italian Administration he was transferred to the Corpo di Polizia della Somalia, with the rank of police constable. On 30 November 1953 he was discharged from the Force for a serious breach of discipline which made it impossible to retain him in the service. He refused to wear the uniform, alleging that he had been permanently engaged for plain-clothes service. On 3 December 1953, following his statement, he was informed that he was not entitled to any compensation for his previous service in the Police Force, since he had been discharged for a serious breach of discipline.

4. The petition was examined and discussed at the 251st and 256th meetings of the Standing Committee (T/C.2/SR.251 and 256).

5. At its 256th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution XII, annexed to the present report, which it recommends that the Council adopt.

XIII. PETITION FROM REPRESENTATIVES OF THE *rer* MAGNO (T/PET.11/487)

1. The petitioners state that their tribe, the *rer* Magno, numbers more than 5,000 men and that they are the former owners of a fleet of approximately fifty vessels with which they earned their livelihood. In 1928 these ships were seized by the Government without payment of compensation and turned over to an Italian national, Mr. Carniglia, with a warrant to operate them for 15 years. After years of negotiations the former owners were finally awarded a royalty of £It 3 for every quintal of cargo unloaded by the vessels at Mogadiscio for the duration of the fifteen-year lease.

2. Following the establishment of the present administration the petitioners requested a settlement of their claim but instead were told to "seek an agreement and a reconciliation with Mr. Gallotti, who took over the management of the port of Mogadiscio from Mr. Carniglia". This the *rer* Magno people did not accept, but a number of the chiefs who, they say, had been bribed accepted the agreement to divide among the workers and owners of the vessels a sum of money which the petitioners consider insufficient. The petitioners appeal to the United Nations to intervene on their behalf.

3. In its observations (T/OBS.11/51, section 6), the Administering Authority gives details of the present employment of the signatories of the present petition and states that none of these are entitled to call themselves representatives of the *rer* Magno.

4. The Administering Authority states further that the cargo vessels to which the petition refers number 20, with a total displacement of 270 tons. They are old and primitive vessels which are all in a precarious state and which are not sufficiently safe to be used in the outer harbour for carrying cargo or, still less, passengers. They

are propelled by oars and, therefore, uneconomical and slow. They would also reduce the capacity of the port to such an extent that the whole shipping picture would be completely altered. These small boats are therefore used in the inner harbour for ferrying cargo to and from the *sambuks*. The shipping which is now used for commercial operations in the port of Mogadiscio includes five tugs and motorboats ranging from 30 to 110 h.p. each and eight large mahones with a total cargo capacity of approximately 650 tons.

5. The representatives of the *rer Magno*, the chiefs and the owners of the vessels referred to in the petition signed an agreement between the *rer Magno* and the Gallotti Company on 29 May 1950, which provided, *inter alia*, that the company should pay 1,000 somalos a month to an industrial injuries and accidents fund. In addition, the Company pays 70 somalos a month towards the upkeep of the *rer Magno* mosques and the cost of electricity in two mosques. It has also paid 2,000 somalos to provide lighting and water facilities in the Haji Iusuf and other mosques. Many members of the *rer Magno* are said to work for the Gallotti Company and are satisfied with the way in which they are treated.

6. The petition was examined and discussed at the 251st and 256th meetings of the Standing Committee (T/C.2/SR.251 and 256).

7. The special representative pointed out that none of the petitioners were parties to the agreement between the *rer Magno* and the Gallotti Company on 29 May 1950.

8. At its 256th meeting, the Committee adopted by 3 votes to 1, with 2 abstentions, draft resolution XIII, annexed to the present report, which it recommends that the Council adopt.

XIV. PETITION FROM HAJI MOHAMED HUSSEN AND OTHERS (T/PET.11/495)

1. The petitioner complains that the Postal Service of Mogadiscio practises racial discrimination. He states that mail services for foreigners are well organized and carried out in a spacious room by several clerks; similar services are not available for Asians and Africans. Instead, he says, they receive their mail from only one "old clerk... from behind the small window" in a narrow passage outside the post office. Moreover, he complains that the window assigned to Somalis remains open until 6 p.m. while the window in the other office provides service until 6.30 p.m. He requests that this inequity be eliminated.

2. The Administering Authority states (T/OBS.11/52, section 4) that there are in fact two windows for the distribution of mail in the Post Office at Mogadiscio. It denies, however, that this is due to racial or religious discrimination, which has never been practised by the Administration in any field. In the interests of the efficient operation of the service, one window is provided for mail addressed in the Latin alphabet and one for mail addressed in the Arabic alphabet, regardless of the addressee. Clerks familiar with the alphabet in question are assigned to each window.

3. The petition was examined and discussed at the 251st and 256th meetings of the Standing Committee (T/C.2/SR.251 and 256).

4. The representative of Egypt on the United Nations Advisory Council for Somaliland confirmed the statement of the special representative that the Administration had recently made improvements in the post-office facilities at Mogadiscio which completely eliminates the conditions of which the petitioner had complained.

5. At its 256th meeting, the Committee adopted unanimously draft resolution XIV, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, IV, V, VI, VIII, IX, X and XIII, adopted without change at the 623rd meeting of the Trusteeship Council, see resolutions 1276 (XVI), 1278 (XVI), 1279 (XVI), 1280 (XVI), 1296 (XVI), 1282 (XVI), 1288 (XVI), 1291 (XVI), 1298 (XVI) and 1293 (XVI), respectively.]

DRAFT RESOLUTION VII

Petition from Sheikh Mohamed Ghedi Gulet (T/PET.11/469)

The Trusteeship Council,

Having examined the petition from Sheikh Mohamed Ghedi Gulet concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/469, T/OBS.11/49, T/L.576),

1. *Draws the attention* of the petitioner to the observations of the Administering Authority and to the statement of its special representative, in particular to the fact that he could return to Galcaio provided he respects the laws of the Territory;

2. *Takes note* of the statement of the special representative that the Administering Authority in no way wishes to discourage propaganda directed against prostitution.

DRAFT RESOLUTION XI

Petition from Mr. Jusuf Omar Mohamud (T/PET.11/485)

The Trusteeship Council,

Having examined the petition from Mr. Jusuf Omar Mohamud concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/485, T/OBS.11/49, T/L.576),

1. *Draws the attention* of the petitioner to the observations of the Administering Authority and to the statement of the special representative; in particular to the fact that he can exercise his right of appeal to a judicial authority;

2. *Recommends* that the Administering Authority help him find suitable employment.

DRAFT RESOLUTION XII

Petition from Sheikh Abubakar Sheikh Amudi (T/PET.11/496)

The Trusteeship Council,

Having examined the petition from Sheikh Abubakar Sheikh Amudi concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/496, T/OBS.11/49, T/L.576),

1. *Draws the attention* of the petitioner to the observations of the Administering Authority and to the statement of the special representative; in particular that he can exercise his right of appeal to a judicial authority;

2. *Recommends* that the Administering Authority give sympathetic consideration to the petitioner's request and help him in alleviating his plight.

DRAFT RESOLUTION XIV

Petition from Haji Mohamed Husen and others (T/PET.11/495)

The Trusteeship Council,

Having examined the petition from Haji Mohamed Husen and others concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/495, T/OBS.11/52, T/L.576),

Draws the attention of the petitioner to the observations of the Administering Authority and to the statement of its special representative that at this time the conditions of service in his post office are identical for all groups of the population.

DOCUMENT T/L.577

One hundred and twenty-fourth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]
[22 June 1955]

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INTRODUCTION

1. At its 251st, 252nd, 253rd, 254th, 255th, 261st, 262nd and 263rd meetings, on 6, 7, 8, 9, 10, 20, 21 and 22 June 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents.

2. Mr. V. Zadotti participated in the examination as the special representative of the Administering Authority concerned. Members of the United Nations Advisory Council for Somaliland also participated in the examination.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions II, V, VI and VIII to XIV inclusive.

I. PETITION FROM REPRESENTATIVES OF THE SAAD AVERGHEDIR TRIBE (T/PET.11/475)

1. This petition, in effect, is a request that the established procedure concerning petitions be applied to the writers' earlier communication of 4 September 1954, which was circulated as T/COM.11/L.135. It was addressed to the Administrator of the Territory, and a copy of it was sent to the United Nations Advisory Council

for information. In the present petition, which is addressed to the Visiting Mission of 1954 and is dated 24 September 1954, the writers enclose a copy of their earlier communication and complain that no action has been taken in regard to it.

2. The Averghedir Saad—whom the petitioners represent—inhabit part of Mudugh Province, and the petitioners' grievances stem from friction with other groups in that area, as well as with groups living on the other side of the provisional administrative boundary. The grievances can be divided into four parts. In the first place complaints are made of extensive raids from over the border. In March 1950 an officer of the Ethiopian army appeared at Galcaio and threatened reprisals if the Saad did not return possessions that they had stolen during their raids on the Merehan and Migiurtini. The Saad spokesman's reply was in effect a *tu quoque*. Then, between the middle of April and the end of July, 1950, successive raids from over the border subjected the Saad to the following losses and deprivations:

Goats and sheep	7,250
Cattle	3,453
Camels	4,723
Persons killed	185
Persons wounded	45
Nomadic dwellings	583

The facts were reported to the Administrator at the time, but the petitioners complain that no action was taken. They refer, however, to an "agreement between the inhabitants of the Mudugh concluded through Commissioner Tomaselli in October 1950", after which the Saad were again the victims of aggression from time to time

between November 1950 and July 1954. As a result 22 men of the Saad, and one woman, were killed and many possessions were looted.

3. The petitioners blame the Administration for not securing restitution on their behalf.

4. Secondly, the Saad complain that they have been deprived of a large and vital part of their territory, with a consequent loss of pasture and water-holes, on the grounds that it belonged to the Darot. That the petitioners are referring to a boundary between the Saad and the Darot is clear; but whether they are referring to the provisional administrative boundary with Ethiopia, or to a tribal boundary within the Trust Territory, is not clear. In any event, the petitioners aver that the authorities do them an injustice by maintaining the boundary referred to.

5. The Administering Authority states (T/OBS.11/50, section 8) that the situation on the provisional administrative line is set forth in paragraphs 10.2 and 13 of the 1953 annual report of the Italian Government⁶ to the United Nations General Assembly. It has been discussed at length in the Trusteeship Council, during the debates on the annual reports of the Italian Government for 1950, 1951, 1952 and 1953, and recently in the General Assembly, which on 14 December 1954 adopted resolution 854 (IX) urging the Governments of Ethiopia and Italy to exert their utmost efforts to achieve a final settlement of the frontier question by direct negotiations. The incidents which have taken place in the border area in recent years have been the subject of several petitions, including T/PET.11/112 and Add.1-2, concerning which the Trusteeship Council adopted resolution 535 (XI).

6. The Administering Authority further states that the Darot, who had lost some land to the Averghedir after the operations for the conquest of the Midjertein and under the Gherardi (1930), Maltese (1932) and Caroselli (1932) Pacts, took advantage of the Ethiopian conquest to spread in the direction of the Ogaden. After the Second World War, however, as a result of the shrinkage of the boundary which the provisional administrative line entailed, they were obliged to withdraw into Somaliland, where they are endeavouring to claim back the land which in the meantime had passed into the hands of the Averghedir (the area bounded by the wells at Dusa Mareb-Merergui-Adado-Ghelinsor-Dagari-El Godot). But the Averghedir, though fully aware that they have overstepped the bounds granted under the Caroselli Pact, are standing firm on the land they have taken over and trying to pass off as their own what they obtained as a friendly concession.

7. When the British Administration handed over to the Italian, vendettas, counter-vendettas and assassinations were already rife. With the *shir* of October 1950 Mr. Tomaselli, the Commissioner of Mudugh, sought to restore peace between the contending tribes, in the hope that such peace would soon be made permanent by a speedy settlement of Mudugh-Ogaden frontier problems. It would have been difficult at the *shir*, even through compromise, to reach a settlement acceptable to both sides of the question of the boundary between the Averghedir and the Darot.

8. In order, therefore, to prevent the results achieved at that difficult *shir* from being nullified by the search for such a solution, the Commissioner of Mudugh arranged for the demarcation of the boundary by his Ordinance of 7 November 1950. This Ordinance fixed the demar-

cation line at the heavy-duty road Fer Fer-Mataban-Dusa Mareb; the rights acquired by the peoples themselves under the Agreements of 2 December 1930, 12 January 1932 and 13 November 1932 remained valid and a no-man's-land between the two tribes, "to be used only in case of need", was established "till further notice".

9. This solution, moreover, is not particularly unfavourable to the Averghedir. At one time they were able to spread as far as the Galcaio-Dusa Mareb track only on the stretch between Galcaio and Dahari, though those areas remained Darot property and the latter tribe had priority in the use of watering facilities. It is a provisional solution pending the settlement of the major problem, which is still that of the frontier between Mudugh and Ethiopia.

10. Thirdly, the petitioners are "oppressed by the decision taken by the Resident at Galcaio and the local Commissioner, to bring us and our people under the jurisdiction of the Resident of Obbia, although two-thirds of the property at Galcaio belongs to us, our cattle and that of the Darot are mixed up". If Saad cattle or other property is looted, the nearest authority before which to lay a complaint is at Galcaio, and it will be a hardship (and, presumably, it will entail a loss of time) to be told to take the complaint to distant Obbia. The petitioners link to this complaint a further one to the effect that one of their men was killed "over a matter of five goats" and that 25 of their camels were confiscated. All their protests went unheeded by the authorities at Galcaio.

11. The Administering Authority replies that for reasons of ethnic unity the Averghedir people have always come under the jurisdiction of the District of Obbia.

12. Fourthly, the petitioners claim that, under existing agreements between the Saad and the Darot, which have been accepted by the Administration, the authorities must ensure that the two tribes are equally represented in the *ilalo* and police forces, and that the *cadis* and interpreters should be of different tribes. In fact, however, the petitioners claim that all are Darot.

13. The Administering Authority states that it has not approved any agreement of the type to which the petitioners refer. In recruiting *ilalos*, police, *cadis* and interpreters for employment in the Mudugh, however, an effort has always been made, for reasons of expediency, to preserve a certain balance between the two opposing tribes.

14. The petition was examined and discussed at the 251st and 261st meetings of the Standing Committee (T/C.2/SR.251 and 261).

15. The special representative explained that the crux of the friction between the two parties to the disputes was their confinement to a limited area. A certain easing of the situation would result from a settlement of the frontier question. In the meanwhile in order to alleviate conditions in the area the boring of water holes had been given priority and the tribes were being persuaded to trade off some of their cattle in order to lessen the pressure on space. Efforts had continually been made to get representatives of the two disputing parties to meet together in order to bring about a settlement. In this connexion the representative of Egypt on the United Nations Advisory Council for Somaliland suggested that the persuasive counsels of local political parties might prove helpful. To this suggestion the special representative agreed, adding that the Administration had already set up a committee composed of representatives of all political parties to advise the Administrator on the exercise of his executive power. The first item on the agenda of this committee is the question of the settlement of tribal disputes.

⁶ See *Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie, 1953*, Ministry of Foreign Affairs, Rome. Istituto Poligrafico dello Stato, 1954.

16. At its 261st meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITIONS FROM REPRESENTATIVES OF THE WALAMOY TRIBE (T/PET.11/474); AND FROM MESSRS. ISSE MOHAMED, MAHAT IAKUB AND OTHERS (T/PET.11/479)

1. These petitions, which were received by the Visiting Mission of 1954, resuscitate a claim—which has been examined by the Council on two previous occasions—that the Società Agricola Italo-Somalo (SAIS) has arbitrarily occupied land belonging to the Walamoy tribe. In addition, the petitioners claim a sum of 4,764.40 somalos which, they say, was looted from the people by the police during the course of an incident in August 1951.

2. Both claims were the subject of T/PET.11/65 and addenda, and of T/PET.11/274 and Add.1. The relevant resolutions of the Council were, respectively, 514 (XI) and 675 (XII). The reports of the Standing Committee on the petitions are to be found, respectively, in T/L.273, paragraphs 76-85, and in T/L.346, section I. In resolution 514 (XI), the Council noted the observations of the Administering Authority as well as of the statement of its special representative, in particular that the land occupied by the SAIS had been legally acquired; that negotiations were being carried out between the Society and the local population concerned with a view to settling the land disputes by amicable arrangement; and that, while a number of tribesmen had been arrested because they intended to oppose by force of arms the mapping-out operations of the Society, no looting whatsoever had taken place. The Council expressed the hope that a settlement agreeable to the local population would soon be reached in regard to the land dispute. In resolution 675 (XII) the Council recalled its previous resolution and took note of the observations of the Administering Authority, and the statement of its special representative, to the effect that an agreement satisfactory to all parties concerned had been entered into on 17 August 1952 and was in full force and effect. The Council also expressed the hope that the Administering Authority and the SAIS would continue to extend assistance to the Walamoy for the creation and encouragement of agricultural co-operative societies.

3. The Committee will recall that, in the course of its report on T/PET.11/274 and Add.1 (T/L.346, section I, para. 4) it pointed out that there were before the Council for consideration, among other things, a declaration by nine persons on behalf of the Walamoy people that their dispute had been settled satisfactorily and that the declaration was contested by three other members of the tribe. These three members, together with two others, are the signatories of the present petition. They were also among the signatories of T/PET.11/65 and addenda. They claim that no agreement has been reached between them and the SAIS and that the lands arbitrarily occupied by the SAIS have not been restored to them; nor have they been paid compensation for the lands thus illegally possessed for 31 years. They list the names of nine persons whom they accuse of being "stooges" of the SAIS in the affair but who "have no legal or moral rights on the land question of the Walamoy tribe as they are no chiefs or otherwise to our said tribe" but members of the Eile tribe.

4. As has already been noted above, the petitioners also raise again the question of the sum of 4,764.40 somalos which, they claim, was looted from them on 19 August 1951 by "public forces of the Administering Authority", and has not yet been restored to them. They write also

of "a false assertion made by the SAIS and the Trusteeship Administration of Somalia at the United Nations Trusteeship Council in regard to the institution of an agricultural co-operative in favour to our people".

5. The Administering Authority states in its observations (T/OBS.11/50, sections 7 and 10) on the present petitions that it has not proved possible to put into effect all the clauses of this agreement. The reason for this is not, as the petitioners maintain, that the signatories of the agreement itself were not duly qualified chiefs, but that opposition was stirred up by the unwarranted claims of some Walamoy elements, including the petitioners themselves, when the boundary of the area which the SAIS has undertaken to transfer to the Walamoy tribe under article 9 of the Agreement was being marked out.

6. The Administration, while respecting the rights acquired by the SAIS, has not lost sight of the expediency of effecting a further compromise, on new terms, in the interest of the local people. To this end a transfer agreement between the Administration and the Society is under consideration, under which the Administration would relinquish to the SAIS certain public irrigation works situated on land owned by the SAIS which serve only to irrigate the Society's own land; in return the Administration would receive some 1,000 hectares of land, at present owned by the SAIS, for distribution to local farmers. This solution would also facilitate the establishment, with the Administration's assistance, of an agricultural co-operative for the Walamoy and the Sagalo only. The Administering Authority notes that many Walamoy are already members of agricultural co-operatives in other parts of the Territory and in the Villabruzzi area itself where at least 11 agricultural co-operatives have been formed.

7. The petitions were examined and discussed at the 252nd and 261st meetings of the Standing Committee (T/C.2/SR.252 and 261).

8. The special representative stated that new legislation dealing with land registration was in preparation and when enacted in the near future would provide the petitioners with a means of entering their claims before a judge.

9. At its 261st meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITIONS FROM HAJI ISMAIL GHEDI (T/PET.11/500) AND HAJI JAMA MOHAMED EGAL (T/PET.11/501)

1. The two petitioners, whose claims are of a very similar nature, state that they are the former owners of cultivable fields. Haji Ismail Ghedi owned one field measuring two *darab*⁷ at Zunguni in addition to "some parcels of land" and another field of 12 *darab* situated near Giue. Mr. Jama Mohamed Egal was in the possession of 16 *darab* of cultivable land near Giue. All three pieces of property were free land to which no previous claim had been laid.

2. Both petitioners say that their land was forcibly taken from them by the Government while they were on a pilgrimage to Mecca some 17 years ago. They state that "at that time it was impossible to oppose the Government's will and that is why nothing of this has been said until now".

3. The fields at Giue are now in the possession of a European concessionaire who is said to have allotted them

⁷ One *darab* equals 0.62 acres.

for cultivation to his labourers while the field at Zunguni is now developed by another European who has built a house on it.

4. The petitioners request that the property be returned to them.

5. In its observations (T/OBS.11/53, sections 2 and 3) the Administering Authority states that the plots of land in question are integral parts, respectively, of the Ghirardini farm, having been recognized as Ghirardini's property under Governor's Decree No. 15918, dated 1 August 1939, and of the Frascarolo farm, having been recognized as the Frascarolo's unencumbered and absolute property under Administrator's Decree No. 31, dated 29 January 1953.

6. The petitioners have been informed that they may apply to the judicial authority if they wish to press their claim, but they do not appear to have done so as yet.

7. The petitions were examined and discussed at the 252nd and 261st meetings of the Standing Committee (T/C.2/SR.252 and 261).

8. The special representative stated that the petitioners could still present their claims before a judge since the prescribed period of 20 years had not elapsed.

9. At its 261st meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM MR. SAID MOHAMED SALIM BEN BARIK AL-JAF'I AND OTHERS (T/PET.11/503)

1. The petitioner states that he is the owner of a 260-hectare farm at Muka Dalul the title deed for which is registered in the Mohamedan court register in Margherita. He has invested in it all his money and the labour of his family, numbering 50 persons.

2. Three years after the establishment of the Trusteeship Administration "an assessment of half of this farm was imposed... by the District Officer at Margherita" and a platoon of soldiers took possession of it in September 1952. The seized land was subsequently given to an Italian engineer, Mr. Rivalta. The petitioner then submitted a complaint to the Commissioner of the Lower Giuba region who, he says, not only did not reply, but incited the local officials to threaten him so that he would give up his farm. He also lodged a complaint with the Administration of the Territory.

3. After the United Nations Visiting Mission had left his district, certain members of the Ogaden tribe, who he says had been incited to do so by the District Officer and his assistant, seized the remainder of his farm. When the petitioner appealed to the Chief of Police to remove the intruders, he was told to inform the United Nations, which he now requests to use its good offices on his behalf.

4. In its observations (T/OBS.11/53, section 5) the Administering Authority denies the petitioner's allegation that a part of the land cultivated by him was wrested from him by force, under the protection of armed soldiers, and awarded to an Italian engineer, Mr. Rivalta.

5. The Administering Authority states that in April 1952 the ben Barik brothers were in direct touch with Mr. Rivalta and his agent. Following those discussions, the petitioner stated in the presence of the District Officer that he was willing to allow Mr. Rivalta to work the land. In accordance with those arrangements, Mr. Rivalta began the work of clearing and bringing under cultivation an area of 50 hectares, while the ben Barik brothers continued to work other land situated along the river bank.

6. The Administering Authority states further that the petitioner, who had previously entered a protest against Mr. Rivalta, was requested on a number of occasions to produce documents providing his lawful title to the possession of the 260 hectares which he claimed were granted to him as a concession by the British Military Administration. He was never able to do so, and in fact was compelled to admit more than once that the land in question had been neglected for 30 years, and that he and his brothers had only recently started to work it.

7. The land for which the petitioner claims the right of free disposal is situated in an extensive loop of the Giuba river inhabited mainly by Uagoscia people. The petitioner did in fact succeed—by methods that were not always proper, such as granting loans at exorbitant rates of interest—in securing a few *shambas*, obtaining in addition the recognition by the local Goscia farmers to work marginal land. This, however, was not sufficient to confer upon him the ownership of 260 hectares of land.

8. The Administering Authority states that the petitioners have been informed that the only body competent to deal with complaints concerning the alleged infringement of their property rights by members of the Ogaden tribe is the judicial authority, but that the petitioners have not yet brought their case before it.

9. The petition was examined and discussed at the 252nd, 261st, 262nd and 263rd meetings of the Standing Committee (T/C.2/SR.252, 261, 262 and 263).

10. In referring to the complex nature of this case, the special representative stated that further investigations would be undertaken, including search of the land registry records in the *sharia* court at Margherita. He reminded the Committee of the land registration survey currently being carried out at the completion of which legislation would be enacted and an additional means provided for the proper registration and settlement of land claims.

11. At its 263rd meeting, the Committee adopted unanimously draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM MR. ABID BEN AWAD EL JABIRI AND OTHERS (T/PET.11/505)

1. The petitioners state that, after an appeal for their help from the Government to improve an existing irrigation canal for which they advanced 5,000 somalos, the Government demanded an additional 20,000 somalos. But they say the canal is not in good working order and they point to the fact that water entered the canal recently even when the gate was closed. When they complained to the District Commissioner they received no satisfaction and they blame the Government for damages to crops which were occasioned by the flooding of the fields.

2. They also complain that the former District Commissioner limited the price at which they could sell their cotton to 75 *centesimi* per kilo. When some of them sold it, however, to a buyer at 1 somalo, they were sentenced to pay a fine for doing so. They blame all their difficulties on the former District Commissioner, who they say caused them all their troubles in order to have them work on the farms of his friends.

3. They request that their money be returned to them in order that they may be enabled to return to their fields.

4. The Administering Authority states (T/OBS.11/53, section 7) that during the seasonal flooding of the Giuba, the water enters the area where the petitioners work their *shambas* and stays there until it is completely absorbed

by the soil. In order to meet the requests of these cultivators, the Administration at its own expense had a small sluice mounted on a bridge that crosses the canal for the purpose of regulating the flow of water into the area. In addition, excavation work was carried out to give the canal the counterslope necessary to drain the area and to prevent the water from standing on the land for a protracted period.

5. The Administering Authority adds that last autumn's flood was too violent and that in spite of the sluice the land was flooded. The influx of this water and its failure to drain off are described as the cause of the present complaint, but it is pointed out that until the sluice was provided, the cultivators took no steps whatever to regulate the influx of water, nor did they concern themselves with its drainage. When the flood occurred, the *shambas* were not carrying abundant crops, as is alleged, because during the previous *gu* season no rain at all had fallen at Margherita. Only a few small cotton *shambas* had survived the drought and suffered slight damage from the floods. After the flood had passed, however, sesame was cultivated and yielded an exceptional crop, which it would not have been possible to grow unless there had been a flood.

6. The Administering Authority denied that the petitioners had contributed 5,000 somalos and that Mr. Abid had been asked to go to the District Office to sign the accounts for the work done in the area itself. When questioned, the petitioner said that there had obviously been an error of translation. According to him, he had meant to refer to the advances made to workers on behalf of the Ionte Land Division, which subsequently repaid him the amount of money that he had advanced.

7. Regarding the petitioners' complaint regarding the price of cotton, the Administering Authority states that the District of Margherita instituted proceedings against a number of cultivators working in partnership on the ground because, merely in order to obtain a higher price, they were selling their produce to outside purchasers. Fines were imposed, but were never collected because they were remitted by the Administrator at the instance of the District Officer of Margherita. The accused included a number of cultivators from the Margherita area and, in particular, Mr. Abid ben Awad.

8. The Administering Authority concludes that it is under no obligation to provide any indemnity whatsoever and that the claim is without foundation.

9. The petition was examined and discussed at the 253rd and 262nd meetings of the Standing Committee (T/C.2/SR.253 and 262).

10. The special representative stated that the Administration will repair the damaged sluice gate and is continuing the construction of water-control works along the Giuba river in the vicinity of Margherita.

11. At its 262nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM MR. SHIGO KHAMIS DUEILA AND OTHERS (T/PET.11/507)

1. The petitioners who formerly lived at Burini, Tack Ungo, Mocambo and other places, state that they have been scattered by hunger and weariness and claim that they own adjoining plantations which they inherited from their fathers. In 1935 their land was taken away by the Government and given to a Mr. Orcesi. The land is now

in the possession of Mr. Marietti, who was Mr. Orcesi's agent. At the time of the change-over, Mr. Orcesi burned down all the plants.

2. The petitioners request that the property be returned to them and that they be paid for the damages done to it.

3. The Administering Authority states (T/OBS.11/53, section 8) that the land to which the petitioners refer was awarded as a concession to Mr. Orcesi under a decree of the Governor dated 28 January 1938. The farm has now been leased to Mr. Marietti. It appears, therefore, that the claim made by the petitioners is groundless. The Administering Authority adds that, should they wish to press their claim, the petitioners may apply to the judicial authority.

4. The petition was examined and discussed at the 253rd and 262nd meetings of the Standing Committee (T/C.2/SR.253 and 262).

5. The special representative stated that the judicial authorities were fully empowered to deal with this case since the prescribed period of 20 years for the hearing of an appeal since the issue of the Governor's decree dated 28 January 1938 had not yet elapsed.

6. At its 262nd meeting, the Committee adopted unanimously draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

VII. PETITION FROM MR. EL HADJ SAID BEN SAAD (T/PET. 11/509)

1. The petitioner states that he is the legal owner of a plot of land near the village of Burini. Adjoining this property lies another plot of ownerless land which the petitioner reclaimed and demarcated with the consent of the elders and notables of the district and on which he planted crops and grazed his sheep.

2. The petitioner then relates the details of a conversation he had with the District Officer who told him that three Italian nationals had brought an action against him. The District Officer advised him to give up the ownerless land, but when the petitioner informed him that he had no intention of doing so, the Officer told him that "something very unpleasant will happen to you".

3. Therefore, the petitioner was summoned by his chief, who also advised him to give up the land since it belonged to the three Europeans. Then, while still at the chief's house, he was informed that his workmen had been turned out of the field and his crops had been destroyed.

4. The petitioner states that he did not bring action in the matter because he was about to go on a pilgrimage to Mecca and he feared that any such action might interfere with it or might even bring violence to him and his family.

5. He also states that he was summoned to the district office where he was forced to sign a paper the contents of which were unknown to him, and that he was given 4,500 somalos. He asserts that a previous attempt in 1951 to seize the field by the same persons had been frustrated by the then District Officer, but that the present District Officer is ignorant and incompetent. He also expresses the fear that if his case is investigated he will be imprisoned.

6. In its observations (T/OBS.11/53, section 10) the Administering Authority states that the petitioner's arguments are without foundation. The land to which he refers was duly granted as a concession to Mr. Quercioli and Mr. Navarra under Governor's Decree No. 17621, dated 26 November 1940. It has been established that on 7 February 1952 the petitioner concluded an agreement

with Mr. Cerrati, the lessee of the farm, under which El Hadj Said ben Saad received the sum of 4,500 somalos in reimbursement of the expenditure incurred for improvements to the land during the war and without authority. The agreement was freely concluded between the parties and signed in the presence of the Chief Cadi of Margherita and of the local Arab chief. The petitioner may apply to the judicial authority in connexion with any property claims he may wish to prosecute.

7. The petition was examined and discussed at the 253rd, 262nd and 263rd meetings of the Standing Committee (T/C.2/SR.253, 262 and 263).

8. At its 263rd meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VIII. PETITION FROM HADJ HASSAN BEN FADHL (T/PET. 11/520)

1. The petitioner states that his farm located at Burini was taken over by an Italian national after he was forced to leave it. The District Officer to whom he appealed against this action did not help him and advised him to engage a lawyer if he wished to recover the property or claim damages. But the petitioner says he has no money to pay for an Italian lawyer and, therefore, he appeals to the United Nations for redress.

2. In its observations (T/OBS.11/58, section 5), the Administering Authority states that there appears to be no legal basis for the protest by the petitioner. The land mentioned by the petitioner was duly made over by Decree No. 17621, dated 26 November 1940, to Messrs. Quercioli and Navarra. The land has now been leased by the owners to Mr. Cavazzini. If the petitioner has any legal claims, he can of course apply to the judicial authorities.

3. The petition was examined and discussed at the 253rd and 263rd meetings of the Standing Committee (T/C.2/SR.253 and 263).

4. At its 263rd meeting, the Committee adopted unanimously draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

IX. PETITION FROM MR. MOHAMED HAJI AHMED IUSUF (T/PET.11/481)

1. The petitioner states that on 1 August 1952 he "was accused on mere suspicion" following a dispute between Italian officials and the Somali Youth League. He put up 2,816 somalos as bail which to date has been retained by the Administration. Finally, he states, "the Court disclaimed responsibility for the amount but ordered that I should pay a fine of 500 somalos". While the petitioner is ready to pay the fine, he requests that the balance of his bail, amounting to 2,316 somalos, be returned to him.

2. The Administering Authority states (T/OBS.11/51, section 3) that by a judgment of the Court of Assizes in Mogadiscio on 11 August 1953, confirmed by the Appeal Court of Assizes on 23 February 1954, Mohamed Haji Ahmed Iusuf was found guilty of having organized an unauthorized public procession and of leaving the country illegally. He was fined 500 somalos on the first count and sentenced to two months' imprisonment on the second.

3. By the same judgment, the petitioner was sentenced, under article 488 of the Code of Penal Procedure jointly with all the other defendants, to pay costs amounting to 42,681.95 somalos incurred by the Treasury.

4. Mohamed Haji Ahmed Iusuf is among those who have now appealed against this judgment to the Court of Cassation in Rome.

5. During the investigation of the case, the property of the defendants—including that of the petitioner—was seized as a deposit, in accordance with article 189 of the Penal Code, but the value of this property was inadequate to cover the costs incurred by the Treasury. For these reasons, and more particularly because a final judgment has not yet been given, payment of the individual fines cannot be enforced, nor can the sums seized from the petitioner and deposited with the judicial authorities be returned to him until the case has been finally settled and the costs have been recovered. The Administering Authority further states that all this has been explained to the defendant's counsel and to the defendant himself.

6. The petition was examined and discussed at the 254th and 263rd meetings of the Standing Committee (T/C.2/SR.254 and 263).

7. The special representative stated that, in accordance with the legal regulations, should the petitioner's appeal to the Court of Cassation in Rome be successful, his money would be returned to him.

8. At its 263rd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

X. PETITION FROM MRS. AMINA MOHAMED GIAMA (T/PET. 11/489)

1. The petitioner states that she was arrested on 1 August 1952 together with other persons and that during her absence her house was entered by the police. She says that as a result of this a sum of 800 somalos belonging to her husband and two pairs of gold earrings were missing, but that the numerous requests she sent to the authorities in this connexion have yielded no results. She requests that the United Nations intervene on her behalf in order that her belongings be returned to her.

2. The Administering Authority states (T/OBS.11/49, section 4) that the petitioner was arrested in Chisimaio on 2 August 1952 for having taken part in the fatal incident of 1 August 1952 and was released on probation on 18 March 1953. On 11 August 1953 she was sentenced by the Court of Assizes of Mogadiscio to two years' rigorous imprisonment and four months' simple imprisonment for the offence of offering resistance, with aggravation, of attending seditious meetings and of uttering seditious language. An appeal against the sentence is pending in the Court of Cassation.

3. The Administering Authority adds that the petitioner never notified the police of the theft of 800 somalos and two pairs of gold earrings, although she had ample opportunity to do so both during the period of her detention and later in prison. When her husband was questioned in the matter he declared that he had known that the articles in question had been stolen by thieves at the time their house had been left unoccupied as a result of his wife's arrest.

4. The petitioner left the Territory on 30 November 1954 to make a pilgrimage to Lamu (Kenya), with the authorization of the Regional Officer of Lower Giuba, and has not yet returned. Accordingly, it has not been possible to question her concerning these and previous statements which she says she made. The Administering Authority states that the police were not responsible for the theft.

5. The petition was examined and discussed at the 254th and 263rd meetings of the Standing Committee (T/C.2/SR.254 and 263).

6. The special representative stated that the police made no search of the petitioner's house as alleged, nor were the police responsible for the theft of the missing money and articles.

7. At its 263rd meeting, the Committee adopted by 3 votes to 1, with 2 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

XI. PETITION FROM MR. MOHAMED MAHAMUD DARAR (T/PET.11/488)

1. The petitioner states that he was arrested following the Chisimaio incident of 1 August 1952, but claims that it was because of a case of mistaken identity. He states that officials took from him a sum of 1,985 somalos, which they held as bail pending a decision of the Court. The Court acquitted him but his requests for the repayment of his money have met with no success. He therefore asks for assistance in obtaining the above-mentioned sum.

2. In its observations (T/OBS.11/51, section 7) the Administering Authority merely states that the present petition deals with a matter similar to that raised in T/PET.11/481 [see section IX].

3. The Standing Committee will note, however, that the present petitioner claims to have been acquitted and for that reason is asking for the return of his bail, while the earlier petitioner was convicted by the Court, fined and ordered to pay certain costs.

4. The petition was examined and discussed at the 254th, 255th and 263rd meetings of the Standing Committee (T/C.2/SR.254, 255 and 263).

5. The special representative stated that the petitioner was acquitted of the two formal charges of homicide and resistance to arrest. He was, however, sentenced to two months' imprisonment for leaving the Territory illegally. It was against this sentence that the petitioner had appealed to the Court of Cassation in Rome. Should his appeal be successful the sum of money at present held pending a final decision would be returned to the petitioner.

6. At its 263rd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

XII. PETITION FROM SHEIK ABDURAMAN (T/PET.11/492)

1. In a letter addressed to the 1954 Visiting Mission the petitioner requests the return of household articles, goods and livestock which he says were seized from him on 31 March 1950 at Ischia Baidoa by "the Italians". He states that other persons likewise had their property seized.

2. The Administering Authority points out (T/OBS.11/52, section 1) that the petitioner's claim was examined by the Council at its twelfth session in connexion with petitions relating to compensation for the Baidoa incident of April 1950. The petitioner's claim was presented in T/PET.11/266, where his name was given as Sheek Abdiraman Sheek Abdi, and the Administering Authority had observed (T/OBS.11/6) that the petitioner's claim had been rejected as unfounded. Subsequently, the Council adopted resolution 667 (XII) whereby it drew the attention of the various petitioners, including the present complainant, to the observations of the Administering Authority and decided that no recommendation by the Council was called for.

3. The petition was examined and discussed at the 254th, 255th and 263rd meetings of the Standing Committee (T/C.2/SR.254, 255 and 263).

4. The special representative assured the Committee that the Administering Authority would not ignore any claims submitted concerning indemnification for damages arising out of the Baidoa incident. The special representative stated that the petitioner had not submitted any claim to the Baidoa Commission, but added that if he still had any complaints he could submit them to the Administration.

5. At its 263rd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution XII, annexed to the present report, which it recommends that the Council adopt.

XIII. PETITION FROM MR. ALI SALAT AUL (T/PET.11/504)

1. The petitioner states that as a result of the Baidoa incident in 1950 he lost all his property amounting to 60,000 shillings and is now completely destitute.

2. He states further that he has complained times without number, that "the United Nations has resolved that I should be given what is due me without delay",⁸ but the Government has refused to pay him.

3. In its observations (T/OBS.11/53, section 6), the Administering Authority merely states that the general question of the damage suffered at Baidoa in April 1950 was explained to the Trusteeship Council in its observations (T/982) on a similar petition, T/PET.11/55/Add.1, and draws attention to the Council's resolution 506 (XI) whereby it considered that no recommendation by it was necessary on petitioners' claims for indemnity.

4. The petition was examined and discussed at the 255th and 263rd meetings of the Standing Committee (T/C.2/SR.255 and 263).

5. The special representative stated that, should any claims for damages arising from the Baidoa incident be still outstanding, they can be submitted to the competent judicial authority. He added that the petitioner's claim had been rejected as unfounded by the Commission established to consider claims for damages arising from the Baidoa incident; the petitioner was at liberty, however, to submit his claim to the competent judicial authority.

6. At its 263rd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution XIII, annexed to the present report, which it recommends that the Council adopt.

XIV. PETITIONS FROM SHEIKH SAID BAHMED AL AMOUDI (T/PET.11/508) AND FROM MR. OMAR BAHMED BATRASH AL-AMOUDI (T/PET.11/519)

1. The petitioners, who are presumably members of the same family, state that their house was burned to the ground on 25 April 1950. When the petitioners and their family wanted to leave the house they were ordered by Marshal Matsi to stay in the house under penalty of being shot by the soldiers who had surrounded it. Nevertheless, the petitioners and their family managed to break out of the burning house.

⁸ There is no record that any previous communication from the petitioner was received at United Nations Headquarters; certainly no decisions such as is described by him was taken by the United Nations.

2. Following this incident the Chief of Police came to see them, assuring them that the culprits would be punished. Later they were requested to draw up a list of damages incurred. This was done, but the petitioners never heard from the authorities again.

3. The damage according to the author of T/PET.11/508 is said to have amounted to 28,300 shillings, while the author of T/PET.11/519 claims it to have been 25,000 shillings. The petitioners request that action be taken on their behalf. They also state that they and their family are nearly destitute.

4. In its observations (T/OBS.11/53, section 9) the Administering Authority merely states that the present petition deals with the general question of the incidents that occurred at Margherita in April 1950 and is identical with that explained to the Trusteeship Council in connexion with petition T/PET.11/174 relating to the incidents that occurred at the same time at Chisimaio. By its resolution 578 (XI), the Council then decided to inform the petitioners concerned that they could apply to the local courts for indemnification for the loss resulting from the disturbances.

5. The petitions were examined and discussed at the 255th and 263rd meetings of the Standing Committee (T/C.2/SR.255 and 263).

6. The special representative stated that, should any claims for damages arising out of the incidents at Margherita in April 1950 be still outstanding, they can be submitted to the competent judicial authority.

7. At its 263rd meeting, the Committee adopted unanimously draft resolution XIV, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII and XIV, adopted without change at the 639th meeting of the Trusteeship Council, see resolutions 1287 (XVI), 1286 (XVI), 1302 (XVI), 1303 (XVI), 1305 (XVI), 1307 (XVI), 1309 (XVI), 1315 (XVI), 1290 (XVI), 1295 (XVI), 1294 (XVI), 1297 (XVI), 1304 (XVI) and 1308 (XVI), respectively.]

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One hundred and twenty-fifth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

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[22 June 1955]

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INTRODUCTION

1. At its 257th, 258th, 259th, 260th and 263rd meetings on 14, 15, 16, 17 and 22 June 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents, and which relate to claims and complaints of ex-servicemen.

2. Mr. V. Zadotti participated in the examination as the special representative of the Administering Authority concerned. Members of the United Nations Advisory Council for Somaliland also participated in the examination.

3. The Standing Committee submits herewith to the

Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution II.

4. The claims of ex-servicemen are the subject-matter of the 13 petitions covered by this report. Seven of them—T/PET.11/480, 482, 491, 493, 510 and Add.1-2, 521 and 541—were received by the Visiting Mission of 1954 and bear dates in September and October 1954. The remaining petitions bear dates ranging from November 1954 to April 1955, the most recent having been dated 9 April 1955. The petitions fall into two groups: those whose writers claim to speak on behalf of ex-servicemen in general and those writers who are concerned with their own particular cases.

A. GENERAL COMPLAINTS

5. Into this group of petitions fall: T/PET.11/498, with 13 signatories; T/PET.11/510 with 16 signatories claiming to speak on behalf of 4,000; T/PET.11/513 with ten signatories on behalf of 2,000; T/PET.11/514 with 11 signatories on behalf of 5,000; T/PET.11/547 with 14 signatories on behalf of 20,000; and T/PET.11/567 with five signatories on behalf of 6,000. The clearest exposition of claims is in T/PET.11/510, where the petitioners demand that the Italian Government satisfy without distinction the rights and claims of all Somali ex-servicemen who saw active service, in the manner provided by Italian and international law. They demand also pensions for disabled ex-servicemen, war widows, orphans and veterans. They have made applications to various authorities, but in vain (this is stated also by the authors of T/PET.11/514). In T/PET.11/498 also there is a request that veterans with 20 or more years' service who are now unable to work be awarded pensions. The authors of T/PET.11/510 do not state precisely what their claims are, other than those for pensions. The authors of T/PET.11/498, after stating that ex-servicemen received seven years' pay at a daily rate of ten cents of a somalo, demand pay for the period of ten (sic) years when the Italian Administration was absent from the Territory; in the second addendum to their petition, however, they demand payment for 14 years' service—as do the authors of T/PET.11/547 and of T/PET.11/567. The authors of T/PET.11/514 say that their claim is in respect of the years 1941-1955.

6. Four of the petitions in the first group (T/PET.11/498, 510, 513 and 514) contain references either to a government decree or to notices published in the Press concerning measures which the Administration is proposing to take to assist certain ex-servicemen. Dissatisfaction is expressed with those measures. The reference in T/PET.11/514 is to a notice published in *Il Corriere della Somalia* on 13 November 1954. The gist of the notice—which is to be found on page 2 of that day's issue—is that the Administration is prepared to consider applications for assistance from ex-servicemen who, besides being in needy circumstances, fall into one of the following groups: (a) cripples and others disabled as a result of hostilities; (b) men with not less than 25 years' service, of which at least 15 years were consecutive; (c) men decorated for gallantry. Instructions follow as to the way in which applications should be made.

7. In T/PET.11/510/Add.2 and T/PET.11/514 are charges that some ex-servicemen have been induced by the authorities to sign erroneous statements to the effect that their claims have been met.

8. Claims by ex-servicemen for pensions and/or arrears of military pay were the subject of petitions examined by the Council during its thirteenth and fifteenth sessions. At the thirteenth session the Council learned from the Administering Authority (T/OBS.11/24) that all Somali ex-servicemen of the Italian army were paid arrears of salary up to the date of Italy's renunciation of sovereignty over Somaliland in 1941. In addition, all war cripples, disabled servicemen and veterans who were fit for sedentary work were employed by the Administration in the War Cripples, Disabled Servicemen and Veterans Company (WCDSVC). For those who are unfit even for employment in the WCDSVC the Administering Authority stated that the Italian Treasury had arrangements of a permanent nature under consideration. In connexion with the petitions before the Council at its fifteenth session, the Administering Authority stated (T/OBS.11/43) that, pending the issue by the Italian Government of appropriate legislation to grant pensions to entitled persons, a special board had been appointed in September 1954 to determine the more urgent cases of ex-servicemen needing assistance,

with a view to granting them amounts approximately equal to the amounts of pension to be paid. (See the Committee's sixty-fourth report (T/L.425, section I) and its 115th report (T/L.550, section VII).) In a number of later observations (T/OBS.11/55, sections 1 and 2, T/OBS.11/57, sections 1-4 and T/OBS.11/64, section 4) concerning T/PET.11/498, 510, 513, 514, 521, 547, 565 and 567 respectively, the Administering Authority states that the observations in T/OBS.11/43 are applicable to each of these petitions. In an observation (T/OBS.11/57, section 1) which was submitted in respect of T/PET.11/513, the Administering Authority adds that the special board is composed of eight members, five of whom are Somalis. By 1 May 1955, the Board had examined 2,685 requests and had recommended 250 persons for an allowance and 26 others, who had been decorated for valour, for rewards. The Administration accepted the Board's recommendations and arranged to pay all those recommended a monthly allowance varying between 50 and 60 somalos and to find posts under the Administration for the 26 who had been decorated for valour. The Administration has also arranged to find posts either in its own offices or services or with private firms for 150 particularly deserving ex-servicemen. The National Association of Somali Ex-Servicemen (ANCOS), which was founded in October 1951, may be regarded as the recognized body entitled to represent ex-servicemen. The Administering Authority states that none of the signatories of T/PET.11/510,⁹ 513¹⁰ and 514¹⁰ are members of the executive committee of ANCOS and hence they have no right to represent the ex-servicemen.

9. All of the petitions of this group, save T/PET.11/513, contain references to an incident that occurred in Mogadiscio on 28 August 1954. This incident was described by the Administering Authority in the observations (T/OBS.11/44) which it submitted on T/PET.11/449. A summary account of it appears in the Committee's 116th report (T/L.556, section VI). Briefly, a group of ex-servicemen had assembled in Mogadiscio for the purpose of advancing their claims and, on being asked to disperse, they rioted. The police were obliged to use firearms. As a result, one man was killed, another died of wounds later, and 13 demonstrators, 11 policemen and eight passers-by were wounded. Thirty-nine persons were subsequently convicted in February 1955 and sentenced to varying terms of imprisonment. In the petitions restitution is demanded for the incident, including *diah* in respect of the two men killed. The authors of T/PET.11/510 and 547, describing the incident, state that the authorities on that occasion also seized a camel which was about to be sacrificed, as well as a sum of money that had been collected for charitable purposes, and they request that these be restored.

B. SPECIFIC COMPLAINTS

10. In T/PET.11/480, the petitioner states that he and his four brothers were conscripted by the Italian Government in 1935. Three brothers died during the war and the petitioner himself was arrested and imprisoned for three months. Later he served in the *gendarmérie* while the Territory was under the British Military Administration. When the Italian Administration returned he was again sentenced to two months' imprisonment. Then, he states, he made his claims for services rendered to the Italian Government but they were rejected by the Commissione di liquidazione arretrati ex-militari Somali (CLAMS). Requesting that his claims be honoured, he states that he is guilty of no offence, and that in any case he has atoned through his imprisonment and four years of unemployment.

⁹ See T/OBS.11/55, section 2.

¹⁰ See T/OBS.11/57, section 2.

11. The Administering Authority states (T/OBS.11/51, section 2) that there is no one in the Territory answering to the name of the signatory of T/PET.11/480. [On examination of his letter, it appears that the signature of the petitioner might be read as "Farrah".]

12. In T/PET.11/482 four petitioners from Bardera claim that they should be paid what is due to them.

13. The Administering Authority states (T/OBS.11/51, section 4) that in the Bardera district, as in all other districts, back pay due to Somalis was paid in the manner described in its earlier observations (T/OBS.11/43, section 3) (see para. 8 above). It adds that one of the signatories, Chief Dubo Jusuf, was paid 575.11 somalos on 8 August 1950, and that the others did not submit their claims within the time-limit prescribed by law.

19. The author of T/PET.11/491 is disabled and claims service from 1938 to 1941. He states that he "was regarded as being on the regular list until 1947", when the native military corps in Somaliland was disbanded. His disability is due to wounds which he suffered during the Second World War and he states that several shell fragments are still lodged in his body. He has been unable to obtain a pension from the Administration and requests assistance to that end in view of his infirmity—as a result of which he cannot work and is destitute.

15. The authors of T/PET.11/493 say that they served in the Italian forces until 1941 and were wounded during the war, but that their present cash gratuity and back pay are too small, having been calculated at the rate of ten cents of a somalo for each day served. They state that they are unemployed with families who are dependent on them. They are willing to resume military service but failing that they request that their cash gratuity be increased in order that they might be enabled to live under better conditions.

16. With respect to these two petitions, the Administering Authority draws attention (T/OBS.11/51, section 8, and T/OBS.11/52, section 2, respectively) to its earlier observations (T/OBS.11/43) which are referred to in paragraph 8 of this working paper.

17. In T/PET.11/521 the two petitioners claim service from 1924-1941, and state that they have received only a very small part of the back pay that is due to them.

18. In T/PET.11/541 the petitioner claims service from 1926-1941; he states that he was an officer, that he was wounded and that he has "continued in military service to this day" (1 September 1954); he requests that he be paid what is owed to him from 1926.

19. The Administering Authority states (T/OBS.11/63, section 4) that the petitioner received 546.20 somalos in arrears, to which he was entitled under Ordinance No. 20 of 20 May 1950.

20. Finally, in T/PET.11/565, the petitioner states that he served as a non-commissioned officer with the Italian forces from 1914 on. As a result of his war service he is suffering from deafness and he requests a pension similar to those which were granted to others who had less seniority and disabilities than he has.

21. The petitions were examined and discussed at the 257th, 258th, 259th, 260th and 263rd meetings of the Standing Committee (T/C.2/SR.257, 258, 259, 260 and 263).

22. The special representative stated that for the most part, the claims of the ex-servicemen dealt with two distinct matters, namely, arrears of pay and payment of pensions.

23. With regard to the claims for arrears of pay, he gave further details of the procedure which had been adopted to deal with these. On 20 May 1950, the Italian

Government had enacted Ordinance No. 20 providing that former members of the armed forces who had served during the period 1 February 1941 to 15 September 1947 could claim arrears of pay in respect of that period, to be paid out of funds supplied by the Government of Italy. A commission, the Commissione di liquidazione arretrati ex-militari somali, had been established to examine all such claims. The commission had set up some 30 sub-committees throughout the Territory and claimants had had over three years in which to submit their requests. Up to 28 February 1953, when the Commission had completed its work, nearly 12 million somalos had been paid to 33,405 persons, of whom less than 1,000 had been civilians. All arrears of pay claimed had been paid, and in addition a gratuity of six to 12 months' pay depending on the term of service had been granted. With the exception of the receipt for the money received, no one had been forced to sign any paper stating that his claim had been settled. Any claimant who was not satisfied had the right to appeal to the commission at the time of payment.

24. With respect of pensions to ex-servicemen, the special representative stated that payment to persons entitled to pensions prior to the Second World War was being continued. With regard to ex-soldiers who had served after 1940, legislation relating to the payment of pensions to them was pending in the Italian Parliament. Meanwhile, in order to assist claimants suffering hardship, the Administration had, by Decree No. 142 of 20 September 1954, set up a Board to deal with such cases. Five Somalis had served on the Board, which had included representatives of the ex-servicemen, the Territorial Council and the Administration. It has examined 2,685 claims, 250 of which had been accepted, and provisional monthly assistance of 50 to 60 somalos had been granted; 26 who had had awards for gallantry in action had been found suitable employment by the Administration, which was endeavouring to find employment for 150 others. The special representative further stated that neither in respect of the provisional assistance already being paid nor of the permanent pensions to be awarded in the future would the Territory incur any financial responsibility.

25. The special representative stated that at no time were men from the Territory conscripted into the armed forces, which were composed of volunteers.

26. With regard to the petition from Haji Mohamed Dhere (T/PET.11/498 and Add.1 and 2) the special representative stated that the petitioner had been sentenced to a term of imprisonment in connexion with the incident in Mogadiscio on 28 August 1954 and that the right of appeal had been open to him.

27. In its examination of the petition from Messrs. Kulani Abdi Rubeli, Ghelli Daali Golid and others (T/PET.11/514), the Standing Committee was concerned with the allegations that many orphans of ex-servicemen are still destitute. The Standing Committee draws the attention of the Council to the recommendation embodied in operative paragraph 4 of draft resolution I, annexed to the present report, and to the broader question of orphans and destitute children generally in the Territory.

28. At its 263rd meeting, the Committee adopted unanimously draft resolution I, annexed to the present report, which it recommends that the Council adopt.

29. With regard to those parts of the petitions dealing with the complaints (T/PET.11/510 and Add.1-2 and T/PET.11/547) arising out of the incident which took place in Mogadiscio on 28 August 1954, the special representative stated that all persons apprehended following that incident had been released immediately with the exception of those whom the court had sentenced. He denied the allegation that the police had used machine

guns in subduing the crowd, since the police only carried rifles and sticks. He further stated that no force had been used to induce any person to sign settlement of their claims.

30. At its 263rd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I and II, adopted without change at the 639th meeting of the Trusteeship Council, see resolutions 1289 (XVI) and 1310 (XVI), respectively.]

DOCUMENT T/L.581

One hundred and twenty-sixth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]
[5 July 1955]

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INTRODUCTION

1. At its 262nd, 264th, 265th, 266th and 271st meetings, on 17, 23, 24, 27 June and 5 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents.

2. Mr. V. Zadotti and Mr. P. Spinelli participated in the examination as special representatives of the Administering Authority concerned. Members of the United Nations Advisory Council for Somaliland also participated in the examination.

I. PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF SCUSCIUBAN (T/PET.11/506)

1. The petitioners complain that the District Commissioner of Scusciuban neglects the welfare of the people in his district by going on numerous hunting trips during which he kills wild animals. This, they say, is against the law, and the car which he uses for this purpose is an official car intended for official business only. The petitioners have approached the District Commissioner concerning this matter and protested against these practices, but his assurances to them that he would not go hunting again were broken. Now, they state, the car is in disrepair as a result of its use on rough terrain.

The petitioners are particularly disturbed over the District Commissioner's refusal to lend them the car to bring a seriously ill soldier from the desert.

2. The second complaint concerns the raising of the Somali flag in Scusciuban. The petitioners charge that during a flag-raising ceremony the secretary of the District Commissioner stepped forward and lowered the flag to the ground. Although no disorder broke out and although the flag was raised again after a complaint had been lodged with the District Commissioner, the petitioners consider the secretary's action to have been foolish and request that he be dealt with "in accordance with the law".

3. The Administering Authority states (T/OBS.11/54, section 1) that at the time the petitioners sent in their complaint, the District Officer of Scusciuban was Giovanni Zeppa, who returned to Italy on leave in November 1954 and has been replaced. Scusciuban is a fairly isolated place, far from any centres of population, and it offers very few distractions. In fact, the only diversion is hunting. Mr. Zeppa did not go outside the prescribed areas, nor did he hunt animals which it is unlawful to kill. The petitioners' objections are clearly exaggerated and without foundation. As regards the complaint about the flag-raising incident, it appears that on the day of the raising of the flag (12 October), Mr. Bruno Parodi, the District Secretary, on his own initiative and for some incomprehensible reason, insisted on lowering the Somali flag some inches below the Italian flag. He has been reprimanded by the District Officer for his conduct.

4. The petition was examined and discussed at the 262nd and 271st meetings of the Standing Committee (T/C.2/SR.262 and 271).

5. At its 271st meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM MR. SAID ABD MAHMUD (T/PET.11/518)

1. The writer of this petition complains that he has been attempting for five years to obtain a job from the labour exchange in Mogadiscio and that he has received no reply concerning five applications for work with the Guardia di Finanza. He requests that the United Nations intervene in order to obtain work for him.

2. The Administering Authority states (T/OBS.11/58, section 3) that the petitioner came to Mogadiscio from Galcaio in 1953. His family consists only of his wife, who lives in the District of Galcaio, where he apparently possesses 60 head of cattle, 50 camels and 80 goats. Until a few months ago he was working as a waiter in his brother's *macaia*.

3. On 29 March 1954 a passport was issued to him since he wished to go to Egypt as a cattle-drover. The District of Mogadiscio has several times offered him work as a labourer which he has consistently refused. Moreover, as he has no particular qualifications or capabilities, he could not be employed in any other capacity.

4. The Administering Authority states further that the Guardia di Finanza recruit their members by means of regular competitive examinations which can be taken only if the applicant has given evidence of possessing the necessary qualifications. Since the petitioner possesses none of the qualifications required, all his applications have been rejected.

5. The petition was examined and discussed at the 264th and 271st meetings of the Standing Committee (T/C.2/SR.264 and 271).

6. At its 271st meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM MR. GULED GARAD ABDI AND OTHERS (T/PET.11/528)

1. The petitioners, who are members of the Garre tribe, complain that members of the Abagibil tribe moved on to their lands while they were away working on farms at Genale. Despite many applications to the authorities—both British and Italian—these Garre tribesmen have been unable to regain possession of their lands. On the occasion of their last application, the District Commissioner of Afgoi told them to apply to the *Cadi* of Audegle to settle the matter according to *shariatic* (Islamic) law. The *Cadi*, however, refused to hear either their complaints or their advocate.

2. In its observations (T/OBS.11/59, section 4) the Administering Authority states that this matter was properly referred to the competent judge of the religious court (the *Cadi* of Audegle) who, in his judgment of 22 November 1954, held that the Abagibil were entitled to the disputed land. The parties concerned were informed of the judgment.

3. The court of the *Cadi* of Mogadiscio, to which the petitioners later appealed, upheld that judgment on 21 January 1955.

4. The petition was examined and discussed at the 264th and 271st meetings of the Standing Committee (T/C.2/SR.264 and 271).

5. The special representative stated that no compulsion was used to induce the petitioners to work on the farms at Genale.

6. He added the petitioners were present during the hearing of their case before the *Cadi* of Audegle and that they still have the right to appeal their case to the Administrator of Somaliland.

7. At its 271st meeting, the Committee adopted by 3 votes to 2, with 1 abstention, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM MR. AHMED OSMAN AND OTHERS (T/PET.11/529)

1. The petitioners are members of the Galjal tribe living in Benadir. On 9 December 1954 the District Commissioner of Balad seized 106 of their camels, giving as the reason that the tribesmen had crossed the boundary. The petitioners, however, say that they recognize no boundaries for, being nomads, they must move from place to place to find water and grazing, and that on the occasion in question they had moved to the river bank during a dry spell.

2. Subsequently the District Commissioner returned 56 of the camels, but kept the other 50 as security for a payment of 3,000 somalos. These camels are being badly looked after, however, and "are damaged by dangerous pests". The petitioners appealed to the Provincial Commissioner, whose final word in the matter was that, if the money was not paid by 1 January 1955, the camels would be sold at public auction.

3. The Administering Authority confirms (T/OBS.11/60, section 1) that 106 camels belonging to the Galjal tribe were seized on 16 December 1954 by the District Officer of Balad. Immediately afterwards 56 of these camels were released on an undertaking to pay promptly the penalty described below. The 50 remaining camels were returned unharmed to their owners between 11 and 19 January 1955, the final instalment of the penalty having been paid on 18 January. The Administering Authority states further that the petitioners, who are not qualified to represent the interests of the Galjal tribe but only their own personal interests, profess to be unaware of the existence of clearly-defined grazing areas belonging solely to one ethnic group to the exclusion of all others and reserved for the collective use of the members of that group unless otherwise specified in an agreement, which is usually made publicly by the responsible heads of the respective groups in the presence of the competent authorities.

4. This is also the case with the Galjal tribe, settled mainly in the districts of Bulo Burti (Hiran region) and Villabruzzi (Benadir region), whose tendency to cross their boundaries and move south, even though their own grazing areas are still adequate and are familiar to them all, can be attributed to their desire not only to save their own pastures at the expense of those of others but also to be nearer with their animals to Mogadiscio, with its more favourable market and greater capacity for absorbing milk and other animal products.

5. An agreement concerning the migration of Galjal animals to south Benadir was made at Afgoi in December 1950. The parties to this agreement were, in addition to the recognized spokesmen of the tribes, the chiefs of the Dighil and Mirife and of the Daud, Hillivi and Mobilen. Also present at the meeting were a representative of the Italian authorities; the then Regional Commissioners of

Upper Giuba, Benadir, Lower Uebi Scebeli (later Benadir) and Mudugh; and the Residents of Afgoi, Merca, Bulo Burti, Bur Acaba, Oddur, Villabruzzi and Balad.

6. It was decided by common consent—in order to prevent the constant offences of the Galjal, such as encroachment on grazing areas, damage to property, unauthorized migration of animals and worse—to impose a fine of 50,000 somalos on groups of persons contravening the agreement, or that in any case the provisions of article 4 of the Proclamation of 1942 prescribing fines not exceeding 10,000 somalos would be applied.

7. In June 1954 occurred, in violation of the agreement, an invasion of the Balad area by large numbers of Galjal with several thousand camels and goats. The District Commissioner of that area and the *ilalo* under his jurisdiction had to take prompt action to prevent the justifiable indignation of the local inhabitants from leading to serious consequences. On 28 June the responsible leaders of the Galjal, who had been identified and summoned, signed in the presence of that political administrative officer an undertaking to pay by the following 31 July 2,100 somalos in cash as the penalty under the agreement and costs, and also 400 somalos as a present (*samen*) by way of apology to the leaders of the injured tribes (Daud, Hillivi, Mobilen, Scidle-Barre).

8. The acceptance of the undertaking soothed tempers and allowed the violators of the agreement to remain peacefully with their own animals in a well-defined area not assigned to any particular tribe. By making a continuous series of quite unfounded but sustained attacks on the District Commissioner of Bulo Burti, the persistent offenders managed to employ all sorts of delaying tactics to avoid honouring the undertaking signed in their own interest on 28 June 1954. Thus, after several months had elapsed without any result, the District Commissioner of Balad was forced to take the administrative action referred to above.

9. The Administering Authority concludes that, since despite this action the recognized and responsible spokesmen of the Galjal did not protest, it is evidence that the statements in the petition are false and without foundation.

10. The petition was examined and discussed at the 264th and 271st meetings of the Standing Committee (T/C.2/SR.264 and 271).

11. At its 271st meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM SHEIKH ALI DAHIRE ABDI GHIRE (T/PET.11/530)

1. The petitioner describes himself as a leading merchant of Mudugh, aged and well respected. He complains that on 22 May 1954, in the middle of the marketplace at Galcaio, he was struck on the head, face and arms with a stick wielded by a Mr. Dahire Sed, at that time a Territorial Councillor representing Mudugh. When he went and laid his complaint before the magistrate, the latter told him, in effect, that his assailant enjoyed immunity from legal process as a Territorial Councillor. Nevertheless, the magistrate said that he would write to the Administrator of the Territory seeking an order empowering him to hear the case. Nothing further has happened, however, and the petitioner asks that justice be done.

2. In its observations (T/OBS.11/60, section 2), the Administering Authority states that in connexion with a long-standing dispute between the petitioner and Haji Dahire Set Giama, a member of the Territorial Council, concerning the building of a house, a quarrel arose in the

course of which Ali Dahire was struck by his adversary with a stick but, although he has no left hand, retaliated adequately. In this encounter, which took place near the Council's office at Galcaio on 23 May 1954, the petitioner sustained injuries to his face and right forearm and required treatment for 12 days, and Councillor Haji Dahire sustained injuries that required treatment for six days.

3. The petitioner brought charges against Haji Dahire which should have led to penal proceedings. Since, however, the matter concerned a member of the Territorial Council and was very trivial, the Administrator did not feel that the prosecution should be allowed. The Administering Authority notes that in accordance with article 2 of Ordinance No. 144 of 30 December 1950 respecting the establishment of the Territorial Council, members of the Council may not, without previous authorization of the Administrator, be prosecuted or arrested except for serious cases. No action was, therefore, taken in the matter.

4. The petition was examined and discussed at the 265th and 271st meetings of the Standing Committee (T/C.2/SR.265 and 271).

5. At its 271st meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM SHEIKH MAHMOUD IBRAHIM HASSAN (T/PET.11/536)

1. The petitioner states that he was imprisoned for one year and fined 260 somalos because he had preached in mosques and given advice to the people. He states that he did not commit an offence and he requests assistance in this matter. He adds that his appeal to the Administrator of Somaliland of 9 April 1953 remained unanswered.

2. In its observations (T/OBS.11/60, section 3), the Administering Authority states that the petitioner was convicted by the Judge of Lower Giuba for subversive propaganda and incitement to unlawful acts and was sentenced to 12 months' imprisonment and a fine of 200 somalos by a judgment of 22 July 1952. On appeal to the Judge of Somaliland the sentence was upheld on 30 August 1952 in default of appearance by the accused. The sentence was attacked by the accused on the ground that he had been absent when it was pronounced, and was again upheld by a judgment of 27 March 1954.

3. From the observations of the Administering Authority, it is established that the petitioner is the same person as Scek Mohamed Scek Ibrahim, whose arrest was complained of by the Somali Youth League, Branch of Chisimaio in T/PET.11/276 and Add.2. The Council, by resolution 686 (XII), decided that no action was called for on the questions of arrest and imprisonment contained in that petition, since those matters were within the competence of the courts of the Territory.

4. The petition was examined and discussed at the 265th and 271st meetings of the Standing Committee (T/C.2/SR.265 and 271).

5. At its 271st meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

VII. PETITIONS FROM THE CHIEFS, NOTABLES AND PEOPLE OF GALCAIO (T/PET.11/537) AND FROM THE TRADERS OF GALCAIO (T/PET.11/543 AND ADD.1)

1. T/PET.11/537 and T/PET.11/543 are cables dated respectively 26 and 25 January 1955, and T/PET.11/543/Add.1 is a letter dated 29 January 1955. All three are concerned with the import licensing system, particularly as it affects imports into Galcaio District.

2. In T/PET.11/543 the writers charge that the estimates submitted to headquarters by the District Commissioner for imports for the year 1955/56 were drawn up without prior consultation with traders and are unrealistic; the quantities of imports estimated will meet the needs of the population for three months only. The estimates submitted by the traders, while much higher than the District Commissioner's, were no higher than was necessary to meet the needs of the local population for a year.

3. In particular, the restrictions on the import of cotton cloth are particularly objected to. In T/PET.11/543 and Add.1 the case of Mr. Mohamed Egal is cited. This merchant exported to Aden local butter and hides valued at 33,600 somalos. He applied to import unfinished cotton cloth of a value of more than half that sum, but was permitted only to import 2,000 somalos' worth of raw cotton. The petitioners say that the demand for goods other than cotton cloth is so small that it is difficult to know on what imports this merchant could expend his balance of 31,600 somalos, and that, if he had been allowed to expend on cotton cloth 80 per cent of the price of his exports, it would all have been absorbed by the local demand. The nomads in the Mudugh will exchange their butter and hides only for white cotton cloth; therefore, if insufficient cloth is imported there will be less butter and hides for export. This remark by the authors of T/PET.11/543 and Add.1 throws light on the complaint in T/PET.11/537, in which the chiefs, notables and people of Galcaio request that there be a liberalization of trade at Galcaio—particularly with respect to white cotton cloth—"for their butter and skins they obtain only raw cotton cloth in the local market. They buy their other needs with their milk and other local products". The result of the shortage of cotton cloth is to halve the price of their butter and skins.

4. The authors of T/PET.11/543 conclude by requesting a liberalization of trade at Gascaio. They assert that they have no intention of importing anything that is not required by the local market, or of diverting any of their goods to Benadir.

5. (The Territory's external trade and its balance of payments are discussed by the Visiting Mission of 1954 in paragraphs 189-216 of its report T/1143.)

6. The Administering Authority, in its observations (T/OBS.11/60, section 4) states that the facilities for private barter transactions were considerably broadened in July of 1954 in favour of Mudugh and the Midjertein. The two regions were permitted within the limit of their needs to supply themselves with almost every kind of merchandise.

7. The tradesmen of the Mudugh flooded the markets of Mogadiscio and other regions with various goods, in particular cotton goods, and thus provoked protests from the Chamber of Commerce and from other merchants who, because of the exchange situation and the need to protect local industry, cannot be permitted to import such goods. The Administration has therefore been compelled to reduce the imports of such cotton goods through Galcaio to the quantities actually needed for Mudugh. Thus the quotas for cotton goods have been reduced to 2,000 somalos for every authorized transaction.

8. There is no basis for the assertion that this limitation has caused a drop in the price of hides and melted butter on the Galcaio market. It has, on the other hand, been observed that the tradesmen of Galcaio are continuing to buy up these products on the Mogadiscio market as a means of illegitimately increasing the volume of their imports, and are thus driving up prices to the great disadvantage of the exporters of these products.

9. As the Administration has not yet fixed any quotas

for Mudugh and Midjertein imports, the protests against their size are completely without foundation.

10. In view of the growing recklessness of the Mudugh tradesmen, the Administration may be compelled to introduce restrictions solely to protect the interests of tradesmen elsewhere. In the meantime, as large quantities of local sugar are available, sugar has been removed from the list of goods concerning which private barter arrangements can be made in Mudugh.

11. The petition was examined and discussed at the 265th and 271st meetings of the Standing Committee (T/C.2/SR.265 and 271).

12. At its 271st meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VIII. PETITION FROM MR. HUSSEN MAHALIM (T/PET.11/546)

1. The petitioner states that he was dismissed by the Chief of Police of Lugh Ferrandi from his post as policeman after eight years of service without having been informed of any reason for this action, and he requests that he be paid indemnities.

2. The Administering Authority states (T/OBS.11/56, section 2) that the petitioner served in the Somali Police Force from 15 February 1947 until 31 March 1950 and in the Corpo di Polizia della Somalia from 1 April 1950 until 15 January 1955. He was considered insubordinate and his record showed many serious penalties for breaches of discipline while on duty. He was dismissed following a fourth breach of discipline involving non-compliance with specific orders and insubordination to his immediate superiors.

3. The Administering Authority states further that no bonus can be paid to the petitioner for his four years of service under the Italian Administration, as no such bonus is provided under existing regulations.

4. The petition was examined and discussed at the 266th and 271st meetings of the Standing Committee (T/C.2/SR.266 and 271).

5. The special representative stated that no bonus could be paid under the existing regulations to persons dismissed from the service for breach of discipline.

6. At its 271st meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

IX. PETITION FROM CHIEFS OF THE AHMED AND DASSO TRIBES (T/PET.11/548)

1. The three petitioners state that the Ahmed and Dasso tribes are among the biggest in the Upper Giuba region, and they complain that the Administration is endeavouring by force to place them under the dominion of the weaker and less influential Elai tribe.

2. This complaint, which was presented by the petitioners to the United Nations Visiting Mission to Trust Territories in East Africa, 1954, is similar to one which the Council examined in form of T/PET.11/45 and Add.1 at its eleventh session. The Administering Authority observed at that time (T/964) that the request of these tribes for a chief of their own was without legal foundation under customary law since the matter had been discussed and decided by a special assembly of the Mirife chiefs convened for the purpose. By its resolution 499 (XI) the Council considered that, under the circumstances, no recommendation by it was necessary.

3. In its observations (T/OBS.11/60, section 5), the Administering Authority merely refers to the examination of the earlier petition as described in paragraph 2 above.

4. The petition was examined and discussed at the 266th and 271st meetings of the Standing Committee (T/C.2/SR.266 and 271).

5. The special representative explained that if part of a tribe left its own land to occupy the land of another tribe it forfeited the right to elect its own chief since it becomes subordinate to the tribe to which the land belongs. It is obliged to follow the rules of the *arifato* system which has been applied for centuries in Somaliland. Under it, the tribe owning the land receives with equal rights, by agreement, the incoming people of the other tribe. The newcomers have full use of the land as well as the right to vote in the election of chiefs of the main tribe. They are not, however, allowed to elect their own chief. They have free use of the land and it will stay in their possession so long as they comply with the terms of the agreement. The question raised in the present petition was referred to a general *shir* of the Mirifle tribe which, by a vote of 51 to 1, decided that the newcomers had no right to elect their own chiefs.

6. At its 271st meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

X. PETITION FROM MRS. FATIMA MOHAMMED MAHMOUD (T/PET.11/553)

1. The petitioner, a widow, states that her son, who had provided for her livelihood and that of her other four children, was killed in Margherita during the 1950 riots. Following his death, she applied to the authorities for aid, but she received no reply from them.

2. Now, she states, the pay of one and one-half somalos a day which she earns in a job makes it very difficult to provide adequately for her children and herself. She requests that her legal rights be "recognized against whomever the evidence shows to be the cause of our plight".

3. In its observations (T/OBS.11/58, section 4) the Administering Authority refers to its earlier observations (T/OBS.11/53, section 9) relating to T/PET.11/508 where it states that that petition raised the general question of the incidents that occurred at Margherita in April 1950 and was identical with that explained to the Trusteeship Council in connexion with petition T/PET.11/74 relating to the incidents that occurred at the same time at Chisimaio. By its resolution 578 (XI), the Council then decided to inform the petitioners concerned that they might apply to the local courts for indemnification for loss resulting from the disturbances.

4. The petition was examined and discussed at the 266th and 271st meetings of the Standing Committee (T/C.2/SR.266 and 271).

5. The special representative stated that the petitioner had not applied for compensation for losses sustained during the Margherita incident. He added that should the petitioner apply for help, the Administration was fully prepared to extend assistance to her.

6. At its 271st meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, V, VI, VII, VIII, IX and X, adopted without change at the 640th meeting of the Trusteeship Council, see resolutions 1306 (XVI), 1314 (XVI), 1322 (XVI), 1325 (XVI), 1326 (XVI), 1329 (XVI), 1330 (XVI) and 1331 (XVI), respectively.]

DRAFT RESOLUTION III

Petition from Mr. Guled Garad Abdi and others (T/PET.11/523)

The Trusteeship Council,

Having examined the petition from Mr. Guled Garad Abdi and others concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/523, T/OBS.11/59, T/L.581),

1. Draws the attention of the petitioner to the observations of the Administering Authority and to the statement of its special representative, in particular that:

(a) Movement of the Garre tribe as labourers to Genale was not associated with any form of compulsion;

(b) The case was heard by the *Cadi* of Audegle in their presence;

(c) The judgment rendered on 22 November 1954 in favour of the Abagibil tribe was transmitted to the petitioners;

(d) Their appeal, heard by the *Cadi* of Mogadiscio on 21 January 1955, was not rendered in their favour and that they have been so informed;

(e) They may exercise their right of appeal to the Administrator;

2. Expresses the hope that the Administering Authority will take the necessary steps to improve the economic situation in the area in order that the causes of disputes between the tribes may be averted;

3. Requests the Administering Authority to ensure that the application of all provisions by the courts be based on the principles of justice and equity.

DRAFT RESOLUTION IV

Petition from Mr. Ahmed Osman and others (T/PET.11/529)

The Trusteeship Council,

Having examined the petition from Mr. Ahmed Osman and others concerning Somaliland under Italian administration in consultation with Italy as the Administering Authority concerned (T/PET.11/529, T/OBS.11/60, T/L.581),

1. Draws the attention of the petitioner to the observations of the Administering Authority, in particular that the Galjal tribe was a party to the agreement made at Afgoi in December 1950 whereby tribal boundaries were delimited and penalties established for encroachment on grazing areas, damage to property and unauthorized migration of animals;

2. Notes that the Galjal tribe had paid the penalties for breach of the agreement in question and that its camels have subsequently been returned to it;

3. Notes further that the Administering Authority is at present pursuing its policy of expanding the number of wells and that the needs of the Galjal will certainly not be forgotten;

4. Expresses the hope that the Administering Authority will take all necessary steps to ensure that the Galjal tribe is provided with sufficient quantity of water and grazing lands to meet their needs.

DOCUMENT T/L.582

One hundred and twenty-seventh report of the Standing Committee on Petitions : petitions concerning Somaliland under Italian administration

[Original text : English]
[7 July 1955]

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INTRODUCTION

1. At its 266th, 267th, 271st and 272nd meetings, on 27 and 28 June and 5 and 6 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents.

2. Mr. V. Zadotti participated in the examination as the special representative of the Administering Authority concerned. Members of the United Nations Advisory Council also participated in the examination.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-V.

I. PETITION FROM MR. ALI MOHAMED GAWEEEDO (T/PET. 11/516)

1. The petitioner states that on 21 December 1950, on the main road of Galcaio, he was stabbed with a dagger by a man named Hersi Jama. He was in Galcaio hospital for 48 days, and was discharged without a certificate. He describes his injuries as "a large wound at the left forearm" and "top ribs left, left lung hurt", and states that, as a result, he will never again be in perfect health. He laid written complaints before various authorities—including the Galcaio police—but the only reply that he received was in response to a letter which he had addressed to the Administrator. In this reply he was advised that his case would be tried by the *Cadi* of Galcaio. He thereupon wrote to the District Commissioner asking that the case be tried in the *sharia* court, but received no reply.

2. In its observations (T/OBS.11/62, section 1), the Administering Authority states that the petitioner was injured in the course of an argument at Galcaio on 21 December 1950. The petitioner was injured allegedly by a certain Herzi Giama Scirue. The *Cadi* of Galcaio fixed 15 September 1951 as the date for hearing the charge against Herzi Giama Scirue concerning the injuries he

allegedly inflicted on Ali Mohamed Gaweedo, but the proceedings had to be postponed indefinitely because Herzi Giama Scirue had moved to Mogadiscio in the meantime. The case has still not been tried because Herzi Giama Scirue raises the objection that, as he has received a summons and the case is a civil, not a criminal one, he is not legally bound under *sharia* law to appear before the *Cadi* of Galcaio. The latter has now fixed 30 May 1955 as the time limit within which the defendant must appear, failing which the *Cadi* will try the case in his absence. Hence, the plaintiff must await the outcome of the proceedings and, if he does not receive satisfaction, he may appeal through the courts in the regular way.

3. The petition was examined and discussed at the 266th and 271st meetings of the Standing Committee (T/C.2/SR.266 and 271).

4. At its 271st meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM EL USTAZ IBRAHIM MASHI FARIH (T/PET. 11/517)

1. The petitioner casts certain doubts on the qualifications of a Dr. Ferrari as a physician and inquires as to what became of "the money which the Italian Government took from the whole of Somaliland for the campaign against tuberculosis". He states that when the Government approached the people three years ago and requested them to contribute to the campaign they did so generously. But, he says, none of the promises made to them at the time have been kept; no medicines have been distributed and ill persons have not been treated. All these difficulties are attributed to Dr. Ferrari.

2. The petitioner further complains that, although he has "entered for an examination three times and passed it and qualified", he has not been given a job by the Government.

3. The Administering Authority states (T/OBS.11/61, section 2) that the petitioner was asked for information leading to the identification of the "Dr. Ferrari" mentioned in the petition, since no person of that name was known in Somaliland, but the inquiries proved fruitless.

4. The Administering Authority considers that the vague statements made in the petition are not supported by any proof and hence cannot be taken seriously.

5. The Anti-Tuberculosis Committee of Somaliland was established in 1952 and operates in close touch with the Directorate of Social Development. Two campaigns have been held so far (July 1953 and 25 July-1 August 1954), and a third is in preparation.

6. The funds collected are used for the purchase of medicines and other supplies which are distributed to the neediest, supplementing the work of the Administration. Thus the Committee's activities are followed indirectly by an organ of the Administration. The amount of money collected and the use made of it is given full publicity in the local Press.

7. The petition was examined and discussed at the 266th and 271st meetings of the Standing Committee (T/C.2/SR.266 and 271).

8. The representative of the USSR proposed that the Council should recommend that the Administering Authority consider further the complaints raised by the petitioner and take all necessary steps to improve the medical services in the area. This proposal failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against it were equal.

9. At its 271st meeting, the Committee adopted by 3 votes to 1, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITIONS FROM MR. MAHAMH MUMIN ARBO AND OTHERS (T/PET.11/526) AND FROM INHABITANTS OF BULO MADO AND BULO IBRENO FAKIO (T/PET.11/531)

1. T/PET.11/526, which was received through the 1954 Visiting Mission, is written in the names of 13 persons residing at Malable, a village some ten kilometres from Genale.

2. The petitioners first complain that there is, in the neighbourhood of Malable, no proper demarcation between land owned by Somalis and land owned by Italian concessionaires. The latter are charged with having encroached on the former's lands during the days of the military administration and of having leased the lands back to the occupants. Rent was due not in cash, but in kind. During the military occupation, however, the rent was not collected, but was allowed to accumulate. When the Trusteeship Administration took over, the concessionaires demanded the whole of the rents due, with a view to evicting those tenants who were unable to pay. "But the matter was not so easy as they thought and hoped, and serious complications cropped up . . . that still need to be settled". The petitioners therefore propose the appointment of a commission to survey and delimit the boundaries of the Italian concessions in the neighbourhood. Such a commission, they say, should be composed of surveyors and technicians with a Somali official.

3. The authors of T/PET.11/531 complain that 15 plots of land which their people had owned for generations have passed into the "illegal ownership" of concessionaires of Goluin and Bulu Scek. They ask that steps be taken by the Administration to delimit the land for the benefit of the indigenous inhabitants, many of whom have had to go elsewhere for want of land.

4. In its observations (T/OBS.11/61, sections 3 and 5), the Administering Authority states that disputes have arisen concerning the boundaries of various concessions because, it appears, Italian farmers have brought under

cultivation abandoned land outside the boundaries of their farms and indigenous farmers have encroached upon the boundaries of farms belonging to Italians. The Administering Authority denies that Italian farmers have leased to Somali farmers land that they have occupied outside their own farms. It further denies that Italian farmers have entered into any share-cropping arrangements with Somalis on land belonging to the latter. Only land rightfully owned by Italians has been leased on this basis.

5. To put an end to disputes about farm boundaries the Administration has decided to carry out a final revision of farm boundaries in two stages. First the boundaries of individual holdings will be determined, taking into account both the *de jure* and *de facto* situation. This work is already in progress but will take some time as in many cases the boundaries are not demarcated. Once the establishment of farm boundaries is completed all disputes which may arise will be referred to a special commission, to be composed of members of the Territorial Council, the Economic Council of Somaliland, and other bodies.

6. In the second place the petitioners complain of difficulties and delays in obtaining permission from the representative of the water service at Genale to use water for irrigating the villagers' food plots. They complain also of difficulties with the local Agricultural Experimental Centre. The Centre is bound, they say, to help the inhabitants to plough their plots, but it has never been possible to obtain the loan of a tractor and a plough. The petitioners request such a loan to dig a badly-needed canal.

7. The Administering Authority states that water may be drawn without restriction during the high-water period. During the water-control period, the Water Centre supplies water in accordance with a predetermined rota. There is no question of farmers having to wait days for a permit. The Società Anonima Cooperativa Coltivatori Agricoli (SACA) has no say in the distribution of public water supplies. A motor ploughing service instituted by the Somali Credit Institute has been in operation at Genale since 1 March 1955 and any one may apply for a tractor to plough his land, for a small sum. The Administering Authority states that it is true that before that date it was impossible to meet all the numerous requests owing to the limited number of tractors, but now the service has been considerably increased to meet the needs of agricultural production.

8. The petitioners also request the early establishment of a school at Malable and an infirmary at Sigale. At present the nearest are at Genale which is too far away and is reached only by a track unfit for vehicles.

9. The Administering Authority observes that this is a village with 209 huts and 548 inhabitants, situated 6 kilometres from Genale, where there is a school adequate for present needs. The opening of a school at Sigale in the next school year is under consideration. A cottage hospital is to be built at Sigale, which is 800 metres from Malable.

10. Lastly, the petitioners complain of a lack of water at a village called Bulu Cauacta. The shortage is caused partly, they say, by the fact that concessionaires have built huge reservoirs on their farms—which, incidentally, increases the risk of malaria.

11. The Administering Authority explains that this small village near Malable used to have a well which in time became blocked. The people draw water from near-by irrigation canals and from the river. No previous request for the construction of a well has been received from Bulu Cauacta. The assertion that the reservoirs of the con-

cessionaires deprive the village of water is unfounded, as these reservoirs are filled with water taken straight from the river during the high-water period. The wishes of the villagers have, however, been brought to the attention of the technical organs responsible for planning the sinking of wells, with a recommendation to consider whether this request can be met.

12. The petitions were examined and discussed at the 267th, 271st and 272nd meetings of the Standing Committee (T/C.2/SR.267, 271 and 272).

13. The representative of the USSR proposed that the Council should express the hope that the lawful rights to land of the indigenous inhabitants would be fully satisfied and that the necessary steps would be taken to improve the economic situation of the indigenous inhabitants of the area. This proposal failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against it were equal.

14. At its 272nd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF VILLABRUZZI (T/PET.11/527)

1. The petitioners state that a serious disturbance occurred at Villabruzzo on 22 December 1954, in front of the District Commissioner's office. Two Italian *brigadieri* of police beat a group of Somalis who had come to "make known some facts" to the District Commissioner. As a result, Mussa Mahallim Ahmed was killed and Abdulla Mohamed Ahmed, Mohamed Hassan Abukar and Omar Farah were wounded. The three wounded men were then detained in prison without medical care, and later over 60 League members were arrested and denied food.

2. The Administering Authority states (T/OBS.11/61, section 4) that a controversy under *sharia* law about the use of land at the holy place of Misra di Villabruzzo had been going on for some time between a dissident minority and the majority of members of the local *giamiyya*. The local district authority recently gave the dissident minority, represented by a village spokesman, notice to refrain, in common with the majority, from using the land in dispute until such time as the competent *sharia* court arrived at a final clarification of the question.

3. Despite the undertaking given by their representative, the dissidents proceeded with their sowing, which at once created a very tense situation. The District Officer thereupon issued a second instruction through the police asking the dissidents not to re-enter the disputed land of the Misra *giamiyya* and warning them that they would be held responsible for any disturbance. On 22 December about seventy self-styled representatives of all the *rers* and villages of the Scidle assembled in front of the District Offices and, despite the fact that the local authority had already discussed the matter with the political spokesmen, demanded explanations on the subject. Although they had neither political nor tribal standing, the District Officer received six representatives of the group, gave them all the necessary explanations and asked them to inform the rest. But when they left, a scuffle developed outside the office and an *ilalo* who was trying to calm the most vehement of those present was knocked down. The Commandant of the police station and another non-commissioned officer together with the district interpreter intervened, freed the *ilalo* and drove back the group of trouble-makers, firing a few pistol shots into the air. The two non-commissioned officers and the Somali interpreter were clubbed a few times and sustained bruises and scratches.

4. Meanwhile, when the village police were called in, they found some tree trunks on the bridge over a canal. While they were removing them, the guardians of law and order were surrounded by a group of idlers, who were dispersed by rifle shots fired into the air.

5. While this was going on a group of persons numbering approximately 100 surged into the SAIS enclosure, climbing over the main gate and stripping the wire and railings from part of the enclosure. The assailants fell upon the first dwelling, ransacked it and destroyed whatever they could not carry off. While they were preparing to pass on to the second dwelling, they were confronted by its occupant, Campus Mario, and a friend who happened to be with him. Seeing that they would otherwise be overwhelmed, the pair fired three shots from a game rifle, one of which hit one of the raiders, Mussa Mahallim Ahmed, who died later. Order was re-established immediately.

6. The Administering Authority states that the attack on the SAIS was unquestionably the outcome of a sudden move on the part of ill-intentioned persons, subsequently joined by vagabonds who hoped for easy loot and successful violence at a time when the police were engaged elsewhere.

7. The matter was brought to the Court of Assizes of Somaliland where, on 7 May 1955, of the 67 charged, five were found guilty of resisting the police and were sentenced to imprisonment for 18 months; ten were found guilty of looting the houses belonging to the SAIS and were sentenced to ten years' imprisonment each except for one minor of 18 years who received seven years; one was found guilty of disorderly conduct and was sentenced to one year's imprisonment; and one, a woman, was found guilty of aiding and abetting and was sentenced to three months' imprisonment. Forty-nine of the accused were discharged. The Italian national, Campus Mario, was declared unpunishable for the manslaughter of Mussa Mahallim Ahmed, on the ground that he had acted in legitimate self-defence.

8. The petition was examined and discussed at the 267th and 272nd meetings of the Standing Committee (T/C.2/SR.267 and 272).

9. The special representative stated that upon pronouncing sentence, the Judge of the Court of Assizes of Somaliland informed the defendants that they could appeal the verdict to the Court of Cassation in Rome.

10. At its 272nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM MEMBERS OF THE AGBAL TRIBE, IUSUF RER, MOHAMED MUSSE SUB-RER (T/PET.11/532)

1. The petitioners state that during the British Military Administration their people were allowed to take water from a canal belonging to the Società Agricola Italo-Somalia (SAIS). After the arrival of the Trusteeship Administration, however, the SAIS destroyed both the canal and the roads traversed by the people when fetching the water. The Administration later assured the people that in time a well would be dug for them, but nothing has been done during the succeeding years. Cattle and persons are suffering from a lack of water, and the petitioners ask that a well be dug for the use of their people.

2. In its observations (T/OBS.11/62, section 2), the Administering Authority states that exploratory boring for sinking a well was carried out on 19 October 1954 in

the vicinity of Villagio Duca degli Abruzzi. The boring was abandoned seven metres below the surface owing to the brackishness of the water.

3. The Administering Authority denies, therefore, that the Administration has failed to take into consideration the desire expressed by the spokesmen of the Abgal Mohamed Musse tribe for a well near the village.

4. It further denies that the SAIS destroyed the canal in order to cut off the people's water supply, but explains that the SAIS had to change the course of the canal to meet the needs of the land under cultivation. Following the failure of the first borings, the question whether a well should be sunk for the Abgal Mohamed Musse was referred back for further study to the technical departments of the Administration, which are considering the possibility of further borings in neighbouring areas.

5. The petition was examined and discussed at the 267th and 272nd meetings of the Standing Committee (T/C.2/SR.267 and 272).

6. The special representative stated that the Administering Authority is engaged in a broad programme of digging water wells throughout the Territory and that this programme would be accelerated as soon as more equipment and digging-crews became available. He added that another attempt would be made to dig a well for the Abgal Mohamed Musse tribe as soon as the technical department of the Administration decided on its location.

7. At its 272nd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM MR. MOHAMED HUSSEN HAJI MAJO AND OTHERS (T/PET.11/533)

1. The three petitioners request the Advisory Council to intervene with the Administration to obtain any kind of work for them. They have been out of work for about a year. They have applied to the District Commissioner at Mogadiscio, but in vain.

2. The Administering Authority states (T/OBS.11/62, section 3) that attempts to trace the petitioners with a view to interrogating them on their complaints have proved fruitless.

3. The petition was examined and discussed at the 267th and 272nd meetings of the Standing Committee (T/C.2/SR.267 and 272).

4. The special representative stated that if the petitioners will come forward and make themselves known to the District Officer and to the Ufficio del Lavoro, they will attempt to assist them in obtaining employment.

5. At its 272nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, IV, V and VI, adopted without change at the 640th meeting of the Trusteeship Council, see resolutions 1312 (XVI), 1313 (XVI), 1318 (XVI), 1319 (XVI), 1323 (XVI) and 1324 (XVI), respectively.]

DOCUMENT T/L.583

One hundred and twenty-eighth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]
[7 July 1955]

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INTRODUCTION

1. At its 260th, 268th and 272nd meetings, on 17 and 19 June and 6 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents.

2. Mr. V. Zadotti participated in the examination as the special representative of the Administering Authority concerned. Members of the United Nations Advisory Council for Somaliland also participated in the examination.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on the resolutions covered by this report.

I. PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF CANDALA (T/PET.11/497)

1. In two telegrams dated 3 December 1954 the petitioners charge that the District Commissioner is partial and unjust, and they express the fear that disturbances will break out in the district because the population is "being ruined". They request that an inspection be made of the district.

2. The Administering Authority states (T/OBS.11/56, sec. 1) that La Migiurtinia, a fish-packing company, operates at Candala and engages locally the female labour it needs. Until last year, groups consisting of all the available women who were suitable for the work were engaged in rotation. In course of time the women joined the various political parties, and by December of last year about two-thirds of them belonged to the Somali Youth League and the remainder to the Somali Democratic Union. Of their own accord, the secretaries of the two parties agreed to divide the requests for labour equally, discarding the previous rotation system. Accordingly, if the Company had asked for fewer workers than the number enrolled in the two parties, not all of the women would have found employment.

3. On the morning of 1 December, the Company announced that it intended to engage 80 women. Under the agreements previously concluded between the secretaries of the political parties, 88 persons should have been applied for employment: the first 44 on the League's list and the first 44 on that of the Somali Democratic Union. Instead, 105 women presented themselves at the factory, 61 from the League and 44 from the Union, all claiming employment. The Company engaged the 105 women in order to avoid any incident. However, the question of the procedure for assigning women workers to employment gave rise to a dispute between the secretaries of the two parties and local notables, and not even the District Commissioner's intervention was successful at first in restoring calm.

4. The Chief Regional Officer then went to the area and ascertained that there was in fact no justification for complaints against the local authority, as the telegrams sent to the central authorities and to the Trusteeship Council had suggested. He succeeded in reconciling the District Commissioner, the people and the parties' spokesmen. The situation is again completely normal; even the spokesmen of the SYL have acknowledged that they went too far with their telegrams of protest.

5. The Administering Authority notes, moreover, that there are signs of a substantial improvement in the economic circumstances of the peoples of the Midjertein region as a result of the recent establishment of co-operatives for the production and marketing of incense. This will contribute greatly to raising morale, as it will improve the economic situation in one of the areas least favoured by nature.

6. The petition was examined and discussed at the 260th, 268th and 272nd meetings of the Standing Committee (T/C.2/SR.260, 268 and 272).

7. The special representative denied the charge made by the petitioners that the SYL headquarters were closed by order of the District Commissioner and that the local secretary and several members had been arrested.

8. Members of the United Nations Advisory Council for Somaliland expressed certain views during the examination of this petition.

9. At its 272nd meeting, the Committee adopted by 4 votes to 1, with 1 abstention, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM MR. NUR AMRU MIRIL (T/PET.11/515)

1. This petition is a request for consideration of the writer's grievances set forth in T/COM.11/L.42—which was a communication signed by him and 56 other persons, addressed to the Administrator on 25 July 1952.

2. In it he charged the Resident of Bur Acaba with having empowered the chief of the *ilalos* to maltreat Somalis in that area. The petitioner further charged that the same chief is turning his home into a meeting place for antagonists of the petitioner and his friends. He said that the Resident maltreated the people of the district and that they could not obtain justice. He added that he had taken from Somalis a parcel of land which he gave "to others who according to him belong to a tribe".

3. The communication contained a complaint that the present petitioner, after thirty years' service under the former Colonial Administration and under the British Military Administration, was dismissed from his post of *ilalo* because he "maintained that he was a Somali and was anti-tribal". The petitioner was not even given the bonus to which he had a right. The petitioner said, too, that the same thing had happened to the tribal chief Mohamed Aliq Uene and for the same reasons.

4. In its observations (T/OBS.11/61, sec.1) the Administering Authority states that the petitioner's complaints are unfounded and that the facts have been distorted.

5. The Administering Authority states that the *ilalo* sergeant in question, who is quite well-to-do and is popular with everybody except the members of the League, had a strong sense of hospitality and liked to entertain his friends frequently. His opponents claimed to see political motives in this. The petitioner was dismissed in December 1950 on the responsibility of the District Officer. The Resident had nothing whatever to do with it. Mohamed Ali Uein, the salaried Chief of the Elai Nasie Cunsie, had been removed from office by the people of his tribe themselves following a *shir* held in the Mode Mode area in August 1950, at which Mahallim Eden, a Territorial Councillor, was elected to his place.

6. With regard to the land referred to in the communication it was found that from the time of his appointment the District Officer of Bur Acaba had not granted a concession to anyone.

7. With regard to the administration of justice, it was found that this has been carried on in accordance with the provisions in force and with full respect for the law. On one occasion only, a member of the League, Abdulkadir Barre Ghedi, was arrested because he used insulting language to an *ilalo* who was responsible for keeping order in the dispensary. On that occasion the Executive Committee of the League apologized for the incident to the District Officer who, at their request, released Abdulkadir Barre Ghedi and did not prosecute him.

8. The petition was examined and discussed at the 268th and 272nd meetings of the Standing Committee (T/C.2/SR.268 and 272).

9. At its 272nd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM HAJI ABO IMANCHIO (T/PET.11/523)

1. This is a further exposition of the grievances voiced by the petitioner in T/PET.11/135 and T/PET.11/319 and Add.1-3 upon which the Council, having examined them at the eleventh and twelfth sessions, adopted resolutions

554 (XI) and 712 (XII) respectively. Briefly, the petitioner was involved in a law suit with an Italian lady over the ownership of some real estate in Mogadiscio of which she is at present in possession. The suit dragged on from December 1948 to the end of March 1951 when the High Court of the Territory gave a judgment in the petitioner's favour. Thereupon the lady appealed to Rome where the judgment in favour of the petitioner was set aside by the Court of Cassation.

2. In his present petition the petitioner states that he was unjustly treated and that the Italian woman was unduly favoured. He also makes reference to the fact that the special representative had on previous occasions assured the Trusteeship Council that all judgments including those of the second and third degree should and would be reached in the Territory and not at Rome. The petitioner states that, notwithstanding that declaration, the opposite happened. He says that he spent more than 40,000 somalos to pay for those proceedings: the fees of his Italian attorney in Somaliland and that of the Italian attorney in Rome whom he was forced to engage, as well as legal costs and taxes on the property involved. He was further forced to go deeply into debt and says he is at present in a state of poverty. He requests that the litigation of his case should go through all steps of appeal through the courts in Somaliland and that the judgment pronounced in Rome be rescinded and superseded.

3. In its observations (T/OBS.11/59, sec. 2) the Administering Authority refers to its previous observations relating to T/PET.11/135 and T/PET.11/319 and Add.1-3 and adds that the case was recently decided against the petitioner by the Italian Court of Cassation.

4. The petition was examined and discussed at the 268th and 272nd meetings of the Standing Committee (T/C.2/SR.268 and 272).

5. The special representative stated that a Court of Appeals would be established in the Territory as soon as the Territorial Council approves the legislation concerning the judicial organization which was recently placed before it. He stated further that the Administering Authority was prepared to advise the petitioner of the legal implications of the Court of Cassation in Rome.

6. At its 272nd meeting, the Committee adopted by 2 votes to none, with 4 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITIONS FROM SHEIKH ABUBAKER, SHEIKH MOHAMED HAJI (T/PET.11/524) AND FROM SHEIKH HASSAN ALI OMAR (T/PET.11/525)

1. These petitions, which were presented to the United Nations Visiting Mission to Trust Territories in East Africa, 1954, resuscitate a claim concerning which the petitioners have addressed the Council previously. Both these petitions concern a land question in the vicinity of Mobarek in the Afgoi district the ownership of which is in dispute with an Italian settler, Mr. Pellegrini. The petitioners state in their present petition that until now they have obtained neither restitution of their land nor any indemnity for its expropriation and they ask the members of the Visiting Mission to intercede "fairly and favourably with the Administering Authority or the United Nations to secure for us justice and the rights denied us by the AFIS [the Italian Administration of the Trust Territory of Somaliland]".

2. The history of the case in question is as follows. Sheikh Abubaker stated in his earlier petitions (T/PET. 11/263 and Add.1 and 2) that in common with his two

brothers he was the owner of about 170 *darab*¹¹ of land inherited from his father. In February 1952 he complained to the Resident that Mr. Pellegrini who had been assigned a large lot of cultivable land on the left bank of the Uebi Scebeli wished to annex 130 *darab* of his land. A few days later the Resident visited Mobarek and according to the petitioner verified that he was the owner of 170 *darab* in question. The Resident thereupon summoned the petitioner and told him that if Mr. Pellegrini did annex the land either the Administration would see that the petitioner received an equivalent area or Mr. Pellegrini would acquire the land "through the regular sell-purchase right". A month or more elapsed and the petitioner then wrote to the Resident asking for a settlement concerning the ownership of two *shambas* which appeared to be part of the new agricultural concession of Mr. Pellegrini. The Resident told him that the question has already been settled between the chiefs and the Administration and that nothing could be done as the land had been the private property of Mr. Pellegrini since 1940. The petitioner denied this and also denied the right of any chief to dispose of his and his brothers' property. In addition to his earlier petition Sheikh Abubaker reported that Mr. Pellegrini had already started irrigation on the land in dispute. In a second addendum he indicated his restlessness about the delay in dealing with his petition. Sheikh Hassan Ali Omar's complaint (T/PET.11/275 and Add.1 and T/COM.11/L.14) concerned a similar matter. He stated that he was the owner of four hectares of agricultural land near Mobarek. The land had been in his family for several generations, had been regularly cultivated, and was his family's only source of sustenance. In addition, he had at the time of writing a heavy engagement with an Italian firm for the cultivation of cotton on the co-participating system. He complained that "Now ... Pellegrini ... comes forward demanding to occupy a very large area of agricultural land near our village, including my land ...". He also recorded his understanding that "13 elements figuring as exponents of the village of Mobarek ... have arbitrarily divided part of the village's land to Mr. Pellegrini, while the rest of the cultivation land will ... remain to the population of the village". He repudiated the 13 persons and the settlement which they had reached stating that they had neither moral nor legal rights to dispose of any such lands.

3. The Administering Authority submitted (T/OBS.11/8, sec. 1 and 2) the same observations on both these petitions. It stated that the parcels of land in question were part of the same land concession as that which formed the subject of the complaint set forth in T/PET. 11/235 which was a petition concerning the alienation to Mr. Pellegrini of some 500 hectares of land said to have belonged to the people of Mobarek from time immemorial. In its observations on that petition (T/982) the Administering Authority stated that Somalis had encroached on parts of an area of 350 (not 500) hectares of a concession granted to Mr. Pellegrini by the Colonial Administration in 1940. Although this encroachment was illegal, Mr. Pellegrini did not insist on his right of eviction but endeavoured to negotiate in exchange for an equivalent compact peripheral block of land, of the scattered lots on which the people had encroached.

4. In the light of the observations of the Administering Authority on T/PET.11/235, and of a subsequent statement by its special representative to the effect that the dispute had been settled to the satisfaction of the parties concerned, the Council took no further action on T/PET. 11/235 (resolution 603 (XI)).

¹¹ One *darab* equals 0.62 acres.

5. In T/PET.11/275 a complaint was made that on 6 September 1952 some *ilalos* were sent by the Resident of Afgoi to tell Sheikh Hassan that he must vacate his land which was at the time planted with sesame.

6. Subsequently the special representative of the Administering Authority stated that the *ilalos* referred to by the petitioner had not been sent by the Resident of Afgoi. The Council at its 474th meeting adopted resolution 678 (XII) whereby it recalled its recommendation adopted at its eleventh session in which it noted assurances given by the Administering Authority that it was not its policy to grant concessions of land under the present laws until new land legislation giving expression to the principles of the Trusteeship Agreement was adopted. It noted that the land in question was conceded not by the Trusteeship Administration, but by the former Colonial Administration, after it had been established that the land was unoccupied by indigenous inhabitants and after full opportunity had been given to the objectors to the grant of the concession to come forward. It noted in particular the statement by the special representative that it was the policy of the Administration that persons who had moved into conceded lands during the Second World War and who had begun to cultivate them should not be expelled from such lands so long as they continued to cultivate them, notwithstanding the fact that such persons had no legal rights on such lands. The Council decided that in the circumstances no recommendation by it was called for.

7. In its observations (T/OBS.11/59, sec. 3) on the present petitions the Administering Authority merely notes that the complaints had been examined by the Council on previous occasions, and cites the relevant resolutions adopted by it.

8. The petitions were examined and discussed at the 268th and 272nd meetings of the Standing Committee (T/C.2/SR.268 and 272).

9. The representative of the USSR proposed that the Council should express the hope that the rights of the petitioners to the land would be fully satisfied. This proposal failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against it were equal.

10. At its 272nd meeting, the Committee adopted by 4 votes to 1, with 1 abstention, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM CHIEFS AND NOTABLES OF THE SAAD TRIBE (T/PET.11/538)

1. In a telegram dated 6 February 1955, the petitioners protest against a declaration which is said to have been made by the Somali Youth League, Committee of Galcaio, wherein it is stated that "they are great men in Somaliland and have authority to administer Somali people".

2. The petitioners say that the SYL is sowing discord among the population and they request that steps be taken to ensure that it does not interfere in matters not within its competence and that its requests not be granted because it does not represent the Saad tribe.

3. In its observations (T/OBS.11/63, sec. 2), the Administering Authority states that the attitude of the petitioners is similar to that which is sometimes adopted by some members of the Somali Youth League who behave as though they were leaders of the party. This attitude is distasteful to those who hold different political opinions. The present petition is, however, a peaceful

protest denoting no more than the normal, peaceful activities inherent in any political rivalry, as the situation at Galcaio is perfectly calm.

4. The petition was examined and discussed at the 268th and 272nd meetings of the Standing Committee (T/C.2/SR.268 and 272).

5. At its 272nd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF HAFUN (T/PET.11/542)

1. The petitioners request that Hafun be declared a municipality, in order that its inhabitants may be enabled to vote during the forthcoming elections.

2. Complaints that a number of centres, Hafun among them, were not yet municipalities were put forward by the Vice-President of the Somali Youth League in T/PET. 11/409, and by the League's Branch at Scusciuban in T/PET.11/428. On both these complaints the Administering Authority observed that it was its policy to create new municipalities or to enlarge existing ones, but that it would have to start with those centres that were more populated and able to maintain a budget (see documents T/L.469, sec. III, para. 32, and T/L.550, sec. IX, para. 7). When T/PET.11/428 was under examination in March 1955, the special representative of the Administering Authority informed the Committee that, in furtherance of its policy, the Administration had subsequently created two new municipalities, had enlarged two others, and was proposing to create seven new ones before the elections due to be held in August 1955 (T/L.550, sec. IX, para. 9). (Hafun is not mentioned in the records).

3. In its resolutions 1031 (XIV) and 1124 (XV) on the two previous petitions the Council made no specific recommendations concerning the establishment of new municipalities.

4. In its observations (T/OBS.11/64, sec. 1) on the present petition, the Administering Authority states that municipalities will gradually be established in the Territory, starting with those places which are sufficiently developed to receive the new institutions. Hafun is one of the localities covered by a programme to be undertaken shortly which provides for the establishment of ten new municipalities and the extension of seven others. At the moment, however, the Administering Authority is unable to say whether the municipality of Hafun will be established this year, as this depends on the decisions reached after the completion of the study now being made.

5. The petition was examined and discussed at the 268th and 272nd meetings of the Standing Committee (T/C.2/SR.268 and 272).

6. The special representative stated that Hafun would soon be granted full status as a municipality.

7. At its 272nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, IV, V and VI, adopted without change at the 640th meeting of the Trusteeship Council, see resolutions 1301 (XVI), 1311 (XVI), 1316 (XVI), 1317 (XVI), 1327 (XVI) and 1328 (XVI), respectively.]

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One hundred and twenty-ninth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

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INTRODUCTION

1. At its 245th, 246th, 247th, 248th, 249th, 272nd and 273rd meetings, on 31 May, 1, 2 and 3 June and 6 and 7 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. Mr. Michel de Camaret participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I-V, VII and IX.

I. PETITION FROM THE UNION DES POPULATIONS DU CAMEROUN, BRANCH OF NTEM (T/PET.5/344)

1. The petition, which is in the form of a cablegram from Ebolowa dated 28 October 1954, contains a request that the United Nations should intervene to obtain the release of Mr. Fozoo, Chairman of the local branch of the Union des populations du Cameroun. The petitioners claim that Mr. Fozoo went to the Chief Sub-divisional Officer to ask why some comrades who were refusing to work without pay were detained. On his pointing out the illegality of such detention, he was charged with insulting a public official and condemned.

2. In its observations (T/OBS.5/47, sec. 2), the Administering Authority states that Mr. Fozoo was sentenced by the Ebolowa Court to two months' imprisonment for insulting behaviour towards an administrative officer in the performance of his duties.

3. He had gone to the office of the Chief Sub-divisional Officer at Ebolowa on 22 October 1954 to ask him why two persons had been arrested. The Chief Sub-divisional

Officer told him that the two persons in question had not been arrested but had merely been brought to the Sub-division Office for interrogation by him. Mr. Fozoo lost his temper and insulted the Chief Sub-divisional Officer and the Administration. After having called him to order repeatedly, the Chief Sub-divisional Officer was compelled to draw up a formal charge.

4. The petition was examined and discussed at the 246th and 272nd meetings of the Standing Committee (T/C.2/SR.246 and 272).

5. The representative of the Administering Authority informed the Committee that Mr. Fozoo, in addition to his behaviour toward the Chief Sub-divisional Officer, had also adopted an insulting attitude towards the magistrate at his trial. The two persons on whose behalf Mr. Fozoo had protested had been arrested, but had not been held in custody. Mr. Fozoo had appealed against the judgment of the magistrate but the judgment had been confirmed by decree of the Court of Appeal on 19 January 1955. Mr. Fozoo is now at liberty.

6. At its 272nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM MR. CALVIN ESSOMBE (T/PET.5/345)

1. The main purpose of the petitioner is to support the programme of the Union des populations du Cameroun and to maintain that the Cameroonian people has authorized Mr. Ruben Um Nyobe to speak on its behalf before the Fourth Committee of the General Assembly. The petitioner charges that the Administration has tried to encourage rival political parties and has interfered with the activities and meetings of the UPC.

2. As instances of interference with meetings, he cites the cases of a meeting held at Eseka in March 1954 and one held at Edéa in April at which Mr. Um Nyobe was giving the people an account of his "mission" to the eighth session of the General Assembly.

3. The former case was dealt with by the Standing Committee in connexion with a petition from the Secretary-

General of the UPC (T/PET.5/258) concerning which the Council adopted resolution 1055 (XIV) of 12 July 1954, by which it :

"1. *Draws the attention* of the petitioner to the observations of the Administering Authority and to the statement of its representative, in particular that :

"(a) The petitioner has held other public meetings in the same *subdivision* without interference, including one held in the presence of the *chef de subdivision* at Boumnyébel on 25 March 1954 ;

"(b) The *chef de subdivision* was present at the meeting held on 24 March 1954 in conformity with the law ;

"2. *Regrets* that the *chef de subdivision* was obliged to dissolve the meeting held on 24 March 1954 ;

"3. *Emphasizes* the need to ensure the freedom of political parties to hold meetings, and that only in exceptional circumstances is it desirable that a public meeting should be dissolved ;

"4. *Expresses the hope* that critics of the Administration will express their criticisms in moderate language, and not in such language as might lead to a breach of the peace."

4. In the second case, the petitioner complains that on 11 April 1954 the assistant to the Chief Regional Officer of Edéa similarly interrupted a peaceful meeting attended by more than 20,000 persons. Mr. Um Nyobe and an accompanying delegation of more than ten active members of the movement were held at the police station and were released only three hours later.

5. In its observations (T/OBS.5/47, sec. 3) the Administering Authority states that it does not find it necessary to reply to the general remarks of which the greater part of the petition is composed and in addition refers to its observations on T/PET.5/258.

6. With respect to the meeting at Edéa it states that it was dissolved :

(a) Because the authorities had not previously been notified of the meeting in accordance with the regulations,

(b) Because the meeting was held on private premises without the authorization of the owner, who lodged a complaint with the Police Commissioner at Edéa on account of the damage to his crops by the crowd.

7. The petition was examined and discussed at the 246th and 272nd meetings of the Standing Committee (T/C.2/SR.246 and 272).

8. The representative of the Administering Authority confirmed that Mr. Um Nyobe had in fact held many meetings in the Territory to report on his "mission" to the United Nations.

9. The draft resolution before the Committee at its 272nd meeting contained, in addition to the paragraphs in the resolution finally adopted, the following operative paragraphs :

"3. *Regrets* that the local authorities were obliged to dissolve the meeting in question ;

"4. *Reiterates* its observation that the freedom of political parties to hold meetings should be ensured and that only in exceptional circumstances should a public meeting be dissolved ;

"5. *Reiterates* its expression of hope that critics of the Administering Authority will express their criticism in moderate language and not in a manner which might lead to a breach of the peace ;

"*Further expresses the hope* that political parties when convening public meetings will carefully observe the laws and regulations concerning the holding of such meetings."

10. The representative of Australia moved an amendment to the effect that paragraphs 3 and 4 should be replaced by the following text :

"3. *Notes* that contraventions, by those convening the meeting, of the existing regulations and the necessity of upholding the rights of the owner of the land obliged the Administering Authority to dissolve the meeting ;

"4. *Notes* also that in dissolving the meeting the Administering Authority had no intention of transgressing the principle that the freedom of political parties to hold meetings should be ensured and that only in exceptional circumstances should a public meeting be dissolved."

11. As a result of a series of tie votes of 3 in favour and 3 against, the Australian amendment and paragraphs 3-6 of the draft resolution were not adopted.

12. At its 272nd meeting, the Committee adopted by 5 votes to 1 draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM MEMBERS OF THE LOCAL COMMITTEE OF THE UNION DES POPULATIONS DU CAMEROUN OF EDÉA (T/PET.5/348)

1. The primary purposes of the petition is to support the programme of the UPC and to maintain that Mr. Um Nyobe holds a mandate from the people of the Cameroons.

2. The petitioners raise the following grievances which have been or are being dealt with by the Standing Committee in connexion with other petitions :

(a) Imprisonment of Mr. Pierre Penda—in connexion with T/PET.5/343 and 365 on which the Council adopted resolution 1198 (XV) ;

(b) Accident to the ferry over the Sanaga River at Sakbayémé and backwardness of the Babimbi subdivision—dealt with in connexion with T/PET.5/322 and numerous other petitions.

3. The petitioners express sorrow that there are a large number of unemployed and that they are required to pay a tax of 2,800 francs CFA, while their families have no daily bread.

4. On this point, in its observations (T/OBS.5/47, sec. 4), the Administering Authority states that the total taxes in the Edéa Sub-division were in 1954 as follows : class 1—5,235 francs ; class 2—3,290 francs ; class 3—1,545 francs ; and class 4—725 francs. It points out that its fiscal policies are described in the annual reports.

5. The petition was examined and discussed at the 246th and 272nd meetings of the Standing Committee (T/C.2/SR.246 and 272).

6. The representative of the Administering Authority stated that persons who were unemployed and indigent were not required to pay the personal tax. A person who was dissatisfied with the tax assessment could apply to the Administrative Disputes Council to have his assessment reviewed.

7. At its 272nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM THE LOCAL COMMITTEE OF THE UNION DES POPULATIONS DU CAMEROUN, OF NDOKOK (T/PET.5/349)

1. The petitioners state that Mr. Ruben Um Nyobe represents them and the people of the Cameroons.

2. They complain that their village is one of the most miserable villages in the Cameroons, but yet they are forced to pay taxes at the highest rate, namely, 53,353

francs [presumably an error for 5,335 francs], while the lower rates are 3,390 and 1,645 francs respectively. Much of the tax receipt is not, however, used for useful purposes such as the building of much-needed schools and dispensaries or for the construction of bridges, like the one needed across the Sanaga at Sakbayémé, but is given to thieves and liars about the Cameroons.

3. The Administering Authority in its observations (T/OBS.5/47, sec. 5) notes that it has already submitted observations on tax rates in the Edéa Sub-division in reply to petition T/PET.5/348, and adds that its policy with regard to the general development of the Territory is described in its annual reports.

4. The petitioners also complain that the authorities do not protect them against wild beasts, particularly elephants, which kill them, demolish their huts and trample their crops.

5. In its observations, the Administering Authority refers to resolution 786 (XII) by which *inter alia* the Trusteeship Council noted that it was the practice of the Administration to give *ex gratia* assistance in cases of serious damage caused by elephants.

6. The petition was examined and discussed at the 246th, 247th, 272nd and 273rd meetings of the Standing Committee (T/C.2/SR.246, 247, 272 and 273).

7. At its 273rd meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM MR. ISSAH MOUASSIE (T/COM.5/L.53)

1. The petitioner writes in connexion with a land complaint which he had previously submitted to the Trusteeship Council in document T/PET.5/183. In that petition he stated that Paramount Chief Njikouotou took possession of land which had belonged to the petitioner's family for 50 years. He had brought his complaints before the customary courts and administrative officials, but without effect.

2. By resolution 953 (XIII) of 19 March 1954, the Council noted the statement of the Administering Authority that the case of the petitioner had been appealed by him to the Fouban Court of Second Instance and requested the Administering Authority to inform the Council of the result of the appeal and of the date of the judgment of the Court.

3. In the present petition, to which the Standing Committee decided to apply the established procedure, the petitioner complains against the judgment handed down by the Fouban Customary Court of Second Instance on 20 February 1954. He claims that when the judgment was being given the magistrate declared: "Under the Bamoun custom, the slave can be dispossessed in favour of the prince. There can be no modification of our Bamoun custom." The Court then declared that he had to leave the land, but awarded him 5,000 francs as compensation. The petitioner however had not sought compensation, but the recovery of the property which he had inherited from his father Njikam. He states that the assessors of the Court were all members of the ruling family of the District, to whom the other party in the case also belonged.

4. The petitioner in conclusion states that his entire family is suffering and homeless except for himself, since he has bought a small hut. He encloses a photograph of the entire family standing before the hut.

5. In the special information furnished at the request of the Council (T/OBS.5/48, sec. 6), the Administering Authority states that the Court of Second Instance at

Fouban heard the petitioner's appeal on 23 February 1954. It dismissed Mr. Issah Mouassie's claim, quashed the judgment of the customary court at Fouban as invalid and handed down a new judgment, recognizing:

(a) The rights of Njikouotou over part of the disputed land (2,252 sq. m.);

(b) The rights of Njikam over the remainder of the land. The persons concerned have been invited to claim recognition of their land rights.

6. In its observations on the present petition (T/OBS.5/47, sec. 1) the Administering Authority expressed the view that it was merely a resubmission of his former petition and referred to the special information which it was furnishing as requested by resolution 953 (XIII).

7. The petition was examined and discussed at the 247th and 272nd meetings of the Standing Committee (T/C.2/SR.247 and 272).

8. The representative of the Administering Authority stated that the petitioner had had the right to request the *Chambre spéciale d'homologation* to annul the judgment of the Fouban Court of Second Instance, but had not done so.

9. At its 272nd meeting, the Committee adopted by 1 vote to none, with 5 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM MR. TIAM SAKIO (T/COM.5/L.57)

1. The Standing Committee decided at its 202nd meeting that the established procedure should be applied to this communication.

2. In it, the petitioner states that the land case, concerning which he submitted a petition (T/PET.5/173) to the Council at its thirteenth session, is still pending before the court at Fouban and he requests that he be informed regarding the outcome of the case. In the meantime he points out that his adversary continues to cultivate his land.

3. In his original petition, he complained that the land which he inherited from his father had been alienated by the Administering Authority. In reply (T/OBS.5/11) the Administering Authority stated that the petitioner was a Bamiléké and as such had no customary rights to land in Bamoun country. His uncle had obtained the usufruct of the land from the father of the district chief, and when his uncle died five years later, the land remained uncultivated for several years until it was again brought under cultivation by Bamoun farmers. The petitioner was then otherwise occupied, but later asked to resume the right to use the land and then abandoned it again. The heir of the customary occupant of the land then claimed it and was still cultivating it.

4. By its resolution 944 (XIII), the Council noted that the case had been brought before the relevant customary court and requested the Administering Authority to furnish the Council as soon as possible with information concerning the outcome of the case before the customary court.

5. In its observations (T/OBS.5/44, section 8), the Administering Authority states that, owing to various circumstances, the Fouban Customary Court has not yet been able to pronounce final judgment in the case. The representative of the Administering Authority has again drawn the attention of the President of the Court to this matter. Tiam Sakio is seriously ill and cannot at the moment appear in court; the court will pronounce judgment when he recovers.

6. The petition was examined and discussed at the 247th and 273rd meetings of the Standing Committee (T/C.2/SR.247 and 273).

7. The representative of the Administering Authority stated that an additional cause of delay in deciding the case of the petitioner was that the Clerk of the Foubot Customary Court was also ill.

8. At its 273rd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

VII. PETITION FROM MR. MARCEL JULES EBÈNE (T/PET. 5/284/ADD.1)

1. The present communication is in support of a petition from Mr. Ebène in which he protested against his dismissal from a post as African doctor in the Administration in April 1954. The petition was examined at the fifteenth session and the Council drew the petitioner's attention to the observations of the Administering Authority and to the statement of its special representative, and advised him to make application to the competent authorities for an authorization for the private practice of medicine.

2. The present communication which precedes in date the Council's examination of his petition, is a restatement of his request for reinstatement or alternatively for an authorization to practice privately. In support of this request the petitioner states that grief for the loss of a close relative at a time when he was stationed in North Cameroons caused him to take to drink for a few months, and that the reputation for drunkenness thus acquired was held against him long after he had ceased to drink and in fact this has caused his dismissal.

3. The petition was examined and discussed at the 247th and 273rd meetings of the Standing Committee (T/C.2/SR.247 and 273).

4. At its 273rd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VIII. PETITIONS FROM THE COMITÉ DIRECTEUR DE LA COORDINATION DES INDÉPENDANTS CAMEROUNAIS (INDECAM) (T/PET.5/353) AND FROM MR. BEKOUNGOU (T/PET.5/354)

1. The authors of these petitions, both of which are cables sent from Douala on 9 November 1954, complain that a Mr. Lawrence was attacked by local members of the Union des populations du Cameroun on 31 October 1954. In the second petition a further complaint is made that documents were stolen from Mr. Lawrence at the time of the attack. The petitioners ask that an investigation be started so that the guilty may be punished. Mr. Lawrence is described in the first petition as the Vice-President of the Youth Council and in the second as a member of the French Parliament.

2. In its observations on these petitions (T/OBS.5/47, sec. 6) the Administering Authority reports that following a meeting of the local branch of the *Conseil de la jeunesse de l'Union française* at Douala on 31 October 1954, Mr. Lawrence, Economic Counsellor, was attacked by persons believed to be supporters of the UPC. During the scuffle his brief-case containing important documents was stolen. On 1 November Mr. Lawrence lodged a complaint with the Police Commissioner of Douala. The matter was referred to the State Council's Office which appointed the Chief of the Regional Brigade of the Judicial Police of Douala to conduct an investigation. That officer undertook a search of the premises of the UPC at Douala

in an effort to find the lost documents. No arrest was made. The case is now in the hands of the judicial authorities.

3. The search of the premises of the UPC at Douala on 5 November is the object of numerous petitions from branches and supporters of the UPC.

4. The petition was examined and discussed at the 247th and 273rd meetings of the Standing Committee (T/C.2/SR.247 and 273).

5. The representative of the Administering Authority stated that the assailants of Mr. Lawrence had not yet been apprehended, but that the matter was still under investigation.

6. At its 273rd meeting, the Committee adopted by 5 votes to 1 draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

IX. PETITION FROM MR. JEAN MBOUENDE (T/PET.5/311)

1. In 1946 the petitioner, a planter at Bafang, founded a planters' union, one of whose aims was to obtain for the indigenous inhabitants the right to cultivate coffee on their own lands. This step, he says, aroused the anger of the authorities and he was "therefore falsely accused by people put up to it by the Administration and was thrown into prison, where a long sentence prevented me from being present at the death and funeral of my mother and two of my children". His imprisonment also cost him the loss of much property.

2. In this complaint, the Administering Authority states in its observations (T/OBS.5/49, sec. 1) that on 7 July 1947 the magistrate with extended powers at Dschang instituted proceedings against Mr. Mbouende for usurpation of functions and fraud. Mbouende, the secretary of the small planters' union at Bafang, had obtained various sums of money from a number of planters, notables in the villages, by promising them a membership card and telling them that henceforth they were free to cultivate coffee regardless of the regulations enacted for plant protection. On 10 May 1948 he was sentenced by the magistrate at Dschang to one month's imprisonment and a fine of 6,000 francs for contravening the regulations in force on the subject. He was released after the sentence had been pronounced. Mbouende appealed, and on 4 January 1950, the Higher Court of Appeals at Douala ordered his acquittal on the grounds that the evidence on which the judgment had been based was not conclusive and that it was open to doubt whether Mr. Mbouende had acted with felonious intent.

3. The petitioner states that since his release in 1948, he has endeavoured to re-establish his position. First he appealed for and was refused a loan of 1,250,000 francs by the *Crédit du Cameroun*, which he claims lends only to the Administration's favourites.

4. On this point, the Administering Authority states that the loan application was refused because, in view of the case for which he had been taken to court, the honesty of the applicant had not been sufficiently established.

5. The petitioner continues that he then applied for a loan to the *Union interrégionale de crédit*, a co-operative society with offices at Clermont-Ferrand, France. It appears that during 1951 and 1952 the petitioner subscribed 809,000 French francs as a share contribution to this organization and that in return the Society granted him a loan of 2 million French francs on the security of property owned by him at Bafang. In repayment of the loan he paid five monthly instalments amounting in all to 56,834 francs. The principal of the loan was, however, not received by the petitioner, but was placed

to his credit with a notary in Clermont-Ferrand pending the approval of the mortgage deed by the High Commissioner of the Cameroons.

6. The petitioner encloses a copy of the letter dated 30 January 1953 which he wrote to the High Commissioner requesting approval of the mortgage deed, but states that he received no reply to that letter or to subsequent requests. The Union interrégionale de crédit ceased business with effect from 18 March 1953, and the liquidator appointed by the Court withdrew the funds which had been deposited with the notary on the petitioner's behalf and informed the petitioner that he would automatically be notified of the transfer of contracts to the company designated by the Finance Minister of France or of the general distribution of assets.

7. The petitioner requests the United Nations to appeal to the French authorities in the Cameroons to take the necessary steps with the appropriate body and with the Ministry of Finance so that he may obtain payment of the loan.

8. The Administering Authority explains that Mr. Mbouende's later application to the credit agency Union interrégionale de crédit should have been accompanied by the High Commissioner's authorization, given in Executive Council in accordance with the land regulations, to take out a mortgage on the applicant's rural property of 2.20 hectares at Banka. On 26 November 1953 the Executive Council adjourned the application, for the following reasons:

(a) No authorization to borrow had been given by the High Commission in accordance with the Decree of 23 April 1933, article 3, governing loans in the Territory;

(b) The legislation on deferred credit did not extend to the Territory;

(c) The Union interrégionale de crédit had not applied for permission to operate in the Territory.

The Administering Authority adds that throughout this affair the Administration has consistently sought to prevent Mr. Mbouende from embarking on rash ventures and not, as he claims, to obstruct him. On 3 January 1955, it forwarded to the Ministry of Overseas France a further request for reimbursement of the advance payments made to the company in liquidation and drew the attention of the competent services to the fact that Mr. Mbouende had subscribed a considerable sum before the credit company went into liquidation.

9. The petition was examined and discussed at the 248th, 249th and 273rd meetings of the Standing Committee (T/C.2/SR.248, 249 and 273).

10. At its 273rd meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, IV, V, VI, VII, VIII and IX, adopted without change at the 640th meeting of the Trusteeship Council, see resolutions 1342 (XVI), 1343 (XVI), 1344 (XVI), 1345 (XVI), 1355 (XVI), 1356 (XVI), 1333 (XVI), 1347 (XVI) and 1334 (XVI), respectively.]

DOCUMENT T/L.589

One hundred and thirtieth report of the Standing Committee on Petitions: petition concerning Togoland under French administration and Togoland under British administration

[Original text: English]
[15 July 1955]

1. At its 270th and 279th meetings on 1 and 15 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined a petition from the Secretary-General of the Rassemblement populaire des réfugiés du Togo français (T/PET.6 and 7/4) concerning the Trust Territories of Togoland under British administration and Togoland under French administration.

2. Mr. René Doise participated in the examination as the representative of the Administering Authority of the Trust Territory of Togoland under French administration.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on the resolution.

PETITION FROM THE SECRETARY-GENERAL OF THE RASSEMBLEMENT POPULAIRE DES RÉFUGIÉS DU TOGO FRANÇAIS (T/PET.6 AND 7/4)

4. In a communication dated 10 November 1954, the petitioner requests the United Nations to examine the plight of the refugees from Togoland under French administration.

5. As a result of the evil memories left by the behaviour of the French Administration during the Second World War, a considerable number of people emigrated from Togoland under French administration to the Gold Coast and to Togoland under British administration.

6. This emigration continues as a result of political persecution and other abuses, due to the demand for the unification and independence of Togoland outside the French Union.

7. The refugees would like to settle permanently in the Gold Coast or in Togoland under British administration and request the United Nations to intervene with the Government of the Gold Coast on their behalf.

8. It is also mentioned that the French administration continues to make the refugees' relatives pay the refugees' poll tax despite their absence from the Territory.

9. In its observations (T/OBS.6 and 7/4), the Government of the United Kingdom, as Administering Authority for Togoland under British administration, states that no restrictions are in practice imposed on the immigration of indigenous inhabitants of Togoland under French trusteeship into Togoland under United Kingdom trusteeship and, as observed by the 1952 Visiting Mission in paragraph 440 of its special report on the Ewe and Togoland unification problem (T/1105) there is complete freedom of movement of persons across the frontier

There is no special system of registration and the number of natives of French Togoland resident in the Territory is unknown.

10. In its observations (T/OBS.6 and 7/4/Add.1) the French Government states that the complaints against the behaviour of the French Administration during the Second World War are part of a legend created by the Comité de l'Unité togolaise for propaganda purposes and have long since been disposed of.

11. As for the immigration to the Gold Coast and Togoland under British Administration, the French Government explains that the greater part of it is of a seasonal or temporary nature, mainly connected with work in the cocoa plantations, and is balanced by an equal number of workers returning therefrom. There have been a few individuals who have settled in the Gold Coast or in Togoland under British administration, sometimes on a permanent basis, for a wide variety of personal reasons. The allegations that they have done so as a result of political persecution and other abuses is no more than the repetition of a theme of systematic propaganda used by a political party. The present petition contains no single specific fact in support of this charge, and where reference has been made in previous petitions to specific cases of departure from Togoland under French administration, it invariably turned out that the individual con-

cerned either wished to evade legal proceedings instituted by his creditors or by the authorities, or was a civil servant dismissed for a serious breach of duty.

12. With respect to the payment of poll tax the French Government agrees that almost all those who have emigrated still pay their taxes in Togoland under French administration but they do so entirely from choice; indeed the Administering Authority has no means of forcing them to do so. Their idea in so doing is to show that they consider themselves temporary and not permanent emigrants and that they have not ceased to belong to their native communities, to which they always return after a certain period of absence.

13. The petition was examined and discussed at the 270th and 279th meetings of the Standing Committee (T/C.2/SR.270 and 279).

14. At its 279th meeting, the Committee adopted by 5 votes to none, with 1 abstention, the draft resolution, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTION SUBMITTED BY THE COMMITTEE

[For the text of the draft resolution, adopted without change at the 642nd meeting of the Trusteeship Council, see resolution 1359 (XVI).]

DOCUMENT T/L.590

One hundred and thirty-first report of the Standing Committee on Petitions: petitions concerning Togoland under French administration

[Original text: English]
[15 July 1955]

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INTRODUCTION

1. At its 269th, 270th and 279th meetings, on 30 June and 1 and 15 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Togoland under French administration which are listed in the preceding table of contents.

2. Mr. René Doise participated in the examination as the representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution I-VII inclusive.

I. PETITION FROM THE CHEFS DE QUARTIER OF AKADJAMÉ AND AGOMÉ (T/PET.7/407)

1. The petitioners enclose a copy of a letter, addressed to the *Commandant de cercle* of Tsévié, concerning compulsory payment of taxes in their villages, with the request that it be considered as a petition.

2. They list the names of 14 persons from the Kpomé-Agomé *quartier* and of 21 persons from the Kpomé-Akadjamé *quartier* who have emigrated from there over a period of from 2 to 20 years and who are now residing in other *cercles* of Togoland under French administration or in the Gold Coast. Now, the petitioners say, these emigrants have been required by Chief Sétsoafia to pay the various taxes imposed in Kpomé, Tsévié *cercle*, and their parents are held liable for the payment of these levies.

3. The petitioners state that persons who have emigrated from their country of origin and who pay taxes in their new place of residence should not have to pay taxes in their former home since this would subject them to double taxation. Therefore, they request that this be explained to Chief Sétsoafia in order that the 35 persons concerned may be exempted from the payment of the tax.

4. In its observations (T/OBS.7/32) the Administering Authority points out that it is the constant practice that taxpayers who go to work outside the Territory and return to their village after a short absence pay taxes in their village. Those who emigrate permanently and produce evidence that they are paying taxes in their new place of residence are struck off the register in their village of origin. The persons mentioned in the petition have failed to produce such evidence, for which the *commandant de cercle* of Tsévié has asked them again and again.

5. The petition was examined and discussed at the 270th and 279th meetings of the Standing Committee (T/C.2/SR.270 and 279).

6. The representative of the Administering Authority explained that the tax in question was the *impôt du minimum fiscal*, which was levied on all able-bodied men not subject to the general income tax. Indigent persons and persons unable to work were, however, exempted. Parents were not responsible for the taxes of their children.

7. The representative of the Administering Authority further explained that an agreement existed with the British authorities to avoid double taxation. Persons claiming exemption on that ground were however required to show their receipt for the taxes paid in the other Territory.

8. At its 279th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM MR. CORNELIUS ADJEYI (T/PET.7/429)

1. In January 1953 the petitioner was charged by his chief with extorting money from various persons. In reply he explained that a certain married woman had misconducted herself with a number of men in the village and that, in accordance with traditional custom, he—as the “*grand frère*” of the woman’s husband—had collected 200 francs from each of them. Each had paid his levy willingly and, according to custom in the matter, only if an offender refuses to pay is the case brought before the village chief.

2. On receiving this explanation the chief’s men whipped the petitioner and took him to Palimé, where he was imprisoned for three days. On the fourth day he was brought before the Court and discharged. In the course of the Court’s judgment, of which he encloses a copy, the practice of which he was accused is noted as being in accordance with custom.

3. The petitioner now seeks damages for wrongful arrest and imprisonment, and the return of a sum of 8,030 francs which he paid to the *gendarmerie* at the time of his arrest. This sum, he says, he “paid against the sum put up by my accusers in accordance with our native custom”. He wrote to the Chief Law Officer concerning both matters on 21 March 1953—he encloses a copy of his letter—but no action had been taken on his letter by the time he submitted his petition.

4. In its observations (T/OBS.7/34, sec. 1), the Administering Authority states that Mr. Adjeyi was arrested on 15 January 1953 on a charge of fraud. It was found on

inquiry that, contrary to his assertions, Mr. Adjeyi was not subjected to violence during the preliminary investigation. By a judgment of the Lomé court of 4 March 1953, Mr. Adjeyi was discharged. The sum of 8,030 francs, which was seized when the petitioner was arrested and which was deposited at the Palimé police station, was returned to him on 22 March 1953, as soon as he came to claim it.

5. The petition was examined and discussed at the 270th and 279th meetings of the Standing Committee (T/C.2/SR.270 and 279).

6. At its 279th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM THE SECRETARY-GENERAL OF THE RASSEMBLEMENT POPULAIRE DES RÉFUGIÉS DU TOGO FRANÇAIS (T/PET.7/430)

1. The petitioner states that the Administering Authority in Togoland under British administration proposed to set up an “area committee” at Ménou, British Akposso, on 1 December 1954. He describes British Akposso as that part of Togoland under British administration which belongs to the Akpossos who came from the canton Litimé, in the French zone, where he was born. This is a disputed piece of land over which there was a fierce clash in 1935 between the people of Bohème (presumably Buem) and those of his native district. Subsequently there were lengthy court proceedings at Accra in which the Akpossos won their case. Later Mr. Thomas Agbo, Chief of British Akposso, urged the British Government to set up a “local council” for the better observance of Akposso customs.

2. When the setting up of the Area Committee was finally announced, the men of Akposso and British Akposso sent invitations to all their compatriots in the French zone to celebrate the event. On 28 November 1954, however, Mr. Hermann Eglomassé, Chief of the canton of Litimé in the French zone, accompanied by a *garde de cercle* of five men, went through the villages of Badou, Ahouenhoun, Wobé, Kroa, Tomegbé, Kpété-Maflo and Kpété-Bona to confiscate the invitation cards which he then tore up in public. On 29 November 1954, H. Eglomassé, heading the same group, visited the villages of Kissibo and Abréhouako for the same purpose, where Chief Kougbani objected to this disgusting behaviour. Thereupon, Mr. Eglomassé threatened to throw into prison anyone who attended the inauguration ceremony.

3. The petitioner states that he attended the ceremony on 1 December 1954 in his dual capacity as an Akposso and as leader of the RPRTF. There he saw Esuèbe Koffi, a photographer who had been sent by Mr. Eglomassé to take pictures of those from the French zone who had accepted the invitation, which he now fears will be used against them.

4. The petitioner considers that, as a result of the abuses of power which he claims exist in Togoland under French administration, the persons concerned will be, if not imprisoned, at least beaten up.

5. In its observations (T/OBS.7/33, sec. 1), the Administering Authority gives details of the history of the land case referred to in the petition. It then states that the local administration has no knowledge of the acts imputed to Chief Eglomassé and that the latter knows nothing about them. In particular, no one was molested for having attended the ceremony to which the petitioner refers.

6. The petition was examined and discussed at the 269th and 279th meetings of the Standing Committee (T/C.2/SR.269 and 279).

7. At its 279th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM MR. JAMES KOFFI KULEOSSI (T/PET. 7/431 AND ADD.1)

1. The petitioner complains that while he was standing at the lorry station at Palimé on 3 August 1954, a policeman approached him and demanded to see the contents of the handbag which the petitioner was carrying. The policeman opened the bag and removed some money and photographs which he handed to the petitioner. The bag, which also contained a newspaper, was handed to another policeman who took it away with him. The petitioner then was told to go to the Commandant's office where he could collect his belongings. The following day the petitioner found upon his return home a summons to appear at the police station. When he went there, the bag and the newspaper were returned to him, and he was told to return the following day. When he presented himself again he was asked to identify himself and to put his signature on a piece of paper. Having done this, he was told that he would be deported from Palimé, because he was not a native of that town, he disturbed the Commandant "in all my ways", and he had no property or family in Palimé.

2. When the petitioner denied the allegations, the *commissaire de police* had him imprisoned, and the following day he was deported to Togoland under British administration. There, he states, he is forced to live apart from his family and in poverty. He requests that he as well as other refugees be assisted to return to his home.

3. In a subsequent letter dated 14 April 1955, the petitioner states that he returned to Palimé on 26 February 1955 thanks to the intervention of Mr. Sylvanus Olympio.

4. In its observations (T/OBS.7/34, sec. 2) which were presumably drafted before it received Mr. Kuleossi's second letter, the Administering Authority states that Mr. Kuleossi, a native of Keta (Gold Coast), was living illegally at Palimé, without the authorization required by the regulation in force concerning the admission and residence of foreign nationals in the Territory. It was also found on inquiry that he had no assets and no relations in that locality, where he was without occupation or visible means of support. He was therefore expelled from the Territory and informed that he might return when he had obtained the authorization required by the regulations in force.

5. The Administering Authority further states that no violence was used against the person in question, who has since returned to Palimé.

6. The petition was examined and discussed at the 269th and 279th meetings of the Standing Committee (T/C.2/SR.269 and 279).

7. At its 279th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITION FROM MR. AUGUSTINO DE SOUZA (T/PET.7/436)

1. In a cablegram dated 21 April, the petitioner complains that the local authorities are increasing their pressure and using threats of violence to make him resign his membership and chairmanship of the Comité de l'Unité togolaise. Policemen are being stationed round his house and the Administration has summoned him and his children and threatened him with the demolition of his house, with bloody clashes in the course of meetings in

his house, and with prison. The petitioner asks the United Nations to intervene with the Administering Authority so that an old man of 80 years of age may be left in peace.

2. In its observations on this petition, the Administering Authority expresses the belief that the telegram in question was drafted and dispatched in Mr. de Souza's name without his knowledge and does not see how he could honestly subscribe to the untruthful assertions contained therein.

3. The Administering Authority admits that Mr. de Souza has been approached by the Roads Service and has been invited by it to vacate the decrepit house which he occupies, despite the fact that he is by far the largest and most substantial landowner of the Territory. The Mayor Administrator of Lomé intervened to point out to Mr. de Souza the risks that he was imposing on himself, his family and his neighbours and to grant him the time that he felt necessary. At the present time Mr. de Souza has in no way paid attention to the warnings which have been given to him and is continuing to live in his house upon which he has not yet undertaken the least amount of repairs.

4. The petition was examined and discussed at the 270th and 279th meetings of the Standing Committee (T/C.2/SR.270 and 279).

5. The representative of the Administering Authority stated that any policemen who might have been stationed near Mr. de Souza's house would have been there in connexion with their regular duties.

6. At its 279th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM MR. DIEUDONNÉ AMOUZOU BENOIT (T/PET.7/433)

1. The petitioner states that he was employed with the Togoland railway service since 3 July 1942 and that throughout this time his work was never criticized or questioned. Nevertheless, he was dismissed from the service in accordance with decision No. 45 of 10 December 1952 on the ground that his post had been abolished. He attributes his dismissal, however, to his nationalist leanings.

2. Now, he says, he and his large family are destitute and he asks that the Administering Authority be requested to assist him. He adds that his appeal, a copy of which he encloses, was not answered by the Minister for Overseas France.

3. In its observations (T/OBS.7/33, sec. 2) the Administering Authority points out that the Railway and Wharf Services, acting upon the recommendations adopted by the Board at its meetings of 19 April and 21 October 1952, instituted a policy of retrenchment. The petitioner is one of the day-workers who, for purely financial reasons, were terminated as part of a 15 per cent reduction in the staff.

4. The petition was examined and discussed at the 269th and 279th meetings of the Standing Committee (T/C.2/SR.269 and 279).

5. The representative of the Administering Authority stated that the dismissals had been carried out without regard to the political affiliations of the persons affected. The petitioner had not had civil service status, but had received severance pay under the Labour Code.

6. The representative stated that if the petitioner applied to the *Bureau de placement* of the Labour Service he would be given advice and assistance in obtaining employment.

7. At its 279th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VI, annexed to the present report, which it recommends that the Council adopt.

that he was of Togolese extraction. Only after it had been extended for more than five weeks was his temporary residence permit taken away.

VII. PETITION FROM THE NATIONAL SECRETARY OF JUVENTO (T/PET.7/434 AND ADD.1 AND 2)

6. The petition was examined and discussed at the 270th and 279th meetings of the Standing Committee (T/C.2/SR.270 and 279).

1. In a letter dated 10 January 1955, Mr. Napo Badji, National Secretary of Juvento, calls the attention of the Trusteeship Council to the case of Mr. Mensar Aihntson, who was expelled from Togoland under French administration by order of 8 June 1953 as an undesirable alien. The petitioner claims that Mr. Aihntson is a pure-blooded Togolander, that there is no record of dishonesty in his private or civic life, that he was deported for purely political reasons, and that this is contrary to the fundamental human freedoms.

7. The special representative of the Administering Authority stated that Mr. Aihntson had resided in the Territory only from 1948 to 1953, when he had been deported to Dahomey by virtue of an order following the decision of the *Conseil privé* and in accordance with the decree of 15 June 1927. Mr. Aihntson had been convicted during his stay in Togoland, first in 1950 for contempt towards a magistrate and for resisting a police official, and subsequently in 1953 for spreading false rumours of a nature likely to disturb public order. His deportation had not been because of his political activities but because these two convictions in respect of common-law offences showed that he was an undesirable alien.

2. The petitioner urges the French authorities to rescind the deportation order, and requests the United Nations to intervene in favour of this course of action.

8. The representative stated that Mr. Aihntson had presented an affidavit to the effect that he had been born in Dahomey in 1914. Subsequently he had claimed to be born in Eseka in the Cameroons under French administration in 1913. He had during his recent stay in the Territory produced no evidence that he was a Togolander.

3. In a communication dated 20 February 1955, the petitioner mentions that Mr. Aihntson has just obtained from the French authorities permission to return temporarily to Togoland for the purpose of collecting documentary proof of his nationality.

4. In a further communication dated 30 March 1955 it is alleged that Mr. Aihntson was re-expelled on 29 March.

9. At its 279th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

5. In its observations¹² the Administering Authority states that on 15 February last Mr. Mensan Aihntson was authorized, at his request and as an exceptional measure, to stay for a few days in Togoland under French administration for personal matters. In fact Mr. Aihntson stayed a month and a half in the Territory. On no occasion did he produce to the administrative authorities the least proof

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, IV, V, VI and VII, adopted without change at the 642nd meeting of the Trusteeship Council, see resolutions 1360 (XVI), 1361 (XVI), 1362 (XVI), 1363 (XVI), 1366 (XVI), 1364 (XVI) and 1365 (XVI), respectively.]

¹² Not reproduced in the form of a document.

DOCUMENT T/L.597

One hundred and thirty-second report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

[Original text: English]
[18 July 1955]

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INTRODUCTION

1. At its 245th, 246th and 248th, 274th, 275th, 276th and 279th meetings, on 31 May, 2 June, 8, 11, 12 and 15 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. M. de Camaret and M. R. Doise participated in the examination as the representatives of the Administering Authority concerned.

3. At its 279th meeting, the Standing Committee on Petitions had before it a proposal whereby it would recommend to the Trusteeship Council that, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, the Council should decide that no special information was required concerning the action taken on the resolutions covered by the present report. The Standing Committee wishes to record that this proposal was rejected by 3 votes to 2, with 1 abstention.

I. PETITION FROM MR. THEODORE MAYI MATIP (T/PET.5/276)

1. The petitioner complains about the alienation of land in the Eséka Division, and about the inadequate indemnities paid to the expropriated indigenous inhabitants. Thus, compensation of only 1 million francs has been awarded in respect of 382 hectares granted to the Les Bois du Cameroun company and compensation of the same amount has been awarded in respect of 98 hectares classified as State land in the urban centre of Eséka. On the other hand, no compensation at all has been awarded in respect of 123 hectares granted to the Société nationale du Cameroun.

2. The petitioner states "the above examples of compensation give no indication of the rate at which the land was valued per square metre". He suggests that 20 francs a square metre (200,000 francs a hectare) would be a reasonable price. He notes that in respect of 50 hectares,

3 acres of land on which the town of Lolodorf is situated, compensation was awarded at the rate of 10.50 francs a square metre, and in his opinion it was land far less valuable than the two parcels for which only a million francs each was awarded.

3. The petitioner further states that the 2 million francs awarded in respect of the land granted to Les Bois du Cameroun and the urban centre of Eséka was placed in the Deposit and Consignment Office since it could not be decided which of the two communities was entitled to the money. The petitioner charges the Administration with deliberately fomenting the dispute between the communities.

4. Finally, the petitioner complains that recently the Administration gave orders for a public building at Eséka, in which the UPC held its meetings, to be burned down.

5. In its observations (T/OBS.5/50, sec. 1), the Administering Authority gives an account of the circumstances surrounding the classification of the urban centre of Eséka and explains that it has already given an account of the concession of land to the Les Bois du Cameroun company in connexion with an earlier petition (T/PET.5/277) on which the Council adopted resolution 1171 (XV).

6. The Administering Authority goes on to explain that, as the two communities concerned were unable to agree on the way in which the two indemnities of 1 million francs granted by the Territorial Assembly should be divided, they took their dispute concerning the extension of their customary rights to the courts. After the two judgments of 24 April 1953 by the Court of Second Degree at Edéa were quashed by the Special Ratification Chamber (*Chambre spéciale d'homologation*), the case came before the same court again, which, by judgments Nos. 55 and 56 of 25 March 1954, rejected the claims of the two communities for recognition of their title to a 19.95 hectare plot of land, fixed the demarcation line between the plots to which the customary rights of the two communities had been recognized and specified that the occupation rights enjoyed by non-members of the communities on the date of the judgment remained valid. Following an appeal by the Log Ngoug community, the Special Ratification Chamber confirmed these judgments by Orders Nos. 4 and 5 of 18 January 1955.

7. The Administering Authority also provides details of the concession to the Société nationale du Cameroun, showing that the land in question had been in the public domain of the Territory before the concession was made in 1930.

8. The Administering Authority finally states that the hut, the destruction of which is complained of in the petition, had been built on land claimed by Paramount Chief Henri Matip, the petitioner's uncle, without his permission. Since his nephew refused to tear down the hut, Mr. Matip destroyed it on 25 May 1954. The petitioner instituted legal proceedings in January 1955, after he had sent his petition and eight months after the incident. A judicial inquiry is now in progress.

9. The petition was examined and discussed at the 274th and 279th meetings of the Standing Committee (T/C.2/SR.274 and 279).

10. At its 279th meeting, the Committee adopted by 3 votes to 1, with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITIONS RELATING TO THE AIRFIELD AT DOUALA (T/PET.5/312, 321, 326, 329, 360 AND 421)

1. The following six petitions contain protests against the sale to the French State of the site of Douala airport:

Petition from various Branches of the Union des populations du Cameroun at Loum-Chantiers (T/PET.5/312);

Petition from the Chairman of the Committee of the UPC at Loum (T/PET.5/321);

Petition from the Committee of the UPC of Bangui-Chari (T/PET.5/326);

Petition from the Central Committee of the UPC of Bakoum (T/PET.5/329);

Petition from the Central Committee of the UPC of Melong I (T/PET.5/360);

Petition from the Committee of the UPC of New Bell Centre (T/PET.5/421).

The petitioners complain in similar terms that the action was taken by the Territorial Assembly without consulting public opinion or the communities affected and they ask that the airfield should be restored to the Cameroonians.

2. In its observations (T/OBS.5/42, sec. 3), the Administering Authority states that Douala airport is an airport open to long-distance mail and international traffic serving not only the Territory but also communications between French Equatorial Africa, the metropolitan country, and the French and British territories in West Africa.

3. Owing to the heavy cost of operation, the Government of the Republic undertook the construction, equipment and operation of this airport. In order to safeguard the earnings on the investments thus made and the undisputed possession of the airport installations, the French airport service, which is responsible for operation, requested authorization to purchase the site. It was authorized to do so by the Territorial Assembly of the Cameroons at its meetings 211, 211 *bis* and 211 *ter* of 15 May 1954.

4. The Administering Authority maintains that the purchase does not entail any infringement of the general principles of sovereignty. The Government of the Territory continues to operate the police, customs and health services at the airport.

5. The land in question was previously classified as the property of the Territory: 115 hectares were thus classified in 1947; 73 hectares, for the extension of the aerodrome,

were classified at the 211th meeting of the Territorial Assembly, referred to above. Palavers concerning the extension were held on 22 November 1950, 18 and 20 April 1951 and 15 October 1952. The communities concerned agreed to the classification, but the local authorities are having some difficulty over the payment of compensation for the loss of customary rights by the communities owing to the many disputes that arise over the delimitation of their respective areas of land. The local authorities are doing everything in their power to settle the matter as speedily as possible.

6. The Administering Authority adds that the communities concerned, none of which is included amongst the petitioners, have the usual opportunities for appeal against administrative acts in respect of classification of land and payment of compensation.

7. The petitions were discussed at the 212th meeting of the Standing Committee, before the observations of the Administering Authority had been circulated in written form. At that time, the Committee decided to postpone further consideration of the question of the sale of the airfield until the sixteenth session, by which time it hoped to have received more complete information from the Administering Authority. The petitioners were informed accordingly.

8. Since then, a further petition—from the Committee of the Union des populations du Cameroun of New Bell Centre—has contained a protest on the cession of the Douala airfield.

9. The petition was examined and discussed at the 245th, 275th and 279th meetings of the Standing Committee (T/C.2/SR.245, 275 and 279).

10. The representative of France informed the Committee that his Government had decided not to purchase the airfield at Douala but to lease it for a period of 99 years. This proposal is at present before the Territorial Assembly at its current session. He stated that under present plans, rental for the land will be paid beforehand, and that no service taxes will be levied on the airfield. The Territory will receive certain important payments amounting to approximately 500,000 francs CFA per annum. He stated further that the amount of compensation for the land bought for the enlargement of the field is 60 million francs CFA, and he pointed out that this amount had not yet been paid because of disagreement among those concerned over the distribution to the groups and individuals involved.

11. At its 279th meeting, the Committee adopted by 2 votes to none, with 4 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM THE COMITÉ CENTRAL DÉMOCRATIQUE "LEPITÉ" DU GROUPEMENT DE BAFOU-FONDONG (T/PET. 5/331)

1. The petitioners state that the authors of the petitions circulated as documents T/PET.5/38, T/PET.5/97 and T/PET.5/168 are members of their committee. They also refer to petitions from heads of neighbouring communities circulated under the symbol T/PET.5/170 and to the observations of the Administering Authority thereon (T/L.414, sec. XI).

2. Their principal complaint is in connexion with pasture land in the Bambouto range, which was dealt with in T/PET.5/38 and T/PET.5/170. In these petitions it was complained that the Administration had favoured the Pastorale Company, which held an important pastoral concession in the area, in its land disputes with the

neighbouring indigenous communities. By its resolution 941 (XIII) on the latter petition, the Council reiterated its previous recommendation that the Administering Authority should intensify its efforts to find a solution to the problem of the differences between the Pastorale Company and the surrounding Bamiléké communities and of the more general problem arising out of the creation of the Bam-bouto range as a pasture reserve, including the payment, as envisaged by the Administration, of an annual indemnity to the communities by the other users of the pasture land.

3. In the petition now under consideration the petitioners complain that they were not consulted when the present boundaries of the reserve were fixed in 1950 and that the annual indemnities, which were established in principle at that time but which were subject to agreement between the parties, have not in fact been put into effect.

4. In its observations on the petition (T/OBS.5/44, sec. 1) the Administering Authority states that the organization which sent in the petition has no legal status as it has not been registered under this name as an association. On the question of the pasture land, it states that it is continuing to give particular attention to this problem. It hopes in the near future to reach an agreement among the parties concerned unless dissension is wilfully fomented for political ends. The local administration will continue to consult the people affected, particularly the legal representatives of the people, whether traditional or elective. The petitioners can express their views as members of the communities concerned.

5. The petitioners also raise a number of general questions which have previously been considered by the Trusteeship Council, including the question of the unification of the Cameroons, the extension of the election of members of rural municipalities, the recognition of indigenous land rights, the abolition of customary tribunals, the building of more dispensaries and maternity homes, and the institution of compulsory education.

6. The petition was examined and discussed at the 245th, 246th, 275th and 279th meetings of the Standing Committee (T/C.2/SR.245, 246, 275 and 279).

7. The representative of the Union of Soviet Socialist Republics proposed the insertion, in the second operative paragraph of draft resolution III in the annex to the present document, between the words "of this problem" and "along the lines..." the following phrase: "in such a way as to meet fully the interests of the indigenous inhabitants of the area". This proposal failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against the proposal were equal.

8. At its 279th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM MR. JEAN MAMBOU (T/PET.5/313)

1. The petitioner, writing on behalf of the population of Bansoa in the Dschang sub-division, complains that their land "has been plundered by Joseph Chendjou with the connivance of the Administration". In 1952, he writes, Mr. Chendjou, a councillor in the Territorial Assembly, expropriated an area of 75 hectares belonging to the village of Bansoa. This land contained food crops, such a cola trees, maize, taro, plantains, yams, oil palms, plum trees and ground nuts, and the loss of the land has already led, so he claims, to the death of more than 41 of the villagers.

2. The petitioner annexes a copy of the proceedings of the public hearing on the matter before the customary court of Dschang on 14 November 1952. The upshot of the hearing was that the charge brought by three plaintiffs against Mr. Chendjou was dismissed, and that the latter's possession of the land in question was confirmed. Another annex consists of the copy of an appeal to the State Counsel General by these three plaintiffs against the decision of the customary court. It is dated 4 July 1953. A third annex is a copy of a letter dated 13 November 1952, addressed to the Magistrate with Extended Powers at Dschang, by two persons (neither being the same as any one of the three plaintiffs before the customary court) setting forth the facts of the case, as it is set forth in the petition itself.

3. In the appeal to the State Counsel General it is stated that a villager named Jean Nebek was arrested and imprisoned for two days for protesting against the grant of the land to Mr. Chendjou.

4. Finally, the petitioner writes that the Administration is also threatening to take over a quarry at Bansoa without compensating the owners and to hand it over to the *Soliditit français*, a private company of public works contractors.

5. In its observations (T/OBS.5/49, sec. 2), the Administering Authority states that on 14 November 1952, the customary court at Dschang confirmed that the land in question had been lawfully granted to Mr. Chendjou. On 18 June 1953, the Court of Second Degree at Dschang confirmed the earlier judgment, by rejecting the appellant's suit. No appeal was lodged with the special Ratification Chamber (*Chambre d'homologation*).

6. The Administering Authority states that it is clear from the records:

(a) That Mr. Chendjou, a cousin of the Chief of Bansoa, received the disputed land from the Chief in full conformity with Bamiléké custom;

(b) That this land, 70 hectares in area, had been uncultivated and uninhabited for many years and, hence, that its occupation could not have any detrimental effect on the food supplies of the villagers in the District. The number of deaths (41 in two years) in the Bakassa district, whose population the petitioner estimates at 5,000, seems quite normal and there is no need to attribute them to "famine";

(c) That Mr. Chendjou, the occupant of the land, has been busily developing it since 1952 and that, at the time the customary court handed down its judgment in November 1952, he had 40,000 coffee plants, either planted out or in hotbeds, and had begun to grow food and other crops.

7. With regard to the stone quarry at Bansoa, the Administering Authority observes that the Administration has been working this quarry, which is situated beside the N'kongsamba-Dschang road, for many years. *Soliditit*, a company of public works contractors, has submitted a request for authorization to work the quarry for road works. The case is being given the normal consideration under the existing regulations. The interests of the rightful owners, if any, will therefore be safeguarded.

8. The petition was examined and discussed at the 248th, 275th and 279th meetings of the Standing Committee (T/C.2/SR.248, 275 and 279).

9. The representative of France stated that the land owned by the 4,000 inhabitants of Bansoa amounted to 87 square kilometres, of which only 70 hectares were in dispute and concerning which the competent court had rendered a decision. He added that there was ample land available to the inhabitants of the area and denied that

inhabitants of the Cameroons had died of hunger or malnutrition. He stated that over a period of two years a total of 41 deaths was recorded in the area in question, a number which is considered normal for the total population in the area.

10. At its 279th meeting, the Committee adopted by 3 votes to 1, with 2 abstentions, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

V. PETITIONS RELATING TO THE SINKING OF THE FERRY AT SAKBAYÉMÉ AND OTHER INCIDENTS IN THE SONGBENGUÉ AREA (T/PET.5/322 AND ADD.1, 348, 376, 441*, 471*, 477, 484, 491, 508, 518*, 525*, 534, 535, 536, 537*, 538*, 539 AND 540)

1. The following petitions are dealt with in the present section:

Petition from the Babimbi people (T/PET.5/322 and Add.1);

Petition from members of the Local Committee of the Union des populations du Cameroun of Edéa (T/PET.5/348);

Petition from Mr. Moise Bitogol (T/PET.5/376);

Petition from the Local Committee of the Union des populations du Cameroun of Nkonjok-Bekok (T/PET.5/441);

Petition from Mr. Abraham Mbock (T/PET.5/471);

Petition from the Local Committee of the Union des populations du Cameroun of Nkomakondo-Babimbi (T/PET.5/477);

Petition from Mrs. Sara Justine Tonye (T/PET.5/484);

Petition from Mr. Jacques Nom (T/PET.5/491);

Petition from Mr. Bekond Bingock (T/PET.5/508);

Petition from the Local Committee of the Union des populations du Cameroun of Log-Sanho (T/PET.5/518);

Petition from the Central Committee of the Union des populations du Cameroun of Mom (T/PET.5/525);

Petition from the Local Committee of the Union des populations du Cameroun of Lokbii (T/PET.5/534);

Petition from the Local Committee of the Union des populations du Cameroun of Ngog Libii (T/PET.5/535);

Petition from the Local Committee of the Union des populations du Cameroun of Bihiang (T/PET.5/536);

Petition from the Local Committee of the Union des populations du Cameroun of Song Simut (T/PET.5/537);

Petition from the Local Committee of the Union des populations du Cameroun of Sakbayémé (T/PET.5/538);

Petition from the Central Committee of the Union des populations du Cameroun of Bikok-Sakbayémé (T/PET.5/539);

Petition from the Local Committee of the Union des populations du Cameroun of Sindongui I (T/PET.5/540).

2. The petitions dealt with in this section with two exceptions (T/PET.5/508 and 536) all refer to the sinking of the ferry over the Sanaga river, between Sakbayémé and Songmbengué on 24 September 1954 with the loss of several lives. Some of the petitioners refer to previous complaints concerning the absence of a bridge over the Sanaga at that point and concerning lack of progress in the Babimbi sub-division to the north of the river or

around Sakbayémé. In addition, 12 of the petitions (T/PET.5/441, 471, 484, 491, 518, 534-540) contained complaints against the conduct of Dr. Reihmer, the doctor in charge of a Mission hospital at Sakbayémé, who is said to have closed the hospital. On the other hand, one petition (T/PET.5/508) blames Mr. Um Nyobé and the UPC for the closing of the hospital. There are also in some petitions charges that missionaries bring improper pressure to bear on their congregations in political matters. Finally, many of these petitioners (T/PET.5/348, 376, 441, 471, 491, 518, 525, 534-540) refer to the programme of the UPC calling for the unification of the Cameroons and for the speedy grant of independence, and authorize Mr. Um Nyobé to speak on their behalf before the Fourth Committee.

3. The most circumstantial account of the sinking of the ferry is contained in the addendum to the petition from the Babimbi people (T/PET.5/322/Add.1). The petitioners state that a first shipwreck took place in 1936, costing the lives of many people and entailing considerable material loss. In 1948, over 40 persons returning from a religious festival were drowned while crossing the Sanaga. In 1951, they state, a similar disaster cost 20 lives.

4. The petitioners refer to two previous petitions submitted by the Babimbi people complaining in general of the backward economic conditions in their sub-division and in particular of the absence of a bridge over the Sanaga.

5. It may be recalled that by its resolution 983 (XIII) on the more recent of these petitions (T/PET.5/217), the Council noted the various projects actually being undertaken by the Administering Authority to improve medical and educational facilities, communications and general economic conditions in the area and recommended that the Administering Authority implement these projects with expedition. Among the projects mentioned in the observations of the Administering Authority was the installation of a new trail-ferry at Songmbengué, which would improve the crossing of the Sanaga, which was then impossible during the period of high waters.

6. The petitioners state that while the Administering Authority continues to leave the area without hospitals, without adequate dispensaries, without schools and without roads, it had, in order to justify itself before the United Nations, had a ferry-boat built and put into operation in May 1954. The petitioners assert, however, that it could hardly be called a ferry, but was more like a raft; it was moved by means of cables, one of which, about 2 cm in diameter, was stretched across the river serving as a slider for the one which was held by the ferryman and which kept the canoes together. The raft was merely a collection of canoes, which in those parts were nothing but large tree trunks hollowed out in the form of boats. Planks of sawn wood held together the canoes, on which all the passengers, livestock, goods, etc. were placed. This "contraption" was operated by human labour, since men had to be employed to pull the cable. The petitioners conclude: "On 24 September 1954, the 'ferry' capsized for lack of solid material and good workmanship". In an annexed letter it is stated that over 50 people—men, women and children—lost their lives, and considerable property was lost as a result of the sinking.

7. The petitioners hold the Administering Authority and its local chief official responsible for these disasters. They complain in particular that the latter forbade the inhabitants to use canoes to cross the river and had not provided life-saving equipment on the landing stages. The Administration had not devoted the taxes paid in the sub-division to the building of a bridge over the Sanaga or

* The petitions marked with an asterisk contain, in addition to the complaints dealt with in the present section, certain other complaints which have not yet been commented on by the Administering Authority. The petitions concerned have not therefore been finally disposed of.

to roads, hospitals and schools. The petitioners ask the Fourth Committee to send a Mission to visit the Babimbi sub-division.

8. The other accounts of the accident are much briefer. In most cases, reference is made to previous disasters, the number of persons who lost their lives in the present one is described as unknown (however, in T/PET.5/539 it is given as 40 and in T/PET.5/376 as 200), and the need for a bridge is stressed.

9. In its observations on T/PET.5/322 and Add.1 (T/OBS.5/49, sec. 3), the Administering Authority gives the following account of the accident. The ferry had already made three crossings on the morning of 24 September and had just left the Sakbayémé bank on its fourth crossing. Seventeen persons with sundry pieces of luggage were on board. The load was approximately two and a half tons. The Sanaga was in spate. According to witnesses, the crossing proceeded normally until the middle of the river, where the current is strongest; then the ferry, which had stopped moving for a moment, as often happens, swung completely round; in the process, the waves submerged two of the three barges and the ferry went down by the bows immediately, one of the cables having broken. All the passengers and goods were thrown into the river and borne away rapidly by the current before the witnesses could collect themselves and go to their aid. The passengers sank almost immediately and were carried away by the river. Only one ferryman and one passenger (a young man) were able to reach an island one kilometre downstream. Mr. Simon Yonga, a night watchman at Songmbengué, jumped into a small canoe and bravely went to their rescue. He saved the two men in the face of serious difficulties. One of them, the ferryman, subsequently died of his injuries. The courageous rescuer was awarded the *Mérite camerounais* and a sum of money. A thorough search was immediately undertaken and every effort was made, but none of the other victims was found.

10. The accident took the lives of 16 people, including one of the two men rescued, not 50 as the petitioners claim. The names of the missing persons are known and their families have already received assistance amounting to 1 million francs CFA from the Administration and the Territorial Assembly and an additional 50,000 francs CFA from the Red Cross, over and above the compensation they will receive under the "industrial accidents" scheme.

11. As soon as news of the accident was received, the competent technical services went to the spot to investigate the causes of the accident and to examine the ferry's hauling equipment. The whole installation was new and had only been put into service four and a half months previously. An investigation is under way and the case has been submitted to the courts, which will examine all the possible reasons for the accident and determine what actually caused it.

12. The Administering Authority adds that the ferry was not "a collection of canoes", as the petitioners claim. It was a modern piece of equipment that had been installed to supplement the inadequate means of transport previously used (canoes, etc.) which were unsafe and had proved unsatisfactory. It consisted of three metal barges with a freight capacity of five tons each, bound together by wooden planking weighing three and a half tons, the whole forming a single rigid unit. The ferry's carrying capacity was eleven tons, but in view of the difficult crossing and in order to increase the margin of safety the chief ferryman had decreed that the load should never exceed six tons. Lorries using the ferry were unloaded, where necessary, to ensure that they did not exceed six tons and their freight was ferried across in several loads; all the transport contractors complied with this safety

regulation. At the time of the accident the ferry had a load of only two and a half tons, which shows how violent the current is when the river is in spate and how difficult the crossing.

13. The Administering Authority explains that this ferry system, which is sometimes used in Europe at certain points (Rouen, Orange), is in common use in Africa. Between Fort-Foureaux and Fort-Lamy, for example, thousands of vehicles use a similar ferry year in, year out, and it has proved entirely adequate; there is another ferry of the same type at Garoua which runs at high water.

14. With respect to the request that a Mission should visit the Babimbi *subdivision*, it may be noted that in resolution 983 (XIII) the Council recommended that the next visiting mission to Trust Territories in West Africa should consider, while planning its itinerary, the possibility of visiting the area.

15. The other complaint common to a number of these petitions is that Dr. Rehmer (spelled in other petitions Raymer or Reihmer), the doctor in charge of the American Presbyterian Mission Hospital at Sakbayémé, should be repatriated. It is stated that Dr. Rehmer closed the doors of the hospital for three months, sending home all the inmates, including even those who had been operated on the day before, and that this was simply because some of the staff had presented him with a list of grievances and demanded that their own French labour code be respected (T/PET.5/441). Some of the patients are said to have died as a result (T/PET.5/538). About 95 employees are said to have been arbitrarily dismissed because they belonged to trade unions (T/PET.5/491, 518, 534, 535, 538 and 540). This is stated to have been done with the connivance of the local authorities (T/PET.5/471, 534 and 535). In one petition (T/PET.5/536) a complaint is made that the body of Paul Ngimut, who died at the hospital, "is being held until his family pays the 11,100 francs which he was to have paid when he was cured". Complaints are made that Dr. Rehmer and also a Rev. Mr. Galloway "are real Negro-haters" (T/PET.5/539). Dr. Rehmer is also said to have stated publicly that every Negro should have only one blanket (of cotton), a liddle (wooden) and a knife (T/PET.5/340).

16. In T/PET.5/508 it is stated, on the contrary, that Mr. Um Nyobé was responsible for creating a disturbance at the American Hospital at Sakbayémé in July 1954. The petitioner states that the hospital was closed for more than five months because persons under Mr. Um Nyobé's orders came to Sakbayémé to create disorder, assault the medical officer and wreck the electrical installations. This disturbance caused the death of several patients in bed at the hospital and elsewhere.

17. In its observations on this complaint the Administering Authority stated that in a conflict between the staff and the management of a private hospital managed by a religious mission it could play only the part of an arbitrator, in particular through the Labour Inspectorate. The Administering Authority explains that the private hospital of Sakbayémé (Region of Sanaga-Maritime, Sub-division of Edéa) belongs to the American Protestant Mission. The staff of this establishment constitutes, therefore, a community which previously considered its work as a religious one. Under the pressure of trade-union movements outside the hospital, the agents of which had free entry to the inside, this conception has, however, developed rapidly towards the demands for provisional advance on a strictly material level. It was in these circumstances that on the occasion of the application of the labour code discussions were begun between the staff and the management in which the latter proposed to the workers that they should be granted a "special status" based on the principles of the code and approved by the

headquarters of the Labour Inspectorate. This proposal was not favourably received and at the beginning of June under the external influences which have been referred to above two trade unions composed of the private staff of Sakbayémé affiliated to the USCC (CGT) were formed and after having filed their statutes presented a series of demands.

18. The Administering Authority states that these demands in the form of a 21-point petition were related particularly to the hours of work, the wage levels and the immediate construction of houses for the members of the staff and their families. While these demands were brought to the knowledge of Dr. Rehmer, doctor in charge of the hospital, threats were offered to the American staff, a strike was decided upon with effect from 12 July and violence was used against the mechanic in charge of the lighting of the surgical block who opposed the very serious step of shutting off the generating plant.

19. The Administering Authority states that the doctors in charge called a meeting of the staff to ask it to continue to discuss the proposal for a "special status", at the same time drawing the attention of the male nurses to the critical situation of the patients if a work stoppage should occur. The male nurses, impressed by these remarks, were ready to postpone the strike but the trade union deliberately ignoring this improvement of atmosphere officially informed the head of the Labour Service that the strike would take effect on 12 July; the employees who hesitated were forced by threats to take a common front with the strikers.

20. The Administering Authority states that for evident reasons of humanity the management of the hospital was therefore obliged to take urgent measures: to send home patients not seriously ill; to transfer seriously ill patients to the hospitals of Ngambe and Edéa; to close down the facilities of the hospital for the time being.

21. The Administering Authority states that the Inter-regional Labour Inspectorate which was informed at once could only note the situation while at the same time endeavouring by contacts with the administrative authorities and with the two parties to find compromise solutions which would allow the hospital to be reopened. The climate subsequently became favourable for a resumption of talks aimed at a revision of working conditions and wages and the principle of a "special status" which was elaborated in a liberal spirit and subsequently adopted. The reopening of the hospital at Sakbayémé took place and the hospital has remained open since that date.

22. The Administering Authority notes that in this affair the staff appears to have been led on by certain agitators whose unreasonable conduct led to the breakdown of negotiations without regard for the needs of the public at a time when the mission was in favour of negotiations. In any case, as is shown for example by document T/PET.5/508, the threatened strike which caused the closing of the hospital has been remarked upon most unfavourably by the people of the region.

23. The petitions were examined and discussed at the 249th, 273rd, 274th and 279th meetings of the Standing Committee (T/C.2/SR.249, 273, 274 and 279).

24. With respect to the accident to the ferry, the representatives of the Administering Authority stated that the crossing of the river Sanaga was now being carried out by means of a ferry of the same type as the one which had sunk, since technical studies had shown that it would be very difficult to construct a bridge at the site of the ferry. The question of building a bridge was still receiving consideration, but traffic crossing the river at that point did not for the time being warrant expensive works.

25. The representatives emphasized that the ferry which had capsized had been of modern design and stated that while the technical experts had been unable to find the exact cause of the disaster, the inquiry was being pursued with a view to determining whether additional safety measures should be introduced. It was not known if there had been life-saving equipment on the ferry at the time of the accident, but an assurance was given that the local administration would pay attention to the question of providing such equipment.

26. With respect to the closing of the hospital at Sakbayémé the representative of the Administering Authority informed the Committee that the hospital had reopened three months after it had been closed. He noted that the hospital staff was protected by the provisions of the labour code which in addition required the parties to a dispute to follow a procedure of conciliation and arbitration. The trade unions concerned had presented their strike notice only two days before the strike was to take effect and too late for the Labour Inspectorate to intervene. The hospital had been closed, if not as a result of a strike itself, because the decision of the staff to go on strike made it necessary to evacuate the patients before the strike became effective.

27. At its 279th meeting, the Committee adopted by 2 votes to 1, with 3 abstentions, draft resolution V, annexed to the present report, which it recommends that the Council adopt.

VI. PETITION FROM THE VICE-CHAIRMAN OF THE UNION DES POPULATIONS DU CAMEROUN (T/PET.5/320 AND ADD.1)

1. In a telegram dated 23 September 1954, the Vice-Chairman of the UPC protests against the persecution of UPC members by the authorities, and describes the political situation in the territory as extremely grave.

2. The petitioner states that the situation in the Bamoun region is deteriorating and that prices have been set on the heads of Mr. Um Nyobé and of Mr. Mouchili. Armed bands are operating with the tacit approval of the authorities, and the houses of Mr. Matip and Mr. Mouchili have been objects of arson and destruction. Documents of the UPC are said to have been confiscated in Eséka and Bafia, and during this operation UPC members were manhandled.

3. He declares that the High Commissioner refuses to receive UPC delegations, and he requests the intervention of the United Nations with the French Government. He draws particular attention to the gravity of declarations by the Chief of the Bafia region which declarations, the petitioner states, reveal the intention of organizing in that region incidents similar to those which occurred at Fouban.

4. In his letter of 27 September 1954 (T/PET.5/320/ADD.1), the petitioner protests against the state of lawlessness which the Administration is said to be maintaining at Fouban, and he says that a feeling of insecurity is spreading throughout the Territory. He cites a number of examples in support of his contention: At Eséka, a chief is said to have set fire to the property of an "anti-colonialist". A similar incident occurred at Foubot. He says that when the parties concerned instituted proceedings the courts did nothing about the matter. This he attributes to the attitude of the Chief Prosecutor, who is said to be favouring a "test of strength" between the Administration and the UPC. The same attitude is ascribed to the Chief Prosecutor of the Court of the First Instance at Douala.

5. The petition adds that further acts of lawlessness occurred at Fouban, Foubot, Mbouroukou, Melong II, Nkongssamba, Bafia and NdiKinimeki.

6. The petitioner requests that the United Nations take steps to insure peace and security in the Cameroons and to put an end to the hostile policy of the French administration.

7. In its observations (T/OBS.5/50, section 4) the Administering Authority states that the Union des populations du Cameroun incurs the displeasure of a large segment of the population by its attempt to foment disturbances in peaceful areas by its violent attacks and the insults it heaps upon the customary chiefs and the administrative authorities in the Territory, by the threats to which it subjects its opponents, and by its persistent claims throughout the Territory and in the United Nations that it represents the bulk of the Cameroonian population. That opposition and the UPC's perseverance in fomenting unrest provoke disputes which sometimes develop into clashes.

8. In July 1954, the UPC had to give up its plans to hold meetings at MdiKinimaki (Mbam) in view of the population's open hostility. No violent incidents occurred. On 21 August 1954, at Foumbo, supporters and opponents of the UPC clashed at a meeting held in the hut belonging to Mr. Isaac Mouchili. During the incident some furniture was wrecked and the hut was damaged. An auxiliary member of the *gendarmerie* put an end to the incident.

9. While an investigation is made of every incident, it is extremely difficult to reconcile the widely divergent evidence given by witnesses and plaintiffs from both sides. That explains why the judicial inquiries take so long to complete.

10. Moreover, the supporters of the UPC very often fail to comply with the regulations in force concerning the distribution and sale of pamphlets. On 14 September 1954, at Bafa, Mr. Etienne Masso, who was selling pamphlets without having purchased a hawker's licence, was requested to comply with the regulations. As soon as he provides evidence of having obtained a licence and of having paid the fee, he may recover the pamphlets now held in the regional offices. The same procedure applies in the case of a hawker at Boumnyebel who is also charged with failure to obtain a licence.

11. Returning from the Democratic Youth Congress at Peking which he had attended, Mr. Ernest Ouandie brought back in his luggage many pamphlets considered liable to disturb the peace and public order. As a result, the High Commissioner of the Republic issued two Orders on 1 September 1954 (Nos. 4,585 and 4,586), prohibiting the importation into and distribution in the Territory of publications issued by the All China Democratic Women's Federation, the All China Federation of Democratic Youth (both in the People's Republic of China), and the International Students' Union (Prague). The pamphlets issued by these organizations were impounded by the customs authorities.

12. The petition was examined and discussed at the 275th, 276th and 279th meetings of the Standing Committee (T/C.2/SR.275, 276 and 279).

13. At its 279th meeting, the Standing Committee had before it the following draft resolution:

"The Trusteeship Council,

"Having examined the petition from the Vice-Chairman of the Union des populations du Cameroun concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/320 and Add.1, T/OBS.5/50, T/L.597),

"1. Draws the attention of the petitioner to the observations of the Administering Authority and to the statements of its representative, in particular that

"(a) In accordance with its traditional policy, the Administering Authority continues to extend to minor as well as to major political parties, irrespective of the degree of disfavour in which they may stand in the eyes of the local population, the protection from unlawful interference necessary to enable them to carry out their activities;

"(b) In so far as these activities may be unlawful, the Administering Authority reserves the exclusive right to terminate them and to bring to justice those who contravene the law; and

"(c) In so far as these activities are lawful the Administering Authority guarantees to political parties absolute freedom from interference on the part of the public authorities,

"2. Expresses the hope that the Administering Authority will ensure freedom of action of political parties of the Territory and that of the Union des populations du Cameroun in particular."

14. In the course of the discussion of this draft resolution by the Standing Committee, the representative of Australia proposed the addition of a sub-paragraph (d) to the first operative paragraph to read as follows:

"(d) The above principles of conduct apply to the Union des populations du Cameroun as well as to all other political parties,"

and requested a separate vote on the second operative paragraph.

15. Sub-paragraph (d) was adopted by 3 votes to 1, with 2 abstentions. The second operative paragraph failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against the proposal were equal. The remainder of the draft resolution as amended likewise failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against the draft resolution were equal. Consequently, the Standing Committee is unable to propose a draft resolution concerning the petition covered by this section.

VII. PETITION FROM MR. PAUL TOULAG (T/PET.5/323 AND ADD.1)

1. The burden of his complaint is that the petitioner can obtain no redress for wrongs suffered because he is a member of the Union des populations du Cameroun.

2. On 29 August 1954 he was beaten without reason by a Mr. Henri Awono and brought before the Chief of the East Banès Group, who not only is alleged to have instigated the beating, but who also dismissed the case. He then brought the case against his attacker before Mr. Rougue, the Commander of the National Gendarmerie at Ebolowa. On learning that the petitioner was a member of the UPC, the Commander also dismissed the case.

3. Following the receipt of the acknowledgement of his first petition, the petitioner states that the Chief of the East Banès Group told him openly that he would be secretly killed and, as the French authorities would judge the case, it would be dismissed.

4. The petitioner adds that he has been in the employment of Mr. Antoine Giard since 1947 and that he is on good terms with his employer.

5. In its observations (T/OBS.5/50, section 5), the Administering Authority states that the petitioner refers to a very minor incident between himself and Mr. Henri Awono and presents the facts very inaccurately.

6. On 29 August 1954, an argument broke out between these two Cameroonians at Ngoulemakong. Henri Awono brought Paul Toulag before Mr. Pierre Belinga, the group chief. Seeing that both men were drunk and being unable to ascertain the facts, Mr. Belinga sent them away, telling them to return the next day. On that day, only Henri Awono reported to the chief; Paul Toulag went to Ebolowa where, on 31 August, he filed a complaint against his opponent in the *gendarmerie*. The *chef de brigade* handed him a summons to give to Henri Awono, and both men appeared before him on 2 September. The inquiry discloses that the argument broke out following a political discussion in a drinking establishment. During the altercation a bottle of petrol belonging to Paul Toulag was smashed. The *chef de brigade* dismissed the two men after urging them to keep the peace and pointing out that their respective complaints did not warrant any action on his part. Neither of them instituted proceedings.

7. The Administering Authority points out that Mr. Henri Awono is not in Mr. Pierre Belinga's employ. He works as a mechanic at Ngoulemakong. The petitioner failed to charge Mr. Pierre Belinga with threatening to kill him. It appears from the inquiry that no credence should be given to the statements he claims the group chief made, nor to those which he alleges were made by Adjutant Le Roch, who was then in charge of the *gendarmerie* brigade at Ebolowa.

8. The petition was examined and discussed at the 276th and 279th meetings of the Standing Committee (T/C.2/SR.276 and 279).

9. At its 279th meeting, the Committee adopted by 2 votes to none, with 4 abstentions, draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VIII. PETITION FROM THE VILLAGES OF MABOYE (T/PET. 5/332)

1. The petitioners complain that the taxes they are required to pay continue to increase each year. They describe the prevailing tax rates as follows: first category, 5,000 francs; second category, 3,800 francs; third category, 820 francs.

2. They further complain that in their Territory there is no school, dispensary, or even a proper trail on which they might go to the French Government Hospital for treatment. At the same time they complain that in the hospital in question treatment is reserved for high personages and officers, while their women give birth in squalor "and practically unattended". They add that wild beasts are devastating their fields.

3. The petitioners express general support for Mr. Ruben Um Nyobe and demand immediate unification and independence for the Cameroons.

4. In its observations (T/OBS.5/51, sec. 2) the Administering Authority explains that the tax rates have not been changed for the year 1955. The rates in 1953 and 1954 for the personal tax (including the local tax) for the sub-division of which the village of Maboye is part were:

	1953 Francs	1954 Francs
First category	3,900	4,035
Second category	2,600	2,690
Third category	1,300	1,345
Fourth category	650	675

The social welfare levy, 200 francs for the third category in 1954, should be added.

5. The Administering Authority states that there is a public dispensary at Bibang, 8 km from Maboye, reached by a trail impassable for vehicles. The Dibang-Sombo road, which has just been opened, provides communication with Edéa throughout the year. A medical station operates at Boumnyebel twice a month, when the market is held at the place, 11 km from Maboye. The chief medical officer and the midwife from Edéa hold regular consultations at that station. There is no French Government hospital in the Territory. All the public hospital units are owned by the Territory and administered by the Territory's Health Department. All classes have access to it. Moreover, the ever-growing number of confinements in maternity clinics proves that expectant mothers are becoming less and less reluctant to apply to these clinics for the necessary treatment.

6. The Administering Authority points out that there are 89 taxpayers in the village of Maboye, whereas the petition is signed by only 17 persons and the signatures are illegible.

7. The petition was examined and discussed at the 276th and 279th meetings of the Standing Committee (T/C.2/SR.276 and 279).

8. The representative of the Administering Authority stated that there were certainly schools in the vicinity of the village in question. The policy of the Government was to carry out a considerable increase in the number of schools in the Territory in accordance with its plan for developing education.

9. At its 279th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

IX. PETITION FROM THE LOCAL COMMITTEE OF THE UNION DES POPULATIONS DU CAMEROUN OF MODÉ (T/PET.5/339)

1. The petitioners express general support for the programme submitted to the United Nations by the UPC for the unification and independence of the Cameroons, outlining the steps which might be taken to achieve these objectives.

2. More particularly, they complain of the refusal of the Administration to open a government school in their village, Modé. They state that in 1952, in reply to their application for a school, the Inspector of Primary Education at Douala sent them a plan for the construction of school buildings. In accordance with this plan the buildings were finished in 1953 and they again wrote to the Inspector asking for a teacher. To this request they received no reply.

3. A protest is also made against the local authority of the Eséka Sub-division who has issued the villagers of Modé with planters' cards although they possess no plantations.

4. Finally, a complaint is made of the actions of a European timber merchant, Jean Ligier, in exploiting the forestry resources near their village.

5. In its observations, (T/OBS.5/51, sec. 3), the Administering Authority states that the first part of the petition does not call for any special observations, as the matters therein concern the Administering Authority's general policy.

6. The Administering Authority goes on to explain that the people of Modé built a school with two classrooms of temporary materials (bamboo) without waiting for final approval by the Department of Education. There is a school with seven classrooms maintained by the American

Protestant Mission at Makai, a village two kilometres from Modé on the Boumnyebel-Boutmakak highway. As the canton's needs are to a large extent satisfied by that school, it is not proposed to provide the Modé school with teachers at this time, there being greater need for them elsewhere.

7. The Administering Authority states that the conditions governing the delivery of planters' cards are laid down in Order No. 760 bis of 27 November 1952. The planters' returns are checked regularly by the Department of Agriculture. As no details are given by the petitioner, the Administering Authority cannot explain in what circumstances the cards were delivered (this being what is criticized), nor can it correct any mistakes that may have been made.

8. The Administering Authority finally states Mr. Ligier held a forestry permit in the Modé region. This undertaking was shut down four years ago as a result of the difficulties placed in his way by the villagers living in the area covered by the permit. The felling permit was duly transferred to another undertaking, the Eséka Forestry Company, which thus became the owner of the trees felled and paid the felling tax on them, half of which reverts to the customary occupants of the land.

9. The petition was examined and discussed at the 276th and 279th meetings of the Standing Committee (T/C.2/SR.276 and 279).

10. The representative of the Administering Authority stated that a teacher could not be provided for the school at present, but one would be provided when more urgent needs elsewhere had been met. He confirmed that the neighbouring mission school was obliged, under the educational regulations, to admit pupils without regard for their religious beliefs and that religious instruction was not compulsory there.

11. The representative explained that planters' cards, which were issued to cocoa planters with a view, notably, to enabling them to receive better advice and thus to produce higher-quality cocoa, did not impose any tax obligations on the persons receiving them.

12. The representative stated that the forestry concession had been granted to Mr. Ligier in due form and after the consent of the local inhabitants had been obtained, and that it had been transferred to the Company concerned several years previously.

13. At its 279th meeting, the Committee adopted by 2 votes to none, with 4 abstentions, draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

X. PETITION FROM THE UNION DES POPULATIONS DU CAMEROUN, YAOUNDÉ (T/PET.5/355)

1. In a cable, dated 9 November 1954, the UPC at Yaoundé protest against the conviction of Messrs. Mathimbhe and Siény for their party membership.

2. The petitioners also request United Nations intervention to put an end to political repression in the Territory.

3. In its observations (T/OBS.5/51, sec. 4), the Administering Authority states that Bernard Mathimbhe was sentenced to one month's imprisonment by the Yaoundé Correctional Court on 17 November 1954 for assault and battery upon an agent of the constituted authorities. He was committed to prison on 4 November 1954 and released on 4 December. The person concerned and the Public Prosecutor have appealed against the decision.

4. Mr. Siény was not sentenced or prosecuted by the local administrative authorities at any time close to the date of the petition. When passing through Mbalmayo he appeared on 2 November at the sub-division office to ask for information about payment for a tailor's licence. He was dissatisfied with the information, created an uproar, and was made to leave the office. He was threatened with prosecution and told to leave Mbalmayo and left that town on 3 November.

5. The petition was examined and discussed at the 276th and 279th meetings of the Standing Committee (T/C.2/SR.276 and 279).

6. The representative of the United States proposed that the Council should express regret that the petitioners saw fit to misrepresent the reasons for the difficulties of the persons mentioned in the petition with the public authorities. This proposal was rejected by 3 votes to 2, with 2 abstentions.

7. At its 279th meeting, the Committee adopted by 2 votes to none, with 4 abstentions, draft resolution X, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III, IV, V, VII, VIII and IX, adopted without change at the 643rd meeting of the Trusteeship Council, see resolutions 1332 (XVI), 1335 (XVI), 1339 (XVI), 1336 (XVI), 1337 (XVI), 1338 (XVI), 1340 (XVI) and 1341 (XVI), respectively.]

DRAFT RESOLUTION X

Petition from the Union des populations du Cameroun, Yaoundé (T/PET.5/355)

The Trusteeship Council,

Having examined the petition from the Union des populations du Cameroun, Yaoundé, concerning the Cameroons under French administration in consultation with France as the Administering Authority concerned (T/PET.5/355, T/OBS.5/51, T/L.597),

1. Draws the attention of the petitioner to the observations of the Administering Authority and the statements of its representative, in particular, notwithstanding the allegations of the petitioners the administrative acts or judicial proceedings which were executed in November 1954 in respect of the two persons mentioned in the petition had no relation to the political affiliations of these persons;

2. Invites the Secretary-General to transmit to the petitioners the text of resolution... (XVI)¹³ concerning the principles which govern the attitude of the Administration towards political parties in the Territory.

¹³ To be adopted on T/PET.5/320 and Add.1. See section VI above.

DOCUMENT T/L.598

One hundred and thirty-third report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

[Original text: English]
[18 July 1955]

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INTRODUCTION

1. At its 277th and 280th meetings, on 13 and 18 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. Mr. Doise participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I to III.

I. PETITION FROM THE VICE-CHAIRMAN OF THE UNION DES POPULATIONS DU CAMEROUN (T/PET.5/351)

1. In a cablegram dated 6 November 1954 Mr. Abel Kingue, Vice-Chairman of the UPC, protests that the headquarters of the organization and its records offices at the home of Mr. Matip were subjected to an improper search. He claims that groups of police including superintendents, inspectors and constables, without observing the conditions prescribed by law, have removed records and arrested the wife and sister of Mr. Matip. He claims that the purpose of the search and the search warrant were not shown and that a safe-key was seized and cases and drawers broken open. He requests the intervention of the United Nations.

2. In its observations (T/OBS.5/47, sec. 6) on this petition, the Administering Authority states that following a meeting of the local branch of the Conseil de la jeunesse de l'Union française at Douala on 31 October 1954, Mr. Lawrence, economic adviser, was attacked by persons believed to be supporters of the UPC. During the scuffle his brief-case containing important documents was stolen. On 1 November Mr. Lawrence lodged a complaint with the Police Commissioner of Douala. The matter was referred to the Public Prosecutor's office, which appointed the Chief of the Regional Brigade of the Judicial Police of Douala to conduct an investigation. That officer

undertook a search of the premises of the UPC at Douala in an effort to find the lost documents. No arrest was made. The case is now in the hands of the judicial authorities.

3. The incident complained of in this petition is also complained of in a further series of petitions together with various other incidents.

4. The petition was examined and discussed at the 277th and 280th meetings of the Standing Committee (T/C.2/SR.277 and 280).

5. The representative of the Administering Authority informed the Committee that the searches complained of were carried out as a result of a warrant issued by the Examining Magistrate which authorized searches to be carried out in Douala at the headquarters of the UPC and at the domiciles of a number of persons who had attended the lecture given by Mr. Lawrence. It was perfectly legal that certain documents which might assist the Examining Magistrate in his inquiry should be copied or should be carried off. The search had been carried out in the presence of certain members of the UPC at headquarters and in the presence of members of the families of the persons concerned at their homes. No excessive police force had been engaged in these operations and no person had been arrested or detained.

6. At its 280th meeting, the Committee adopted by 3 votes to 1, with 2 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM THE LOCAL COMMITTEE OF THE UNION DES POPULATIONS DU CAMEROUN AT MAKONDO (T/PET.5/363)

1. The petitioners express their support of Mr. Um Nyobe and protest against the political activities of the clergy, in particular those of the Sanaga Maritime region.

2. The petitioners declare that on 12 October 1954 the Catholic Mission at Edéa announced in all the Catholic churches of the region that "any catechist who is found to belong to the UPC will be dismissed from the catechism service and will have to give up the medal of his rank"; further, that "any Catholic who joins the UPC shall no longer be entitled to the Catholic sacraments because he will have joined another faith"; and that "any catechist or Christian belonging to the UPC who receives a sacra-

ment by trickery and without the knowledge of the priest must realize at once that he has unworthily received the sacrament”.

3. The petitioners protest against the fact that members of the clergy have forced some people to sign blank papers which they later fill in with contents unknown to the signers.

4. In its observations (T/OBS.5/52, sec. 1) the Administering Authority states that it has no comment to offer on this petition, which protests against the position adopted by a Catholic mission towards a political party.

5. The Administering Authority further states that it does not propose to intervene in a difference of opinion so long as it is not likely to lead to a breach of the peace.

6. The petition was examined and discussed at the 277th and 280th meetings of the Standing Committee (T/C.2/SR.277 and 280).

7. The representative of the Administering Authority informed the Committee that the Administering Authority had no knowledge that any persons had been obliged by members of the clergy to sign blank papers.

8. At its 280th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM THE LOCAL COMMITTEE OF THE UNION DES POPULATIONS DU CAMEROUN AT MBOUE-EDÉA (T/PET. 5/364)

1. The petitioners express their support for Mr. Um Nyobe and complain of general conditions in the Territory, claiming that there are more than 500,000 unemployed in the towns of the Cameroons whose families are maltreated and receive no assistance; that pupils are dismissed from schools; that only members of ESOCAM are able to purchase a gun or become government employees; that members of the UPC and the CGT are unlawfully arrested and that persons who submit claims or petitions are brought to court and sentenced.

2. The petitioners complain further that the Catholic Mission interferes in politics and they say that “in 1945 the Catholic Mission shot more than 30 persons and did not carry out any mission work at all”.

3. During the elections for the Territorial Assembly in June 1951, the Catholic Mission is said to have threatened to excommunicate those who did not vote for their candidate. Later in the same year the Catholic Mission “taught its Christians that it is no longer allowable for a Christian to attend political meetings in defence of his interests”. The petitioners also protest that Father Aibi of Edéa forced members of his congregation to sign blank forms “which he will fill in and send to ATCAM for a loan, so that the officials of the Catholic Missions can be well paid and so that the Catholic school children will no longer pay for their lessons”.

4. The petitioners charge that in spite of the obligations which devolve upon the Administering Authority under the Trusteeship Agreement and the Charter, the people of the Trust Territory have not been taught concerning the United Nations Charter either in schools or in the churches. Instead, they say, the Administering Authority has been “rigging the election of Deputies in order to make sure that although there are Deputies, Senators, Councillors, Delegates, etc. in the Cameroons, there are no longer any indigenous inhabitants among these categories”.

5. The Administration is also charged with alienating land from the indigenous inhabitants, particularly through the activities of the Department of Woods and Forests.

6. The petitioners then go on to record their dissatisfaction about the alienation of the British Cameroons and with the fact that the Territory is a part of the French Union and that the Council of the French Union no longer has “adequate Councillors or members of the indigenous population of the Cameroons elected publicly without political interference”.

7. With respect to agriculture, they complain that Europeans are taking advantage of the growers by telling them that their cocoa is of poor quality.

8. In its observations (T/OBS.5/52, sec. 2) the Administering Authority expresses the opinion that the petition from the Mboue-Edéa Local Committee calls for no comment by it as the questions of a general nature raised by the petitioners are dealt with in the report submitted to the Trusteeship Council.

9. The Administering Authority estimates the number of former wage-earners now unemployed at 2,000, and not 500,000.

10. The Administering Authority points out that the petitioners refer to incidents which occurred at Douala in 1945, before the trusteeship system came into force. The Catholic Mission was not involved in these incidents in any way.

11. The petition was examined and discussed at the 277th and 280th meetings of the Standing Committee (T/C.2/SR.277 and 280).

12. The representative of France explained that there was as yet no system of unemployment allowances in the Territory. In this connexion he pointed out that persons who became unemployed were in the great majority of cases able to return to the land and find their subsistence there.

13. At its 280th meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II and III, adopted without change at the 643rd meeting of the Trusteeship Council, see resolutions 1346 (XVI), 1349 (XVI) and 1350 (XVI), respectively.]

DOCUMENT T/L.604

One hundred and thirty-fourth report of the Standing Committee on Petitions: petitions concerning Tanganyika

[Original text: English]
[18 July 1955]

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INTRODUCTION

1. At its 278th and 280th meetings, on 14 and 18 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Tanganyika which are listed in the preceding table of contents.

2. Mr. B. O. B. Gidden participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I to III.

I. PETITION FROM MR. J. T. WOODCOCK (T/PET.2/175 AND ADD.1-2)

1. The petitioner complains to the Visiting Mission of 1954 that his house and many large farm buildings are a "sorry mess of sabotages", and that a number of his dairy cattle have been maimed. These, he says, are some of many "official persecutions" aimed at driving him from his lands, as "they drove the previous British owners up to 1923...". At that date, however, there came a change of régime, when attempts were made to "clear up the mess" that officials had made for their own "illegal gains". At the invitation of the new régime, the petitioner put his capital into Lushoto District—but had he known then what had happened earlier, he would not have invested anything in it.

2. The petitioner goes on to say that when the Mandatory Power assumed the administration from the military Government in 1919, officials selected several farms in Lushoto District for themselves. He says that these officials used their influence with Africans, Asians, Native Authorities and the police against the settlers who had purchased those farms from the then Custodian of Enemy Property, in order that in due time they—the officials—could take over the farms.

3. Soon after he took over his farm in 1924, the petitioner says that officials "again renewed their illegal pact... with natives... against... my farm", and that "retired officials have returned to this district... to claim from higher officials their portions of my lands illegally allotted them...".

4. At this point the petitioner says that he thinks he has written enough to enable the Visiting Mission to decide on his request; and it is to be inferred that his complaint is to this effect:

(a) When the Mandatory Power assumed the civil administration of the Territory in 1919, a number of British settlers bought ex-German farms;

(b) In the early days of British administration (early 1920's), certain officials decided that they would like to have possession of those farms and used their official position to that end;

(c) The petitioner is the present owner of one of those farms, and there has been a recrudescence of activity against him by the officials concerned (or their heirs and successors).

5. The petitioner concludes by detailing how he has taken his complaint to various authorities, but all to no avail. He concludes summarily with a statement of regret that his petition was not typed: but "my large and my small typewriters were smashed by one of the police burglars".

6. In an addendum to the present petition, Mr. G. A. Williams, writing as joint executor of the will of Mr. Woodcock, states that Mr. Woodcock's dead body was found on his farm near his house on 18 September 1954. He had been dead about six days and his death was due to a depressed compound fracture of his skull. At the inquest an open verdict was returned, but subsequently evidence was found which most definitely pointed to murder.

7. Mr. Williams states that he is aware that Mr. Woodcock sent petitions at various times to the authorities without obtaining satisfaction and he suggests that "no useful purpose will be served but by an entirely independent enquiry if any enquiry should be deemed necessary".

8. In a subsequent letter dated 4 May 1955, Mr. G. A. Williams states that the verdict of an inquest into the death of the late J. T. Woodcock was "murder by some person or persons unknown". The date of the verdict is given as 2 May 1955.

9. In its observations (T/OBS.2/16, section 3) on T/PET.2/175, the Administering Authority states that the petitioner settled in the Lushoto District as a farmer in the year 1923; that from the start his relations with his African neighbours were not satisfactory; that for many years prior to his death he suffered from a delusion that the Tanganyika Government officials and the neighbouring Native Authorities were endeavouring to compel him to vacate his farm land; and that most of the grievances contained in several petitions addressed by him to the

Tanganyika Government and to Her Majesty's Government on the subject of alleged wrongs and persecution proved upon investigation to be imaginary.

10. The Administering Authority states further that a careful investigation failed to uncover any evidence to support his allegation relating to the maiming of his cattle. The Veterinary Officer who had inspected the cattle was of the opinion that the udders had been damaged by thorn bushes and by the cattle horning each other, and the investigating police officer discovered nothing to suggest that the wounds were other than accidental.

11. Regarding his land claims, the Administering Authority states that the plaintiff, which was still *sub judice* at the time of his death, was basically a claim that he had been deprived of his title to a portion of land by the wrongful actions of a government surveyor and the Land Office, but it also contained some of the allegations made in his petition. Although many of his claims appeared on the face to be barred by limitation, the Governor consented to the initiation of proceedings against the Attorney General under the Government Suits Ordinance. The petitioner was given every consideration both by the Governor and by the Government in the preparation of his case, in which he appeared in person, even though there appeared to be little or no evidence to substantiate it.

12. While it is true that he encountered real difficulties, partly of his own making, in his relations with his African neighbours, his allegations that the Native Authorities and the Tanganyika Government deliberately attempted to compel him to leave his farm and that they put obstacles in the way of his obtaining redress for his alleged wrongs (as for example by refusing to allow him to interview various visiting missions and committees) are without foundation in fact.

13. The petition was examined and discussed at the 278th and 280th meetings of the Standing Committee (T/C.2/SR.278 and 280).

14. The representative of the United Kingdom informed the Committee that the verdict of the inquest into the death of Mr. J. T. Woodcock was "murder by a person or persons unknown".

15. At its 280th meeting, the Committee adopted by 2 votes to none, with 4 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM MR. WILLIAM MILANGUSI (T/PET.2/190)

1. The petitioner states that his eldest child, who has completed school standards 1, 2, 3 and 4 and passed the examinations, must now choose between the schools located at Mpapwa and Kilimatinde where he could complete his studies. However, the fee at both these schools is £10 per year which the petitioner cannot afford to pay and he requests that he be given assistance.

2. The Administering Authority states (T/OBS.2/22) that no child who has passed the requisite examination is ever refused admission to a school where a vacancy exists merely because he or his parents cannot afford the fees. The petitioner should submit to the Education Committee of his local Authority an application for partial or total exemption from school fees which will be granted if the facts of the case warrant it.

3. The petitioner is being traced and he will be informed of the procedure he should follow.

4. The petition was examined and discussed at the 278th and 280th meetings of the Standing Committee (T/C.2/SR.278 and 280).

5. The representative of the United Kingdom informed the Committee that the petitioner's son, on whose behalf he is petitioning, was in fact retarded in all standards of the curriculum up to standard 4 and failed in the examination for standard 4 in 1952. He was given an opportunity to sit for the standard 4 course for another year and arrangements were made for him to live with the school teacher concerned. The petitioner's son did not accept this opportunity and consequently did not succeed in passing the standard 4 examination. Therefore the question of his proceeding to one or the other of the two middle schools mentioned never arose.

6. He further stated that the petitioner implied that he was informed that both the schools mentioned by him would require the payment of fees of £10 a year for his son, but, he said, his son was not eligible to enter these schools and therefore the petitioner could not have been informed that £10 was required for his son's attendance.

7. He stated that school fees are payable in government schools but, in practice, inability to pay fees would not prevent a pupil from being accepted into a school.

8. At its 280th meeting, the Committee adopted by 4 votes to none, with 2 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM MR. EDWARD LEVY (T/PET.2/191)

1. The petitioner states that he is not satisfied with the manner in which his petition (T/PET.2/165) was dealt with by the Council, and he requests that it be placed once more before the Council together with his letters of 7 November 1953 and 2 June 1954 (T/COM.2/L.13). He expresses the hope that the Council's resolution 870 (XIII) of 22 March 1954 drawing his attention to the observations of the Administering Authority be revised.

2. The petitioner states that he is unable to construe resolution 870 (XIII) as a rejection of his petition, but that he considers it a request to comment on the observations of the Administering Authority and, if necessary, to refute them.

3. He states that, had he been informed clearly and precisely at the time the Council took its decision in his case, he would have been able to take other steps "as, in consideration of the actual facts, the matter is not yet closed". He turns again to the United Nations in the hope that it will safeguard his rights, particularly since he is a man of 77 years of age.

4. Mr. Levy, in his petition T/PET.2/165, stated that he was a native of Luxembourg and a German citizen by naturalization. In 1929 he emigrated to Tanganyika where he acquired and developed a 420-acre farm. He and his family were interned in 1939 by the Government, which vested his farm and property in the Custodian of Enemy Property. This was done despite the fact that he had lost his German citizenship by virtue of his being a Jew. He then claimed that in 1949 his house and land were returned to him, but he charged that, due to neglect in safeguarding his property, the Custodian of Enemy Property was responsible for losses valued at £25,000.

5. The observations of the Administering Authority (T/OBS.2/9) are to the following effect. In the first place, it has never regarded the process of *Ausbürgerung* that began in Germany in 1933 as conferring the status of a stateless person. The petitioner was therefore regarded an enemy alien and interned in September 1939. He was nevertheless regarded as harmless and on his release in

November 1939 he was allowed to return to his farm. By August 1940, however, an important military line of communication had been established, and the petitioner, together with all other enemy aliens living near it, had to be transferred to a concentration area at Oldeani. Secondly, the main factor responsible for the depreciation of the petitioner's farm was his own lack of funds to maintain it. Thirdly, the petitioner is in error in thinking that the Custodian of Enemy Property held the farm in trust for him: enemy property is confiscated at the beginning of a war with a view to reparations at the end of the war; the former owner has no interest in it thereafter, and can look only to his own State for compensation.

6. There were two periods, therefore, during which the management of the farm was vested in the Custodian: September to November 1939; and November 1939 to 1949 (when the farm was re-vested in the petitioner). The petitioner, the Administering Authority states, wrote to the Custodian and stated that he was satisfied with the manner in which the farm had been run during the first period. He received some £163 as the credit balance in the accounts, and 117 bags of coffee available for sale which were sold for some £292.

7. When the petitioner was interned for the second time, a request by him that he be allowed to run the farm with African supervision was at first granted, but, as the petitioner did not make arrangements for such supervision, the Custodian once again took over the property. A bank then came forward with a claim against the estate and, in order to meet it, all the cattle and some other assets had to be sold. The Custodian was left, therefore, with no funds with which to maintain the farm, and the proceeds of the coffee produced under his management were used in liquidating a debit balance incurred as a result of his management.

8. In November 1940 an agricultural officer reported that the coffee on the farm was not worth maintaining and advised uprooting it, and an order to uproot it was subsequently issued under the Plan Pest and Disease (Coffee) Regulations. Paw-paw trees growing on the farm had been interplanted with coffee, were overrun with couch grass and were not maintained. Eventually the farm was leased to someone else at a rent of £22 10s. a year, until it was re-vested in the petitioner in 1949.

9. The Administering Authority concludes that, while the petitioner has undoubtedly been unfortunate, it seems probable that he would be in the same position as he is now even had he not been interned.

10. On 2 June 1954, the petitioner addressed a letter (T/COM.2/L.13) to the United Nations in which he commented at length on the observations of the Administering Authority. This communication was circulated by the Secretary-General in accordance with rule 24 of the Council's rules of procedure, and the Standing Committee approved the classification T/COM.2/L.13 at its 201st meeting on 13 August 1954. The petitioner was subsequently informed by the Secretariat of the Committee's decision relating to T/COM.2/L.13.

11. His present petition (T/PET.2/191), however, was circulated in view of the doubt expressed regarding the meaning of resolution 870 (XIII), and because it appears to contain new material.

12. The petitioner comments (T/COM.2/L.13) that the Administering Authority does not appear to dispute the fact that

(a) He had suffered losses amounting to £25,000;

(b) He was deprived of his property for ten years, and that it was vested for that period in the Custodian of Enemy Property;

(c) The property was turned into wasteland and as such was returned to him; and

(d) Although wrongly considered as an enemy alien he "was considered as unlikely to engage in anti-allied or subversive activities".

13. He then goes on to state that the Administering Authority admits that he was a "naturalized German" only. It is not disputed that he was by birth either a stateless person or a Luxembourgish. Still he says that as a naturalized citizen he could legally be deprived of his nationality, which indeed he was. The fact that the German *Ausbürgerungsgesetze* have not been recognized by the British Government and that Jewish refugees were for a long time in the dilemma of being required by British authorities to produce a valid German passport which they could not get does not change the fundamental rules of reciprocity. Whereas a born German could not rightfully be deprived of his German nationality, a naturalized German could, in analogy at least to British law. He therefore was unlawfully treated as an enemy alien. At the time of his internment he had severed all connexions with Germany and had settled in Tanganyika.

14. He adds (T/PET.2/191) that the Administering Authority's suggestion that he "can only look to his own State for compensation" is erroneous since he did not possess a nationality.

15. He then comments on the Administering Authority's view that he was in error in thinking that the Custodian held his property in trust. He argues that British law recognizes a variety of trusts which are, if not created expressly, either implied—i.e. inferred from the conduct of the parties and the circumstances of the transaction—or constructive, even against the intentions of the constructive trustee. In his view, the Custodian is a statutory trustee, appointed under the Custodian Ordinance. He is a public trustee and the Government is responsible for any loss due to his administration. His property was "vested" in the Custodian and this legal term in itself, used only in the Law of Trust, should support his view. However, the conduct of the Custodian throughout the vesting period was such that a relationship of trust must be inferred.

16. Thus, he states, he was neither an enemy alien nor was his property confiscated by the Government of Tanganyika. No such decision was made by the Government, nor was he informed of such decision. He considers that the Government's action was an "improvisation by force of which the proximate executors, who knew me well, were rather ashamed, but had not the civil courage to say so".

17. He goes on to state that only now has he learned that he was removed from his farm in July 1940 "for military reasons in protection of the Great North Road", which runs about 20 km away from his farm. When he was removed from his farm at the outbreak of the war in September 1939 and his wife and children were left to look after his property, he was ready to understand this action for the sake of general security. In fact, he was released after only a few weeks' internment.

18. When, however, he was warned at the beginning of July 1940 that he would be interned again, he did not dream of the possibility of being removed for ten years, which was done for reasons of "security of the Great North Road". He asserts that the road could not have been endangered by him and that at any rate the military authorities of Tanganyika did not waste one single man on the protection of the Great North Road. Yet he was moved in 1941 to a farm directly situated on the Great North Road, which ran through the farm. He states that it never occurred to him that anyone could be considered a menace to the Great North Road especially as from 1942 onward many Italian internees from

Abyssinia were brought to Arusha and worked on the Great North Road. But what puzzles him is that he was on the Great North Road from 1942 onwards, but for another seven years he could not go to his farm which is 20 km away from any point of the Great North Road.

19. He does not agree with the Administering Authority's argument that "lack of money" to maintain his property was responsible for the entire destruction, and asserts that had he been in possession of the farm he could have obtained the necessary credits from the banks to run it.

20. The Administering Authority states (T/OBS.2/23) that it has nothing to add to its observations (T/OBS.2/9) on the petitioner's earlier petition (T/PET.2/165).

21. The petition was examined and discussed at the 278th and 280th meetings of the Standing Committee (T/C.2/SR.278 and 280).

22. At its 280th meeting, the Committee adopted by 5 votes to none, with 1 abstention, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II and III, adopted without change at the 643rd meeting of the Trusteeship Council, see resolutions 1258 (XVI), 1259 (XVI) and 1260 (XVI), respectively.]

DOCUMENT T/L.605

One hundred and thirty-fifth report of the Standing Committee on Petitions : petitions concerning Ruanda-Urundi

[Original text : English]
[20 July 1955]

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INTRODUCTION

1. At its 278th, 279th, 280th and 282nd meetings, on 14, 15, 18 and 20 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of Ruanda-Urundi which are listed in the preceding table of contents.

2. Mr. Robert Scheyven participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on the resolution.

I. PETITION FROM MR. ANTOINE BIGIRANEZA (T/PET.3/79)

1. The petitioner states that the Administration forced some cattle-breeders to cede their pasture land to the Anti-Erosion Mission to plant sugar-cane.

2. The cattle-breeders were at first opposed to ceding the land, but they were finally obliged to give in and affix their fingerprints or signatures. The loss of the pasture lands will deprive the petitioners of their 8,000 cows, which are their sole wealth; attempts to pasture the cattle elsewhere have always failed, and it is to be feared that the cattle will die of hunger and disease in the areas devastated by the tsetse fly.

3. The petitioner also complains of the cattle tax and the compulsory veterinary inspection fee.

4. The petitioner asks the Trusteeship Council to consider these complaints but he expresses the fear that it may be "hoodwinked by abstract arguments".

5. The subject of this petition seems to be very much the same as that of the petition from the Chairman of the Patutsi of Ruhaha (T/PET.3/76 and Add.1-4), which was dealt with in Trusteeship Council resolution 1115 (XV) of 22 March 1955.

6. The Administering Authority points out (T/OBS.3/12) that the petitioners have never had absolute title to the plot of 50 *ares* at present used for the Anti-Erosion Mission's experiments.

7. The Administering Authority also points out that all cessions of land encumbered with indigenous absolute title are subjected to a detailed and strict procedure which guarantees the protection of the indigenous inhabitants' rights to the utmost; the local customary authorities are always required to participate; a cession is never put into effect without their express consent, and a signature is never affixed by constraint, even moral constraint.

8. The Administering Authority gives 2,400 as the approximate figure for head of cattle, instead of 8,000, and states that the land given to the displaced cattle-breeders in compensation is as good as the old land and will become excellent after it has been reconditioned by the Agriculture and Veterinary Departments. The percentage of tsetse fly infection in that area is very low (0.3 per cent).

9. The Administering Authority recalls that the cattle tax and the scale of fees for veterinary services are fixed by law.

10. The petition was examined and discussed at the 278th and 282nd meetings of the Standing Committee (T/C.2/SR.278 and 282).

11. At its 282nd meeting, the Standing Committee had before it the following draft resolution :

"The Trusteeship Council,

"Having examined the petition from Mr. Antoine Bigiraneza concerning Ruanda-Urundi in consultation with Belgium as the Administering Authority concerned (T/PET.3/79, T/OBS.3/12, T/L.605),

"Draws the attention of the petitioner to the observations of the Administering Authority and to the statement of its representative, in particular that :

"(1) The land from which it is contemplated that the cattle breeders will be removed will be the subject of transfer only under conditions guaranteeing to the utmost the rights of the indigenous inhabitants ;

"(2) The customary authorities, as well as the persons for whom the petitioner claims to speak, themselves participated in the arrangements already made, concurred voluntarily in these arrangements and have raised no complaints in the matter ;

"(3) The land is to be put to a use which the Administering Authority envisages will result in a diversification of agriculture in the area, not only through the activities of the European interests but also through those of the indigenous inhabitants themselves, and will further facilitate the initiation of an industry the products of which are expected to make a significant contribution towards making the Territory self-sufficient in the production of a commodity which is now entirely imported ; and

"(4) The new land which has been assigned to the cattle breeders is as good as, and will as a result of steps now being taken become much better than, the lands formerly in their use."

12. The representative of the Union of Soviet Socialist Republics proposed the addition of the following operative paragraph :

"Expresses the hope that the lawful rights of the indigenous inhabitants of the area to the land will not be violated."

This proposal failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against it were equal.

13. In a separate vote on sub-paragraph (1) of the original draft resolution, as well as in a vote on the remainder of the draft resolution, a text failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against the texts concerned were equal.

14. Consequently, the Standing Committee is unable to propose a draft resolution concerning the petition covered by this section.

II. PETITION FROM MR. KIZITO GITAMBALA (T/PET.3/80)

1. The petitioner transmits a copy of a letter to the Belgian authorities in which he complains of being forced to leave the hospital at Usumbura to appear before the court of Kigali. The petitioner states that the medical care required by his state of health is not available at Kigali.

2. The petitioner also transmits a list of general complaints covering the whole Territory. They deal in particular with : the application to Ruanda-Urundi of the laws of the Belgian Congo, particularly in taxation matters ; the right to property and to occupy land ; crops ; refunds to chiefs, and the difference in wages between Africans and Europeans ; absentees being dispossessed of

their property ; business licences ; racial discrimination ; welfare of mulatto children ; education ; reduction of herds.

3. In its observations (T/OBS.3/13) the Administering Authority states that the petitioner is being held in custody under the provisions of the ordinary law ; on 14 February 1955 he was sentenced by the Court of First Instance at Usumbura, sitting as a Court of Appeal, to penal servitude for a term of two years and fifteen months and a fine of 1,200 francs on three counts of swindling and three counts of breach of trust and misappropriation of funds belonging to the indigenous inhabitants of the territory of Blumba. Other legal proceedings are at present being instituted against this person at Kigali. His conduct in prison has been bad. He is an embittered and unruly person of extremely doubtful moral character and has escaped twice during the night. Although he is partially solvent, he has not yet paid the damages which he was ordered to pay to the persons who suffered as a result of his actions (a total of 8,799 francs).

4. The Administering Authority further submitted detailed observations concerning the more general points raised by the petitioner.

5. The petition was examined and discussed at the 278th, 279th, 280th and 282nd meetings of the Standing Committee (T/C.2/SR.278, 279, 280 and 282).

6. The representative of the Union of Soviet Socialist Republics proposed that the Standing Committee on Petitions should draw the attention of the Council to the present petition and request it to consider the questions raised in it when the Council next considers the annual report on Ruanda-Urundi. This proposal failed to be adopted because, after the procedure laid down in rule 38 of the rules of procedure had been followed, the votes for and against it were equal.

7. The representative of the United States of America wished it to be noted that the general questions raised in the present petition were discussed by the Standing Committee at its 280th meeting for approximately one and a half hours, at which the representative of the Administering Authority was questioned by all members present.

8. The representative of India wished it to be noted that the fact that a general-questions petition had been discussed by the Standing Committee on Petitions should not preclude its consideration by the Council, that the action taken on the present petition amounted to such a preclusion, and that the delegation of India disapproved of it.

9. The representative of Syria wished it to be noted that his delegation had proposed that the present petition should be transmitted to the Trusteeship Council with the recommendation that it consider the general questions raised by the petitioner and that this proposal had been rejected by 3 votes to 2, with 1 abstention.

10. At its 282nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

I. *Petition from Mr. Antoine Bigiraneza (T/PET.3/79)*

The Committee has no draft resolution to propose on this petition.

II. *Petition from Mr. Kizito Gitambala (T/PET.3/80)*

[For the text of draft resolution II, adopted without change at the 645th meeting of the Trusteeship Council, see resolution 1262 (XVI).]

DOCUMENT T/L.613

One hundred and thirty-sixth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration

[Original text: English]
[20 July 1955]

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INTRODUCTION

1. At its 280th, 281st and 282nd meetings on 18, 19 and 20 July 1955, the Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, examined the petitions concerning the Trust Territory of the Cameroons under French administration which are listed in the preceding table of contents.

2. Mr. René Doise participated in the examination as the special representative of the Administering Authority concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolutions I to IV.

I. PETITION FROM MISS ANNETTE ELEANORE BIYAGA (T/PET. 5/368)

1. The petitioner complains that only two hospitals exist in the Territory—one for Europeans, the other for Africans. She states that, while European women receive complete bedding in their delivery room, African women receive little or no bedding at all. She complains further that no kindergartens exist beyond Douala itself and that "a hundred kilometres away there is not even a school. Infant mortality is rife because of the midwives."

2. She complains that a petition signed by 48 women was seized by the authorities at the headquarters of the Union des populations du Cameroun.

3. In its observations (T/OBS.5/52, sec. 4) the Administering Authority points out that the increase in the number of persons attending maternity hospitals shows that, despite the African woman's reluctance to give birth to her child elsewhere than at her home, future mothers are recognizing the advantages to themselves and to their children of being cared for by doctors and midwives at hospital establishments. The Administration is, moreover, attempting to provide them with every facility for receiving the customary visits, and whenever space allows, a woman from the mother's family attends her and may remain with her during her stay in the maternity hospital.

4. The petition was examined and discussed at the 280th and 282nd meetings of the Standing Committee (T/C.2/SR.280 and 282).

5. The representative of the Administering Authority stated that no racial discrimination is practiced or is permitted to be practiced in the hospitals of the Territory. He denied that the petition in question was seized by the authorities in the course of the search of the UPC headquarters on 5 November 1954.

6. At its 282nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution I, annexed to the present report, which it recommends that the Council adopt.

II. PETITION FROM THE COMMITTEE OF THE UNION DES POPULATIONS DU CAMEROUN AT BOUASSOM (T/PET.5/378)

1. In a cable, dated 21 November 1954, the petitioners protest that UPC members at Bouassom were arrested by Chief Akama with the connivance of the local administration. The petitioners declare that the persons arrested were detained for thirteen hours without food and that the reason for their arrest was not known.

2. The Administering Authority states (T/OBS.5/53, sec. 1) that the telegram addressed to the United Nations by the petitioners gives a completely inaccurate account of an incident which occurred in November 1954. After Mr. Etienne Akama, the village chief of Mbowassounm, had complained of constant opposition from some of the inhabitants of his village, the Chief Sub-divisional Officer went to the village in an attempt to settle the matter. But the members of the opposition, in order to avoid meeting the village chief face to face, failed to appear and requested a separate hearing. The Chief Sub-divisional Officer thereupon, through the village chief, delivered letters to the parties concerned asking them to come for an interview. They appeared at the sub-divisional office of their own free will and without any coercion. At no time were they detained.

3. The petition was examined and discussed at the 280th and 282nd meetings of the Standing Committee (T/C.2/SR.280 and 282).

4. At its 282nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution II, annexed to the present report, which it recommends that the Council adopt.

III. PETITION FROM THE SECRETARY-GENERAL OF THE CENTRAL COMMITTEE OF THE UNION DES POPULATIONS DU CAMEROUN, MBALMAYO (T/PET.5/383)

1. The petitioner, whose request for a hearing was granted by the Fourth Committee at the ninth session of the General Assembly, complains that the cable informing him of the date of his hearing did not reach him in time to make the necessary preparations, and he attributes this delay to the Mbalmayo post office.

2. The petitioner protests against the fact that the Administration forbade the population to contribute towards the cost of his journey to New York. He encloses a copy of a memorandum from the *chef de subdivision* in which it is stated that certain unauthorized persons were making collections in the *subdivision* and that the persons concerned did not hesitate to intimidate the villagers in order to obtain the money. The memorandum prohibits any collection unless authorized.

3. As he was not heard by the General Assembly, he now requests a hearing before the Trusteeship Council at its next session. This request has already been rejected by the Trusteeship Council, which instead decided at its 565th meeting, on 27 January 1955, to inform the petitioner that he could present his complaints to the forthcoming Visiting Mission. It may also be noted that Mr. N'Koudou has, by a letter dated 15 March 1954 (T/COM.5/L.100), requested the Council to reconsider that decision.

4. The petitioner also writes of the difficult position of the indigenous planters as a result of a slump in cocoa during the main selling season. He asks the Trusteeship Council to take action to ensure that the cocoa is paid for at prevailing world prices or, if this is not practicable, he suggests that a rebate should be put aside in the form of a fund for the benefit of planters who wish to obtain agricultural machinery. He also asks that the premiums for quality produce amounting to 8 francs per kg, which he complains are never paid or are paid only at the whim of the services concerned, should be paid in full to the planters.

5. The Administering Authority states (T/OBS.5/53, sec. 2), with regard to the delay in delivery of the telegram, that until December 1954, the petitioner had chosen to reside outside the postal distribution zone and all his mail, including telegrams, was deposited in a post-office box. The Secretary-General's telegram, received by the post-office at Mbalmayo at 6.45 p.m. on 5 November 1954, was immediately deposited in this box. When he collected his mail at a date which cannot be ascertained, the petitioner made no complaint. The petitioner also complains of a memorandum circulated by the Chief Sub-divisional Officer of Mbalmayo which, he alleges, is directed against him. The Chief Sub-divisional Officer, having received many complaints from Cameroonians who claimed that they had been compelled by threats to contribute money to different individuals on various pretexts, reminded the group and the village chiefs that

the law protects every individual against coercion and threats. This memorandum, which was drafted in general terms, was not directed against any person in particular.

6. The petition was examined and discussed at the 280th, 281st and 282nd meetings of the Standing Committee (T/C.2/SR.280, 281 and 282).

7. At its 282nd meeting, the Committee adopted by 3 votes to none, with 3 abstentions, draft resolution III, annexed to the present report, which it recommends that the Council adopt.

IV. PETITION FROM THE UNION DÉMOCRATIQUE DES FEMMES CAMEROUNAISES OF THE CENTRE AT LOUM (T/PET.5/384)

1. The petitioners claim that the only official school in Loum is not satisfactory and that the only dispensary, which is frequently without adequate supplies, is in the charge of a male nurse who is totally lacking in the knowledge of medicine. Moreover, the children of the surrounding villages, such as Balondo, Babong, Bonalébé, Bwanibwa, etc., receive no schooling whatsoever. These villages are also without any medical facilities, and there are no roads leading from one village to another.

2. The Administering Authority points out (T/OBS.5/53, sec. 3) that the Loum region is served by the following institutions and facilities: one official school with an enrolment of 233 pupils and two mission schools with an enrolment of 466 pupils in the town of Loum; one mission school with an enrolment of 449 pupils at Loum-chantiers, 4 km from the town of Loum; one mission school with an enrolment of 115 pupils at the railway station of Loum-chantiers, 7 km from Loum; one official elementary school with an enrolment of 68 pupils at Ngondo; an official dispensary at Loum, operated by a male nurse with 17 years of service and by a matron; a plantation dispensary at Loum-chantiers; a hospital established and maintained by the *Syndicat de défense des intérêts bananiers du Cameroun* (Union for the Protection of the Interests of the Banana Planters of the Cameroons), situated at Penja, 10 km from Loum; six motor roads, including 62 km of macadamized road.

3. The petition was examined and discussed at the 281st and 282nd meetings of the Standing Committee (T/C.2/SR.281 and 282).

4. At its 282nd meeting, the Committee adopted by 3 votes to 2, with 1 abstention, draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

ANNEX

DRAFT RESOLUTIONS SUBMITTED BY THE COMMITTEE

[For the texts of draft resolutions I, II, III and IV, adopted without change at the 645th meeting of the Trusteeship Council, see resolutions 1351 (XVI), 1352 (XVI), 1353 (XVI) and 1354 (XVI), respectively.]

DOCUMENT T/L.614

One hundred and thirty-seventh report of the Standing Committee on Petitions

[Original text: English]

[20 July 1955]

1. The Standing Committee on Petitions, composed of the representatives of Australia, France, India, Syria, the Union of Soviet Socialist Republics, and the United States of America, has submitted reports on all the petitions listed in part A of the annex to the agenda of the sixteenth session of the Trusteeship Council,¹⁴ with the exception of those petitions listed in the annex to the present report.

2. The reasons why the Committee has not yet reported on the petitions listed in the annex are explained therein, and the Committee recommends that the examination of these petitions be postponed to the seventeenth session of the Council.

3. The Committee recommends that the following two petitions, which were received after the agenda of the sixteenth session had been adopted, be added to part B of the annex and be considered as having been disposed of during the sixteenth session since they contained requests for oral hearings by the Council during the present session, both of which were granted:

Petitioners

President of the Somali Youth League (T/PET.11/L.18).
Hisbia Dighil Mirifle (T/PET.11/L.19).

4. This report was adopted by the Committee without objection at its 282nd meeting on 20 July 1955.

ANNEX

Note: The petitions in the following annex have not been examined by the Standing Committee on Petitions for the reasons indicated by the symbols listed below.

One asterisk (*) indicates a petition on which the Standing Committee required further information which could not be obtained during the sixteenth session of the Council.

Two asterisks (**) indicate a petition which was reported on in respect of certain complaints by the Standing Committee but which was not finally disposed of.

Three asterisks (***) indicate a petition on which the observations of the Administering Authority had been received but on which the Committee was not in a position to report at the sixteenth session.

One dagger (†) indicates a petition which was examined and reported on by the Standing Committee but concerning which the Committee was unable to recommend a draft resolution.

Two daggers (††) indicate a petition received by the Administering Authority more than two months before the opening of the sixteenth session but on which the observations of the Administering Authority had not been received.

Three daggers (†††) indicate a petition received less than two months before the opening of the sixteenth session and on which the observations of the Administering Authority had not been received.

*Petitioners**Tanganyika*

Heirs of Otto Werner, deceased (T/PET.2/194¹⁵ and Add.1)

Ruanda-Urundi

Mr. Antoine Bigiraneza (T/PET.3/79)†

Cameroons under British administration

Mr. E. F. Fawty (T/PET.4/103)††

Mr. E. F. Fawty (T/PET.4/104)†††

Cameroons under British administration and Cameroons under French administration

Ex-servicemen of the Royal West Africa Frontier Force (T/PET.4 and 5/3)***

Central Committee of the Union des populations du Cameroun, of 25 March 1953, Bafoussam (T/PET.4 and 5/4)***

Cameroons under French administration

General Assembly of the Union des populations du Cameroun, held at Bafang (T/PET.5/316)*

Central Committee of the Union des populations du Cameroun of Yaoundé (T/PET.5/317)***

Central Committee of the Union des populations du Cameroun of Bayangam (T/PET.5/319)*

Vice-Chairman of the Union des populations du Cameroun (T/PET.5/320† and Add.1)

Messrs. Njimoupain Chouibou and Jean Njitagui (T/PET.5/324)***

Vice-Chairman of the Union des populations du Cameroun (T/PET.5/325)***

Committee of the Union des populations du Cameroun of Bangui-Chari (T/PET.5/327)*

Secretary-General of the Coordination des indépendants camerounais (INDECAM) (T/PET.5/328)***

Association des notables camerounais, Local Branch of Bafant (T/PET.5/330*** and Add.1†††)

Permanent Secretary of the Union des populations du Cameroun of Boumnyebel (T/PET.5/335)***

Chairman of the Union des populations du Cameroun (T/PET.5/337)***

Committee of the Foyer du progrès de la jeunesse Bayangam (FOPROJEUBAY) (T/PET.5/341*** and Add.1***)

Mr. Marcus Mouaha (T/PET.5/346)***

Syndicat des membres de l'Enseignement officiel (T/PET.5/347)***

Vice-Chairman of the Union des populations du Cameroun (T/PET.5/350)***

Mr. Joseph Ndjem (T/PET.5/356)***

Chief Michel Ntchinda (T/PET.5/357*** and Add.1)

Secretary-General of the Union des populations du Cameroun (T/PET.5/358)***

Local Committee of the Union des populations du Cameroun of Hikoa-Limbuye (T/PET.5/359)††

Central Committee of the Union des populations du Cameroun of Melong I (T/PET.5/361)††

Central Committee of the Union des populations du Cameroun of Melong I (T/PET.5/362)***

Bafia notables at Douala (T/PET.5/366)***

Secretary-General of the Union des populations du Cameroun (T/PET.5/367)*

Union des populations du Cameroun (T/PET.5/369)***

Central Committee of the Union des populations du Cameroun of Akwa (T/PET.5/370)*

General Assembly of the Union des populations du Cameroun, held at Bafang (T/PET.5/371)††

¹⁴ See *Official Records of the Trusteeship Council, Sixteenth Session, Prefatory fascicule.*

¹⁵ Postponed at the request of the petitioners.

Petitioners

Cameroons under French administration (continued)

Felix Moumie Committee of the Union des populations du Cameroun (T/PET.5/372)*
 Local Committee of the Union des populations du Cameroun at Kumassi (T/PET.5/373)*
 Mr. Daniel Seh and others (T/PET.5/374)++
 Mr. Pierre Girbard Ombang (T/PET.5/375)***
 Permanent Secretary of the Union des populations du Cameroun at Boumnyebel (T/PET.5/377)*
 Foyer du progrès de la jeunesse Bayangam, Branch of Bafoussam (T/PET.5/379)***
 Secretary of the Union des populations du Cameroun, Bamiléké Regional Committee (T/PET.5/380)***
 Mr. Jean Mambou (T/PET.5/381 and Add.1-3)++
 Mr. Jean Mbogue (T/PET.5/382)++
 Central Committee of the Union des populations du Cameroun of Nkongkouala (T/PET.5/385)++
 Syndicat des petits planteurs of Mandjap (T/PET.5/386)***
 Local Committee of the Union des populations du Cameroun of Mbanjok (T/PET.5/387)++
 Mr. Thomas Nolla (T/PET.5/388)++
 Mr. Jacques Bouckel (T/PET.5/389)++
 Fédération des travailleurs agricoles, forestiers et paysans du Cameroun (T/PET.5/390 and Add.1)++
 Bureau of the Union des populations du Cameroun (T/PET.5/391)***
 Men of the Canton of Nodgbianga (T/PET.5/392)***
 Mr. Oscar Diallo Mbinack (T/PET.5/393)++
 Mr. Etienne Bogmis (T/PET.5/394)++
 Mr. Gabriel Ledoux Mbeleg (T/PET.5/395)*
 Local Committee of the Union des populations du Cameroun of Nom-Ayos Messok (T/PET.5/396)++
 Executive Committee of the Association of Cameroonian Notables of Bafang (T/PET.5/397)***
 Bureau of the Executive Committee of the Association of Cameroonian Notables of Bafang (T/PET.5/398)***
 Notables of the village of Mvog-Nok (T/PET.5/399)++
 Mrs. Lydia Dopo (T/PET.5/400)++
 Mr. Philippe Tsomb (T/PET.5/401)++
 Mr. Etienne Njoumkam (T/PET.5/402)++
 Union des populations du Cameroun of Bafang (T/PET.5/403)***
 Mr. Ismaila Monssapngué (T/PET.5/404)++
 Mr. Maurice Simo (T/PET.5/405)***
 Bureau of the Union des populations du Cameroun (T/PET.5/406)++
 Mr. Maurice Betoudjou (T/PET.5/407)++
 Mr. Bikim-Bi-Ngwang (T/PET.5/408)++
 Babimbi Branch of the Union démocratique des femmes camerounaises (T/PET.5/409*** and Add.1***)
 General Assembly of the Union des populations du Cameroun, held at Bafang (T/PET.5/410)***
 Central Committee of the Union des populations du Cameroun of Edéa (T/PET.5/411)++
 Local Committee of the Union des populations du Cameroun of Mbanga Ville (T/PET.5/412)***
 Mr. Simon Mbessang (T/PET.5/413)++
 Local Committee of the Union des populations du Cameroun of Batcha (T/PET.5/414)***
 Mr. Michel Penka (T/PET.5/415)*
 Secretary of the Committee of the Union des populations du Cameroun of Ngambé (T/PET.5/416)***
 Local Committee of the Union des populations du Cameroun of Ngambé (T/PET.5/417)***
 General Assembly of the population of Babimbi (T/PET.5/418)***
 Central Committee of the Union des populations du Cameroun of Mandjap I (T/PET.5/419)***
 Central Committee of the Union des populations du Cameroun of Bansa (T/PET.5/420)++
 Committee of the Union des populations du Cameroun of New Bell Centre (T/PET.5/422)***
 Mr. Maurice Kamkingué (T/PET.5/423)++
 Various committees of the Union des populations du Cameroun (T/PET.5/424)++
 Regional Branch of the Union des populations du Cameroun of Mungo-Nkongsamba (T/PET.5/425)++

Petitioners

Cameroons under French administration (continued)

Regional Branch of the Union des populations du Cameroun of Ntem (T/PET.5/426)***
 Union des syndicats confédérés du Cameroun (T/PET.5/427)++
 General Assembly of the Union des populations du Cameroun of Bafang (T/PET.5/428)++
 Assemblée générale des infirmes africains du Cameroun (T/PET.5/429)++
 Population of Babadjou (T/PET.5/430)++
 Mr. Simon Pierre Owono (T/PET.5/431)***
 Fédération des travailleurs agricoles, forestiers et paysans du Cameroun (T/PET.5/432)++
 Mr. Etienne Somekong M'Bounya (T/PET.5/433 and Add.1-2)++
 Union des populations du Cameroun of Bafang (T/PET.5/434)***
 Population of the village of Batcha (T/PET.5/435)++
 Populations of the village of Fonkouankem (T/PET.5/436)++
 Committee of the Jeunesse démocratique du Cameroun, Branch of N'Lohe (T/PET.5/437)++
 Committees of the Union des populations du Cameroun of the Bamiléké and Mungo Regions (T/PET.5/438)++
 Members of the Executive Committee of the Union des populations du Cameroun (T/PET.5/439)++
 Local Committee of the Union des populations du Cameroun of Ngodi (T/PET.5/440)*
 Local Committee of the Union des populations du Cameroun of Nkonjok-Bekok (T/PET.5/441)**
 Mr. Boniface Tague (T/PET.5/442)++
 Mr. André Italen (T/PET.5/443)++
 Mr. Etienne Masso and others (T/PET.5/444)++
 Mr. Isidore Yumo (T/PET.5/445)++
 Mr. Thomas Siankam (T/PET.5/446)++
 Mr. Joseph Sango (T/PET.5/447)++
 Mr. Hyacinthe Mpaye (T/PET.5/448)++
 Mrs. Marie Louise Mpaye (T/PET.5/449)++
 Mr. Moise Waffo (T/PET.5/450)++
 Mr. Etienne Mbock (T/PET.5/451)*
 Yabiens People of Eséka (T/PET.5/452)++
 Mr. John Bilong (T/PET.5/453)++
 Chief Samuel Ebolla and others (T/PET.5/454)++
 Central Committee of the Union des populations du Cameroun of Ndom (T/PET.5/455)++
 Mr. Jerome Tonye (T/PET.5/456)++
 Chairman of the Union des populations du Cameroun (T/PET.5/457)*
 Mr. J. Emile Kohn (T/PET.5/458)++
 Executive Committee of the Eglise Liyomba animiste bantou of the Cameroons (T/PET.5/459)++
 Charles Antangana Professional School (T/PET.5/460)++
 Local Committee of the Union des populations du Cameroun of Isseng (T/PET.5/461)++
 Central (Local) Committee of the Union des populations du Cameroun of Ndôm (T/PET.5/462)++
 Chairman of the Jeunesse démocratique du Cameroun (T/PET.5/463)++
 Central Committee of the Union des populations du Cameroun of Bioumoul (T/PET.5/464)++
 Mr. Lucas Tehani (T/PET.5/465)++
 Mr. Ruben Um Um (T/PET.5/466)++
 Mr. Th. M. Matip (T/PET.5/467)++
 Mr. Th. M. Matip (T/PET.5/468)*
 Population of Mvog-Mbi (T/PET.5/469)++
 Chairman of the Local Committee of the Union des populations du Cameroun of Nkomakondo-Babimbi (T/PET.5/470)++
 Mr. Abraham Mbock (T/PET.5/471)**
 Mr. David Richard Tagne (T/PET.5/472)++
 Mr. Isaac Nkazu (T/PET.5/473)*
 Mr. Jean Tchokoté (T/PET.5/474)*
 Mr. Samuel Mekou (T/PET.5/475)*
 Mr. Pierre Mandeng (T/PET.5/476)++
 Mr. Mathieu Mouliem (T/PET.5/478)++
 Mr. Salamon Ngapua (T/PET.5/479)++
 Mr. Moise Mountoumjou Mbomboia (T/PET.5/480)++

Petitioners

Cameroons under French administration (continued)

Mr. Isaac Penda (T/PET.5/481)++
 Mr. Jonas Ngande-Fonku (T/PET.5/482)++
 Mr. Louis Yapta (T/PET.5/483)++
 Mr. Isaac Yila (T/PET.5/485)++
 Mr. Joseph Innocent Kamsi (T/PET.5/486)++
 Mr. Simon Pierre Ibang Mang (T/PET.5/487)++
 Mr. Josue Bassogog (T/PET.5/488)*
 Head Chief Louis Abel Mahop (T/PET.5/489 and Add.1)+++
 Mr. Robert Mbedi Ebelley (T/PET.5/490)++
 Mr. Henri Marcel Bot Ba Njock (T/PET.5/492)++
 Mr. Um Ngimbous (T/PET.5/493)++
 Mr. Joseph Taniga (T/PET.5/494)++
 Mr. Jean Tefendjum (T/PET.5/495)++
 Mr. Michel-Ledoux Gangoum (T/PET.5/496)*
 Mr. Jean Djomo (T/PET.5/497)*
 Mr. Engilbert Tieutcheu (T/PET.5/498)*
 Mr. Barnabé Bilébé (T/PET.5/499)++
 Mr. Joseph Innocent Kamsi (T/PET.5/500)*
 Mr. Jean-Claude Nyemeck (T/PET.5/501)++
 Madame Martha Ngo Mayag (T/PET.5/502)*
 Mr. François Lambo (T/PET.5/503)++
 Evolution sociale camerounaise (T/PET.5/504)++
 Population of the Nkongssamba subdivision (T/PET.5/505)++
 Mr. Pierre Kamndem (T/PET.5/506)++
 Mr. Moussa Montie (T/PET.5/507)++
 Secretary-General of the Community of the Village of Mboebo (T/PET.5/509)++
 Central Committee of the Union des populations du Cameroun of Bafang (T/PET.5/510)++
 Syndicat des petits planteurs of Messondo (T/PET.5/511)++
 Union démocratique des femmes camerounaises, Branch of Fonkouakem (T/PET.5/512)++
 Local Branch of the Jeunesse démocratique du Cameroun of New Bell Bamiléké (T/PET.5/513)*
 Union régionale des syndicats de la Sanaga-Maritime (T/PET.5/514)++
 Indigenous inhabitants of New Bell (Funkel) (T/PET.5/515)*
 Population of the village of Makénéne (T/PET.5/516)++
 Local Committee of the Mouvement national camerounais of Hikoadjom (T/PET.5/517)++
 Local Committee of the Union des populations du Cameroun of Log-Sanho (T/PET.5/518)**
 Bennyong Committee (T/PET.5/519)++
 Local Committee of the Union des populations du Cameroun of Paris (T/PET.5/520)*
 Population of Fonti (T/PET.5/521)*
 Jeunesse démocratique du Cameroun (T/PET.5/522)++
 Bafia Notables at Douala (T/PET.5/523)*
 Local Felix Moumie Committee of the Union des populations du Cameroun (T/PET.5/524)+++
 Central Committee of the Union des populations du Cameroun of Mom (T/PET.5/525)**
 Central Committee of the Union des populations du Cameroun of Ndom (T/PET.5/526)++
 Local Committee of the Union des populations du Cameroun of Mbem-Njock (T/PET.5/527)++
 Local Committee of the Union des populations du Cameroun of Mavél (T/PET.5/528)++
 Local Committee of the Union des populations du Cameroun of Mbanga Ville (T/PET.5/529)++
 Messrs. Boniface Mbouna, Boniface Njongoue and others (T/PET.5/530)++
 General Assembly of committees of the Union des populations du Cameroun of the Nkam Region (T/PET.5/531)++
 Union régionale des syndicats of Mungo (T/PET.5/532)++
 Foyer du progrès de la jeunesse Bayangam, Branch of Manjo (T/PET.5/533)++
 Local Committee of the Union des populations du Cameroun of Bihiang (T/PET.5/536)**
 Local Committee of the Union des populations du Cameroun of Song Simut (T/PET.5/537)**
 Mr. Elias Mbok and others (T/PET.5/541)++
 Local Committee of the Union des populations du Cameroun of Dizangué (T/PET.5/542)++
 Syndicat des paysans of Edjom (T/PET.5/543)++
 Mvog-Etoua Community (T/PET.5/544)++

Petitioners

Cameroons under French administration (continued)

Mr. Gustav Gouife (T/PET.5/545)++
 Central Committee of the Union des populations du Cameroun of Bafang (T/PET.5/546 and Add.1)++
 Chairman of the Union des populations du Cameroun (T/PET.5/547)++
 Local Branch of the Jeunesse démocratique du Cameroun of Koumassi (T/PET.5/548)*
 Chairman of the Union des populations du Cameroun (T/PET.5/549 and Add.1)++
 Comité de la défense des chômeurs africains of Edéa (T/PET.5/550)++
 Mr. Thomas Siankam (T/PET.5/551)++
 General Assembly of the population of Makénéne (T/PET.5/552)++
 Local Committee of the Union des populations du Cameroun of Paris (T/PET.5/553)++
 Central Committee of the Union des populations du Cameroun of Manjo (T/PET.5/554)++
 Local Committee of the Union des populations du Cameroun of Lala (T/PET.5/555)++
 Committee of the Union des populations du Cameroun of Djoum (T/PET.5/556)++
 Mr. Ntamack Mbock (T/PET.5/557)++
 Chairman of the Union des populations du Cameroun (T/PET.5/558)++
 Chairman of the Union des populations du Cameroun (T/PET.5/559)++
 Chairman of the Union des populations du Cameroun (T/PET.5/560 and Add.1)++
 Central Committee of the Union des populations du Cameroun of Melong (T/PET.5/561)++
 Mr. Marcel Temba (T/PET.5/562)++
 Chairman of the Union des populations du Cameroun (T/PET.5/563)++
 Representatives of the Log Dibong and Log Nkegde families of Songbayang (T/PET.5/564)+++
 Union des populations du Cameroun of Bafang (T/PET.5/565)+++
 Vice-Chairman of the Union des populations du Cameroun (T/PET.5/566)+++
 Central Committee of the Union des populations du Cameroun of Manjo (T/PET.5/567)+++
 Local Committee of the Union des populations du Cameroun of Bafang Centre (T/PET.5/568)+++
 Mr. Zacharie Nana (T/PET.5/569)+++
 Chairman of the Union des populations du Cameroun (T/PET.5/570 and Add.1)+++
 Committees of the Union des populations du Cameroun of Seven-Djongo I, Seven-Djongo II and Kassalafam (T/PET.5/571)+++
 Vice-Chairman of the Union des populations du Cameroun (T/PET.5/572)+++
 Mrs. Anne Langue (T/PET.5/573)+++
 Central Committee of the Union des populations du Cameroun of Bafang (T/PET.5/574)+++
 Local Committee of the Union des populations du Cameroun of Boga-Mahole (T/PET.5/575)+++
 Local Committee of the Union des populations du Cameroun of Zoatubsi (T/PET.5/576)+++
 Mr. Sala (T/PET.5/577)+++
 Mr. Abel Tchouanteng (T/PET.5/578)+++
 Committee of the Union des populations du Cameroun of Nsimékélé (T/PET.5/579)+++
 Chairman of the Union des populations du Cameroun (T/PET.5/580)+++
 Union des populations du Cameroun of Bafang (T/PET.5/581)+++
 Chairman of the Union des populations du Cameroun (T/PET.5/582)+++

Togoland under French administration

General Chairman of the Comité de l'Unité togolaise (T/PET.7/432 and Add.1 and 2)+++
 General Chairman of the Comité de l'Unité togolaise (T/PET.7/435+++ and Add.1)

Petitioners

Somaliland under Italian administration

Messrs. Tahir Sciakur Hussen and Herzi Guled Farah (T/PET.11/382 and Add.1)***
 Mr. Herzi Guled, Haji Abdullahi Issa and others (T/PET.11/385)***
 Mr. Abdi Razak Haji Ahmed Mohamud (T/PET.11/393 and Add.1 and 2)***
 Lavoratori Somali (T/PET.11/425)***
 Haji Ahmed Abdirizak and others (T/PET.11/430)***
 Mr. Abol Rizah Hagg and others (T/PET.11/440)††
 Mr. Hassan Mohamed Nalie and others (T/PET.11/444 and Add.1)***
 Haji Uarsama Scire and others (T/PET.11/447)***
 Daily labourers of the Public Works Department (T/PET.11/470)***
 Representatives of the employees of the Luigi Gallotti Lighterage Firm (T/PET.11/476)***
 Mr. Uarsama Egal Herzi (T/PET.11/499)*
 Mr. Mohammed Rashid Haj Jama'a (T/PET.11/502)*
 Mr. Ali Issa Warly (T/PET.11/512)*
 Chief Simba Macoma and others (T/PET.11/522)*
 Mr. Ahmad Mohammed Aid Afraj (T/PET.11/534)*
 Mr. Abd El-Ghadir Hajj Musa Samantar Ali (T/PET.11/535)*
 Mr. Ahmed Hussein Nur (T/PET.11/539)*

Petitioners

Somaliland under Italian administration (continued)

Chiefs of the Saad and Scegal tribes (T/PET.11/540)††
 Mr. Hussein Abdullah Hassan (T/PET.11/544)††
 Chief Simba Macoma and others (T/PET.11/545)*
 Chiefs of Balad Amin, Bulo Mamu and Ila Mkama (T/PET.11/549)††
 Mr. Barre Omar and others (T/PET.11/550)††
 Mr. Nur Agal Harsi Samtar (T/PET.11/551)†††
 Mr. Issa Awadh Warmuka (T/PET.11/552)†††
 Mr. Ilmi Farih Jam'ali (T/PET.11/554)†††
 Mr. Sha'ib Da'ala Mohammed Farih (T/PET.11/555)†††
 Mr. Kaidi Sabrieh (T/PET.11/556)†††
 Haji Mohammed Jami Abd (T/PET.11/557)†††
 Sheikh Adb al-Aziz and Sheikha Abbai Ayesha (T/PET.11/558)†††
 Somali Chiefs of the Lower Giuba Region (T/PET.11/559)†††
 Somali Democratic Party, Branch of Gardo (T/PET.11/560)†††
 Somali Youth League, Branch of Merca (T/PET.11/561)†††
 Mr. Giama Gulet Mohamed (T/PET.11/562)†††
 President of the Somali Youth League (T/PET.11/563)†††
 Mr. Hassan Ismail Ampergania and others (T/PET.11/564)†††
 Mr. Mohamud Scieurie Abdulla and others (T/PET.11/566)†††
 Representatives of various sub-tribes of the Murosada tribe (T/PET.11/568)†††
 Mr. Said Mohamud Farah and others (T/COM.11/L.90)***

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Document No.	Title	Page	Observations and references
T/964	Petitions concerning Somaliland under Italian administration: observations of the Administering Authority		Mimeographed document only
T/982	Petitions concerning Somaliland under Italian administration: observations of the Administering Authority		Ditto
T/1105	Special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem, together with related documents		<i>Official Records of the Trusteeship Council, Eleventh Session (Second Part), Supplement No. 2</i>
T/1185	Petitions received by the Secretary-General which were considered manifestly inconsequential		Mimeographed document only
T/C.2/L..			Documents in this series are mimeographed only
T/C.2/SR...			Ditto
T/COM.../...			Ditto
T/L.273	Tenth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration		<i>Official Records of the Trusteeship Council, Eleventh Session, Annexes, agenda item 5</i>
T/L.346	Thirty-first report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration		<i>Ibid., Twelfth Session, Annexes, agenda item 5</i>
T/L.414	Fifty-ninth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration		<i>Ibid., Thirteenth Session, Annexes, agenda item 4</i>
T/L.425	Sixty-fourth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration		<i>Ibid., Thirteenth Session, Annexes, agenda item 4</i>
T/L.465	Seventy-sixth report of the Standing Committee on Petitions: procedure for the examination of petitions		<i>Ibid., Fourteenth Session, Annexes, agenda item 8 (a)</i>
T/L.469	Eightieth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration		<i>Ibid., Fourteenth Session, Annexes, agenda item 5</i>
T/L.550	One hundred and fifteenth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration		<i>Ibid., Fifteenth Session, Annexes, agenda item 4</i>
T/L.556	One hundred and sixteenth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration		<i>Ibid., Fifteenth Session, Annexes, agenda item 4</i>
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T/PET.../...			Ditto

* See also check list for agenda item 4.



TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

ANNEXES

SIXTEENTH SESSION

NEW YORK, 1955

Agenda item 6 : Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Somaliland under Italian administration

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<i>Documents No.</i>	<i>Title</i>	<i>Observations and references</i>
T/1143 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Somaliland under Italian administration	<i>Official Records of the Trusteeship Council, Sixteenth Session, Supplement No. 2</i>
T/1189	Note by the Secretary-General transmitting (a) the pamphlet entitled <i>Results and Prospects of the Italian Trusteeship Administration of Somaliland on Completion of Half the Trusteeship Period</i> and (b) the <i>List of Research Program Studies and Development Projects for Somalia, 1950-1955</i>	Mimeographed document only
T/L.594	Haiti: draft resolution	Adopted as amended at the 644th meeting. See <i>Official Records of the Trusteeship Council, Sixteenth Session, Supplement No. 1, resolution 1256 (XVI)</i>

¹ See also check list of documents for agenda item 4.



TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

ANNEXES

SIXTEENTH SESSION

NEW YORK, 1955

Agenda item 7: Arrangements for the United Nations Visiting Mission to the Trust Territories of Togoland under British administration and Togoland under French administration, 1955

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DOCUMENT T/L.584/Rev.2

El Salvador: second revised text of draft resolution

[Original text: English]
[7 July 1955]

The Trusteeship Council,

Recalling its resolution 1084 (XV) of 14 March 1955 by which it decided, in conformity with Article 87 of the United Nations Charter and in pursuance of the requests addressed to the Council in General Assembly resolution 860 (LX) of 14 December 1954, to dispatch to the Trust Territories of Togoland under British administration and Togoland under French administration a mission composed of persons nominated by Australia, India, Syria and the United States of America, and charged this Visiting Mission to carry out the tasks prescribed in paragraphs 2 and 3 of the said resolution,

Having decided that the Visiting Mission should be composed of Mr. S. K. Banerji (India) as Chairman, [Mr. John Mill McMillan (Australia)], Mr. Salah Eddine Tarazi (Syria) and Mr. Robert R. Robbins (United States of America) and assisted by members of the Secretariat and also by such members of the local administration as may be appointed by the latter,

Having decided that the Visiting Mission should depart on 7 August 1955, that it should visit Togoland under British administration and Togoland under French administration in that order, and that the duration of its visit should be approximately eight weeks,

1. Directs the Visiting Mission to investigate and report as fully as possible on the steps taken in the two above-mentioned Trust Territories towards the realization of the objective set forth in Article 76 b of the Charter, taking into account the terms of General Assembly resolution 321 (IV) of 15 November 1949;

2. Directs the Visiting Mission to give attention to the terms of General Assembly resolution 858 (IX) of 14 December 1954 on the attainment by the Trust Territories of the objective of self-government or independence, in particular to its operative paragraph 4;

3. Directs the Visiting Mission to give attention to the terms of General Assembly resolution 853 (IX) of 14 December 1954 on the participation of the indigenous

inhabitants of the Trust Territories in the work of the Trusteeship Council, especially to its operative paragraph 1 and to sub-paragraph (c) of its operative paragraph 2;

4. Directs the Visiting Mission to give attention, as may be appropriate in the light of discussions in the Trusteeship Council and the General Assembly, and of resolutions adopted by them, to issues raised in connexion with the annual reports on the administration of the two Trust Territories concerned, in the petitions received by the Trusteeship Council relating to the Territories, in the reports of the previous periodic Visiting Missions to the Territories and in the observations of the Administering Authorities on those reports;

5. Directs the Visiting Mission to receive petitions without prejudice to its acting in accordance with the rules of procedure and to investigate on the spot, after consultation with the local representative of the Administering Authority concerned, such of the petitions received as, in its opinion, warrant special investigation;

6. Directs the Visiting Mission to examine, in consultation with the Administering Authorities, the measures taken or to be taken in respect of the provision of information about the United Nations to the peoples of the Trust Territories under Trusteeship Council resolution 36 (III) of 8 July 1948 and General Assembly resolution 754 (VIII) of 9 December 1953, and to undertake the duties enumerated in Trusteeship Council resolution 311 (VIII) of 7 February 1951 on the same questions;

7. Requests the Visiting Mission to submit to the Council a special report on matters referred to it by Trusteeship Council resolution 1084 (XV), not later than 1 November 1955;

8. Further requests the Visiting Mission to submit to the Council as soon as practicable a report on each of the Territories visited containing its findings with such observations, conclusions and recommendations as it may wish to make.

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<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
T/1182	Note by the Secretary-General		Mimeographed document only
T/1191	Note by the Secretary-General on the appointment by Australia of Mr. John Mill McMillan to replace Mr. J. C. G. Kevin as a member of the Visiting Mission		Ditto
f/L.584	El Salvador: draft resolution		Replaced by T/L.584/Rev.1
T/L.584/Rev.1	El Salvador: revised draft resolution		Withdrawn by El Salvador and resubmitted by the United States at the Council's 633rd meeting. Adopted without change. See <i>Official Records of the Trusteeship Council, Sixteenth Session, Supplement No. 1, resolution 1252 (XVI)</i> .
T/L.584/Rev.2	El Salvador: second revised text of draft resolution	1	



Agenda item 8: Arrangements for the United Nations Visiting Mission to the Trust Territories of the Cameroons under British administration and the Cameroons under French administration, 1955

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DOCUMENT T/L.585

El Salvador: draft resolution

[Original text: English]
[29 June 1955]

The Trusteeship Council,

Having decided to dispatch a periodic visiting mission to the Trust Territories of the Cameroons under British administration and the Cameroons under French administration in 1955,

Having decided that the Visiting Mission should be composed of Mr. Max H. Dorsinville (Haiti) as Chairman, Mr. Robert Scheyven (Belgium), Mr. Hsi-kun Yang (China) and Mr. Edward W. Mulcahy (United States of America) and assisted by members of the Secretariat and also by such members of the local administration as may be appointed by the latter,

Having decided that the Visiting Mission should depart on 15 October 1955, that it should visit the Cameroons under French administration and the Cameroons under British administration in that order, and that the duration of the visit should be approximately two months,

1. *Directs* the Visiting Mission to investigate and report as fully as possible on the steps taken in the two above-mentioned Trust Territories towards the realization of the objective set forth in Article 76 b of the Charter, taking into account the terms of General Assembly resolution 321 (IV) of 15 November 1949;

2. *Directs* the Visiting Mission to give attention, as may be appropriate in the light of discussions in the Trusteeship Council and the General Assembly, and of resolutions

adopted by them, to issues raised in connexion with the annual reports on the administration of the two Trust Territories concerned, in petitions received by the Trusteeship Council relating to the Territories, in the reports of the previous periodic Visiting Missions to the Territories and in the observations of the Administering Authorities on those reports;

3. *Directs* the Visiting Mission to receive petitions without prejudice to its acting in accordance with the rules of procedure and to investigate on the spot, after consultation with the local representative of the Administering Authority concerned, such of the petitions received as, in its opinion, warrant special investigation;

4. *Directs* the Visiting Mission to examine, in consultation with the Administering Authorities, the measures taken or to be taken in respect of the provision of information about the United Nations to the peoples of the Trust Territories under Trusteeship Council resolutions 36 (III) of 8 July 1948 and General Assembly resolution 754 (VIII) of 9 December 1953, and to undertake the duties enumerated in Trusteeship Council resolution 311 (VIII) of 7 February 1951 on the same question;

5. *Requests* the Visiting Mission to submit to the Council as soon as practicable a report on each of the Territories visited containing its findings with such observations, conclusions and recommendations as it may wish to make.

DOCUMENT T/L.585/Rev.1

El Salvador: revised draft resolution

[Original text: English]
[7 July 1955]

The Trusteeship Council,

Having decided to dispatch a periodic visiting mission to the Trust Territories of the Cameroons under British administration and the Cameroons under French administration in 1955,

Having decided that the Visiting Mission should be composed of Mr. Max H. Dorsinville (Haiti) as Chairman, Mr. Robert Scheyven (Belgium), Mr. Hsi-kun Yang (China) and Mr. Edward W. Mulcahy (United States of America) and assisted by members of the Secretariat and also by such members of the local administration as may be appointed by the latter,

Having decided that the Visiting Mission should depart on 15 October 1955, that it should visit the Cameroons under French administration and the Cameroons under British administration in that order, and that the duration of the visit should be approximately two months,

1. *Directs* the Visiting Mission to investigate and report as fully as possible on the steps taken in the two above-mentioned Trust Territories towards the realization of the objective set forth in Article 76 b of the Charter, taking into account the terms of General Assembly resolution 321 (IV) of 15 November 1949;

2. *Directs* the Visiting Mission to give attention to the terms of General Assembly resolution 858 (IX) of 14 December 1954 on the attainment by the Trust Territories of the objective of self-government or independence, in particular to its operative paragraph 4;

3. *Directs* the Visiting Mission to give attention to the terms of General Assembly resolution 853 (IX) of 14 December 1954 on the participation of the indigenous inhabitants of the Trust Territories in the work of the

Trusteeship Council, especially to its operative paragraph 1 and to sub-paragraph (c) of its operative paragraph 2;

4. *Directs* the Visiting Mission to give attention, as may be appropriate in the light of discussions in the Trusteeship Council and the General Assembly, and of resolutions adopted by them, to issues raised in connexion with the annual reports on the administration of the two Trust Territories concerned, in petitions received by the Trusteeship Council relating to the Territories, in hearings in the General Assembly of petitioners from the Trust Territory of the Cameroons under French administration, in the reports of the previous periodic Visiting Missions to the Territories and in the observations of the Administering Authorities on those reports;

5. *Directs* the Visiting Mission to receive petitions without prejudice to its acting in accordance with the rules of procedure and to investigate on the spot, after consultation with the local representative of the Administering Authority concerned, such of the petitions received as, in its opinion, warrant special investigation;

6. *Directs* the Visiting Mission to examine, in consultation with the Administering Authorities, the measures taken or to be taken in respect of the provision of information about the United Nations to the peoples of the Trust Territories under Trusteeship Council resolutions 36 (III) of 8 July 1948 and General Assembly resolution 754 (VIII) of 9 December 1953, and to undertake the duties enumerated in Trusteeship Council resolution 311 (VIII) of 7 February 1951 on the same question;

7. *Requests* the Visiting Mission to submit to the Council as soon as practicable a report on each of the Territories visited containing its findings with such observations, conclusions and recommendations as it may wish to make.

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Document No.	Title	Page	Observations and references
T/1183	Note by the Secretary-General		Mimeographed document only
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Agenda item 10: Administrative unions affecting Trust Territories: reports of the Standing Committee on Administrative Unions

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DOCUMENT T/L.580

Union of Soviet Socialist Republics: draft resolution

[Original text: Russian]
[27 June 1955]

The Trusteeship Council,

Considering that the question of administrative unions has an important bearing on the progressive advancement of the Trust Territories towards self-government and independence,

Recommends the Administering Authority for the Trust

Territory of New Guinea under Australian administration to establish in that Territory legislative and administrative organs not subject to any organs of the Colony of Papua and, to that end, to adopt legislative and other measures to ensure the participation of the indigenous population of New Guinea in the legislative, executive and judicial organs of the Trust Territory.

DOCUMENT T/L.592

Report of the Standing Committee on Administrative Unions

[Original text: English]
[8 July 1955]

INTRODUCTION

1. In its interim report dated 14 March 1955 (T/L.555) the Standing Committee on Administrative Unions informed the Trusteeship Council that it was studying the various aspects relating to the administrative unions affecting the Trust Territories of the Cameroons under British administration, Ruanda-Urundi, and Tanganyika, as well as the procedure to be followed in the examination of administrative unions affecting various Trust Territories.

2. After the adoption of that report, the Standing Committee held ten meetings during which it completed those studies and also examined the operation of the administrative union affecting the Trust Territory of New Guinea.

3. In the course of its studies the Standing Committee examined the relevant parts of the annual reports on the administration of the Trust Territories concerned, the additional information furnished by the Administering Authorities during the examination of the respective annual reports in the Trusteeship Council, the relevant parts of the reports on Ruanda-Urundi and on Tanganyika of the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1141, T/1142), the observations of the Administering Authorities on those reports (T/1162 and Add.1, T/1164 and Corr.2), and various working papers prepared at the request of the Committee by the Secretariat.¹

¹ T/C.1/L.38 to 40, 41 and Add.1 and 2, 42, 43, 44 and Corr.1, 45 to 47, 48 and Corr.1.

4. The Standing Committee heard the special representatives of the respective Administering Authorities on the operation of the administrative unions affecting the Cameroons under British administration, Tanganyika, and New Guinea, who furnished further information at the invitation of the Committee. It addressed a list of questions concerning the operation of the administrative union affecting Ruanda-Urundi to the special representative of the Government of Belgium, who furnished the Committee with written replies (T/C.1/L.47). In answer to certain questions addressed to the special representative from Tanganyika, the Administering Authority submitted additional information to the Committee (T/C.1/L.48 and Corr.1).

5. At its 73rd meeting, on 7 July 1955, the Standing Committee approved unanimously the present report, which consists of a general part dealing with the procedure to be followed in the examination of the administrative unions affecting the various Trust Territories, and specific sections containing the reports on the administrative unions affecting the Cameroons under British administration, Tanganyika, Ruanda-Urundi, and New Guinea.

I. GENERAL

6. The Standing Committee wishes to recall that it was established by Trusteeship Council resolution 293 (VII) of 17 July 1950, in which the Council stated only that the Standing Committee should "regularly examine the operation of administrative unions and report to the Council at each session on any union in which a Trust Territory under review participates". It was assumed, however, that the terms of reference of the Standing Committee included the provisions of paragraph 7, in which it was noted that, in order to assist the Council in the discharge of its functions and to avoid the possibility of any administrative union operating in such a manner as to prejudice the attainment of the objectives of the Trusteeship System, certain safeguards were necessary. Those safeguards, to which the Council drew the attention of the Administering Authorities concerned, were:

(a) That the Administering Authorities furnish clear and precise separate financial, statistical and other data relating to Trust Territories participating in administrative unions;

(b) That the Administering Authorities facilitate the access of visiting missions to such information on an administrative union as may be necessary to enable the mission to report fully on the Trust Territory concerned;

(c) That the Administering Authorities continue to maintain the boundaries, separate status and identity of Trust Territories participating in administrative unions;

(d) That the Administering Authorities ensure, with regard to Trust Territories participating in administrative unions, that expenditure on the administration, welfare and development of any such Trust Territory for a given year be not less than the total amount of public revenue derived from the Territory in that year.

7. The Standing Committee recalls that subsequently it was further authorized by Trusteeship Council resolution 645 (XII) of 9 July 1953 to continue its regular examination of each administrative union affecting a Trust Territory and to study the administrative unions, "not only with regard to the four safeguards enumerated in Trusteeship Council resolution 293 (VII) but also with regard to the interests of the inhabitants of the Territory and the terms of the Charter and the Trusteeship Agreements, as well as any other matters" which it might deem appropriate.

8. Except for the special report on administrative unions affecting Trust Territories submitted in 1952 (A/2151), and except for certain specific questions concerning the structure and operations of the respective administrative unions, the conclusions of the regular reports transmitted by the Standing Committee to the Trusteeship Council were primarily based on paragraph 7 of resolution 293 (VII), i.e. on the four safeguards mentioned in paragraph 5 of this report.

9. In reviewing this approach followed during the previous years, the Standing Committee believes that these safeguards may have lost at present some of their importance and actuality. The following observations might be noted:

(a) The Administering Authorities of three of the Trust Territories, namely of New Guinea, Ruanda-Urundi and Tanganyika, continue to furnish clear and precise separate financial, statistical and other data relating to these Trust Territories and that there is no reason to believe that this would not be done in the future. Some services, however—such as for instance the East African Posts and Telegraphs Department, or the Railways and Harbours Administration of East Africa—are so closely integrated that it is impossible to give separate figures for the Trust Territory alone. It appears that to note this obvious fact in every year's observations of the Standing Committee to the Trusteeship Council apparently does not constitute new elements for the consideration of the issue. On the other hand the two remaining Trust Territories, namely the Cameroons and Togoland under British administration, are so closely integrated in the administration of Nigeria and Gold Coast respectively that it is possible for the Administering Authority to furnish only more or less precise estimates of data relating to these two Territories. This situation is more than evident with the recent constitutional developments affecting both Trust Territories.

(b) After having reviewed the experiences of all visiting missions it appears that all Administering Authorities facilitated the access of these missions to any information which was necessary to the mission to enable it to report fully on the respective administrative unions. This situation which was not so obvious five years ago is now confirmed also by statements of different representatives of the Administering Authorities in the Trusteeship Council.

(c) The safeguard concerning the maintenance of boundaries is important only with regard to one of the Trust Territories, namely New Guinea, where an ordinance providing for the division of the Territory into administrative districts has given some concern to the Standing Committee. Concerning all other Territories, however, there never existed any information which would suggest that the boundaries of the Trust Territories have not been maintained.

Since the terms "separate status" and "identity" as used in paragraph 7 (c) of resolution 293 (VII) were never specifically defined, the Standing Committee found it impossible to present information concerning these points.

(d) The fourth safeguard provides that the Administering Authorities should ensure that expenditures on the administration, welfare and development of any Trust Territory for a given year should be not less than the total amount of public revenue derived from the Territory in that year. This request, which emphasizes the relations between expenditure and revenue in one given year, appears to be rather rigid in years in which long-term development and welfare plans are in operation. In addition it may be noted that a surplus of expenditure over revenue derived from the Territory must not be necessarily regarded as a sign of perfect financial administration, as it is not likely to promote always the basic

objectives of the International Trusteeship System, including the progressive development towards self-government or independence of the inhabitants of the Trust Territories.

10. For these reasons the Standing Committee wishes to inform the Trusteeship Council that while it will continue to pay attention to the application of the safeguards noted above, and will continue to request the Secretariat to submit relevant information, it will include such material in its report to the Council only if it should be deemed necessary. Instead, the Standing Committee agreed that it would continue to examine the operation of the existing administrative unions affecting the different Trust Territories.

11. In the course of this review the representative of Haiti stated that although the Administering Authorities had the right, in accordance with the respective terms of the Trusteeship Agreements, to administer certain Trust Territories as integral parts of their neighbouring territories, such clause did not mean that the Trust Territory would become a part of the respective neighbouring territories; that already the Permanent Mandates Commission of the League of Nations had reached the conclusion that the mandated territories should not become a part of the neighbouring colonies or protectorates; that the Trusteeship Council had adopted the observations contained in the various chapters of the special report of the Standing Committee on administrative unions of 1952 regarding paragraph 3 (b) of General Assembly resolution 563 (VI) and expressed the concern that in certain cases the present administrative arrangements might prejudice the progressive development of the Trust Territories concerned towards a separate independent status; that the fact that in some cases appointed representatives of a Trust Territory had been consulted on certain proposed constitutional arrangements affecting the administrative union did not necessarily mean that the population had expressly authorized them to express certain views on those constitutional arrangements; that such an important question as the application of new constitutional arrangements affecting the administrative union should be fully explained to the indigenous inhabitants in their effects and impact on the Trust Territory and should be subject to direct popular consultations by means of a plebiscite or referendum; that although certain Governments had expressed the opinion that it was not a desirable policy to create a great number of small isolated units, but that such units should preferably be encouraged to develop themselves within the framework of more important groups, he could not endorse any such doctrine without serious reservations. First of all the indigenous inhabitants should have ample opportunity to express freely their wishes concerning any arrangements and their interests should be paramount.

12. The representative of China was in agreement with the general remarks made by the representative of Haiti. It had always been the view of his delegation that it was incumbent upon the Administering Authorities to consult fully with the indigenous inhabitants of Trust Territories in any such arrangements as would affect their interests. However, in view of the fact that he was not quite sure whether the question of the practicability or impracticability of establishing small isolated political entities was within the competence of the Committee, he did not propose to go into it.

13. The representative of New Zealand considered that a general assessment of the principles governing the operation of administrative unions would be both difficult and of uncertain value on account of the widely differing conditions existing in the various Trust Territories in administrative unions and their varying stages of development.

II. CAMEROONS UNDER BRITISH ADMINISTRATION

14. With regard to the administrative union affecting the Cameroons under British administration, the Standing Committee on Administrative Unions recalls the following conclusions of the Trusteeship Council adopted on 23 July 1952 (A/2151, para. 226), which were based on the examination of the Nigeria (Constitution) Order in Council, 1951:

"The Trusteeship Council,

"(a) Recognizing the fact that the Cameroons under British administration forms a narrow strip of land inhabited by people who, for the most part, have close ethnic and cultural relations with the inhabitants of the adjacent districts of Nigeria;

"(b) Recognizing further that the present arrangements associating the administration of the Cameroons with that of Nigeria have been in effect for a period of some thirty years;

"(c) Recalling that, by article 5 (a) of the Trusteeship Agreement, the Administering Authority shall administer the Territory in accordance with its own laws as an integral part of its territory with such modification as may be required by local conditions and subject to the provisions of the United Nations Charter and of the Trusteeship Agreement;

"(d) Recalling further that, by article 5 (b) of the Trusteeship Agreement, the Administering Authority shall be entitled to constitute the Territory into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control, and to establish common services between such territories and the Territory where such measures are not inconsistent with the basic objectives of the International Trusteeship System and with the terms of the Agreement;

"(e) Recalling that under Article 76 b of the Charter one of the basic objectives of the Trusteeship System shall be to promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;

"(f) Recognizing particularly that the introduction of the new Nigerian Constitution gives to the inhabitants of the Cameroons in association with the inhabitants of Nigeria a considerable degree of participation in self-governing institutions;

"1. Is of the opinion that the present administrative arrangements for the Cameroons, although prejudicing perhaps the progressive development of the Territory towards a separate independent status, are nevertheless conducive to the attainment of the objectives as set forth in Article 76 of the Charter and are capable of accelerating the progressive development of the Territory towards self-government within the wider framework of the political future of Nigeria;

"2. Is further of the opinion that the Administering Authority should continue to carry out its obligations under the Trusteeship Agreement, and that, until the freely expressed wishes of the peoples of the Territory concerning its status have been ascertained in accordance with Article 76 of the Charter, the operation of the present administrative union must be kept under constant review."

15. The Standing Committee further recalls that, in its interim report of 12 February 1954 (T/L.408), it took note of the statement of the representative of the Administering

Authority, made at the 491st meeting of the Council's thirteenth session, that the Trust Territory of the Cameroons under British administration had been and continued to be administered as an integral part of the protectorate of Nigeria in accordance with article 5 (a) of the Trusteeship Agreement; that in doing so, the Administering Authority had dominant regard to the developing wishes of the inhabitants, who were finding increasing means to give those wishes free expression; that the Administering Authority had recent proof of that in the decision in principle reached recently in West Africa to give separate status and self-governing institutions to the southern provinces of the Cameroons; that it similarly respected the desire of the north to continue and develop its fruitful and satisfying association with the Northern Region of Nigeria; that it had certainly no intention of allowing the trusteeship status of the Territory to impede unnecessarily the advance of the inhabitants to the full enjoyment of the objectives of the Trusteeship System, hand in hand with the peoples of Nigeria. The representative of the Administering Authority recognized his Government's responsibilities under the Charter and the Trusteeship Agreement; those responsibilities had been explicitly recognized and their exercise effectively ensured in successive Nigerian Constitutions; he could not at that time even suggest the form which this recognition would take in the new instruments to be drawn up to implement the agreements of the Lagos Conference; he might well still be unable to do so at the next session of the Trusteeship Council; in those circumstances he would be unable to assist the Standing Committee with any precise information if it were to be charged with an investigation of this matter at the present time. At the same meeting, the special representative of the Administering Authority stated that in broad outline the main decisions in principle which had been taken were now known, but he did not expect that the new constitutional instruments would be complete in draft before July 1954; he therefore expressed doubt whether the Standing Committee would be able to give its attention to the new constitutional developments for some time to come.

16. In a memorandum dated 19 May 1954 (T/C.1/L.37), the Administering Authority communicated to the Standing Committee the constitutional proposals for Nigeria, in so far as they affected the Trust Territory of the Cameroons under British administration. In that memorandum the Administering Authority stated that on the basis of an agreement reached at a conference held in Lagos in January and February 1954, recommendations of the conference would be given effect in the draft constitutional instruments, providing for the establishment of a revised Nigerian constitution, which would be completed later in 1954; that in accordance with the wishes expressed by the delegates from the Northern Cameroons to the London and Lagos conferences, the Northern Cameroons would continue to be administered as an integral part of the Northern Region, and would be appropriately represented in both houses of the Northern Region legislature; that the Southern Cameroons, in accordance with the expressed wishes of the majority party (the Kamerun National Congress), would be excised from the Eastern Region, and would be given the status of a quasi-federal territory within the Federation of Nigeria. The territory would have its own legislature, with power to make laws for the territory on all matters within the competence of a regional government, and to raise revenue from the sources open to a regional legislature. Legislation would come before the Governor-General for assent.

17. The Standing Committee recalls that in its interim report on 7 July 1954 (T/L.487) it decided to postpone the consideration of the new constitutional arrangements until more complete information would be available.

18. The new constitutional arrangements have been introduced by the Nigeria (Constitution) Order in Council, 1954, which came into operation on 1 October 1954 and established the Federation of Nigeria composed of the Northern Region of Nigeria, the Western Region of Nigeria, the Eastern Region of Nigeria, the Southern Cameroons and the Federal Territory of Lagos.

19. The Standing Committee examined the provisions of the 1954 Constitution (T/C.1/L.43) at its 56th to 60th meetings. It noted that under the new Constitution:

(a) The Northern Cameroons forms a part of the Northern Region of Nigeria and that the Southern Cameroons is a separate federal part of the Federation of Nigeria with separate legislative and executive organs;

(b) The legislative house for the Federation, called the House of Representatives, is composed of a Speaker appointed by the Governor-General, 3 *ex-officio* members (the Chief Secretary, the Attorney-General and the Financial Secretary of the Federation), 184 elected members (92 of whom are from the Northern Region, 42 from the Western Region, 42 from the Eastern Region, 6 from the Southern Cameroons and 2 from Lagos), no more than 6 special members to represent interests or communities which, in the opinion of the Governor-General, are not adequately represented, and temporary members as the Governor-General may appoint, if a special member is incapable of taking part in the proceedings, in accordance with the provisions of the Constitution;

(c) A Council of Ministers for the Federation is the principal instrument of policy for the Federation in matters to which the executive authority of the Federation extends and shall be consulted by the Governor-General in the exercise of all powers conferred upon him by the Constitution subject to powers specifically reserved;

(d) The Council of Ministers for the Federation is composed of the Governor-General who shall be the President of the Council, 3 *ex-officio* members, 10 members who are styled ministers (of whom 3 are appointed by the Governor-General from among the elected members of the House of Representatives in the Northern Region, which includes the northern section of the Cameroons, 3 appointed from among the elected members of the House of Representatives of the Western Region, 3 similarly appointed from the Eastern Region, and 1 appointed from among the elected representatives from the Southern Cameroons), and such temporary members as may be appointed in accordance with article 91 of the Order in Council, 1954;

(e) The legislature of the Northern Region consists of two chambers: the Northern House of Chiefs presided over by the Governor of the region and composed of all the first-class chiefs, 37 chiefs other than first-class chiefs, selected for membership of the House in accordance with regulations issued by the Governor, 3 members of the Executive Council of the Northern Region who are members of the Northern House of Assembly, and 1 adviser on Moslem law appointed by the Governor; and the Northern House of Assembly, which consists of 4 members appointed by the Governor from among the persons who are officers in the public service of the Northern Region, 131 elected members, no more than 5 special members to represent interests or communities not otherwise adequately represented, and temporary members as may be appointed in accordance with the Constitution;

(f) The Executive Council of the Northern Region is composed of the Governor who is its President, 3 *ex-officio* members (Civil Secretary, Attorney-General and Financial Secretary of the region), and 13 regional ministers appointed from among the members of the Northern House of Chiefs or from among the members

of the Northern House of Assembly; of the regional ministers the Governor appoints one as Premier of the region, and the others on the recommendation of the Premier;

(g) The House of Assembly of the Southern Cameroons consists of the Commissioner who is its President, 3 *ex-officio* members (the Deputy Commissioner, the Legal Secretary, and the Financial and Development Secretary of the Southern Cameroons), 13 elected members, 6 Native Authority members, not more than 2 special members to represent interests or communities not otherwise adequately represented, and temporary members as may be appointed according to the Constitution;

(h) The Executive Council of the Southern Cameroons is composed of the Commissioner of the Cameroons who is its President, 3 *ex-officio* members (the Deputy Commissioner of the Cameroons, the Legal Secretary, and the Financial and Development Secretary of the Southern Cameroons), 4 unofficial members appointed by the Governor-General from among the members of the House of Assembly of the Southern Cameroons, and such temporary members as may be appointed in accordance with the provisions of the Constitution;

(i) A bill passed by the House of Assembly of the Southern Cameroons shall not become a law unless the Governor-General has assented thereto. This provision does not apply to other regions of the Federation.

(j) The Federation shall pay to the Southern Cameroons in respect of each financial year such sum as is declared by the prescribed authority to be equal to the amount (if any) by which the revenues of the Federation for that year attributable to the Southern Cameroons exceed the expenditure incurred by the Federation in respect of the Southern Cameroons during that year.

20. In the course of its 57th meeting, held on 10 February 1955, the Standing Committee heard the special representative of the Administering Authority, who furnished further information, at the invitation of the Committee. From his statements before the Committee as well as before the Trusteeship Council, and from the supplementary information supplied by the Administering Authority, the Standing Committee noted:

(a) That the Administering Authority continued not to consider the arrangements between the Trust Territory and Nigeria as an administrative union proper; that the Administering Authority referred in this respect to the provisions of article 5 (a) of the Trusteeship Agreement according to which it shall administer the Territory as an integral part of its territory with such modification as may be required by local conditions and subject to the provisions of the Charter and the Trusteeship Agreement; that the clause "as an integral part of its territory" has been explained during the negotiation of the Trusteeship Agreement as meaning "as an integral part of Nigeria" and that the Administering Authority administered, *de facto* and *de jure*, since the establishment of the Mandate in 1922, the Cameroons as part of the adjacent areas of Nigeria;

(b) That under the 1954 Constitution the nature of the new Federation of Nigeria is such that the greater balance of power resides not in the centre, but in the regions: that the principal powers reserved to the Federation are those dealing with external affairs, defence, police and security, immigration, mines, railways, posts and telegraphs, the trunk roads and a part of the labour questions and prisons, whereas all the other matters of Government are in the hands of the regional authorities;

(c) That the new Nigerian Constitution of 1954 goes further than the previous arrangements in preserving the separate status and identity of the Trust Territory;

(i) That the Southern Cameroons has been established

as a separate entity and has been given competence to legislate and to act upon all matters which are within the competence of the regional legislatures; that the essence of the difference between the position of the Southern Cameroons and that of the other regional legislatures of the Federation is that the laws passed by the Southern Cameroons legislature have to be assented to by the Governor-General of the Federation, whereas the legislation in other regions of the Federation is passed finally by them; that this provision intended to assure the Government of the Federation that the affairs of the Southern Cameroons, especially in financial matters, are conducted within the frame of proper safeguards; that separate governmental departments attached to the Executive Council of the Southern Cameroons have been established whereas under previous arrangements such departments were in the Eastern Region of Nigeria; that although fiscal legislation and customs are dealt with by the Federation, as under the previous arrangements, the Government of the Southern Cameroons may now suggest policies and measures which it deems appropriate;

(ii) That in the northern part of the Cameroons the four constituencies established under the new Constitution are strictly and entirely within the Trust Territory and do not overlap into Nigeria as was the case under the previous arrangements; that a consultative committee was established, consisting of all federal and regional elected representatives of the Northern Cameroons, and of the Northern Cameroons' representatives in the House of Chiefs; that this body will be called to express its views upon any proposed regional or federal legislation, and to make representations about the requirements of the Northern Cameroons not only to the Northern Regional Government, but also to the federal authorities; that in proposing this consultative committee the Administering Authority was anxious to preserve the identity of the Trust Territory as an entity separate and distinct from Nigeria itself; that it is the intention of the Administering Authority to arrange that every bill placed before the Northern Regional House of Assembly first go to this consultative committee; furthermore, that the Executive Council of the Northern Region has decided to create a portfolio for Trust Territory's Affairs, and that Mr. Abba Habib, the Northern Cameroons' representative from the Dikwa Emirate, became Minister for Trust Territory's Affairs;

(d) That in December 1954 the elections were held in the Trust Territory for the federal House of Representatives; that in the Southern Cameroons, all six seats were won by the Kamerun National Congress which campaigned on the issue of the establishment of a separate regional status for the Southern Cameroons within the Nigerian Federation; that in the Northern Cameroons there were four seats contested, and all won by the Northern People's Congress, which desired to continue their association with the Northern Region of Nigeria and aimed, in its electoral platform, at a dominion status for Nigeria;

(e) That all during the consideration of the new arrangements the Administering Authority arranged special discussions with the representatives from both the northern and the southern parts of the Cameroons to ascertain the wishes of the population; that early in the course of these discussions the representatives of the Southern Cameroons expressed the hope that both parts of the Cameroons could be brought together so as to form one separate regional unit, but abandoned the suggestion when the representatives of the Northern Cameroons did not accept such views and made it clear that they wished to continue their association with the Northern Region of Nigeria; that the Kamerun National Congress, which fought the general elections late in 1953 on its proposal

to establish the Southern Cameroons as a separate region, won by an overwhelming majority; that the detailed proposals suggested by and agreed with the Cameroonian representatives from both the northern and the southern parts were given effect in the Nigerian Constitution of 1954; and that the electoral results of December 1954 in the Southern as well as in the Northern Cameroons further confirmed the wishes of the population endorsing the new arrangements.

21. Having examined the new developments concerning the administrative union affecting the Cameroons under British administration, the Standing Committee on Administrative Unions recommends that the Trusteeship Council adopt the following conclusions:

(1) The Trusteeship Council notes with satisfaction that the Nigeria (Constitution) Order in Council, 1954, provides for the Southern Cameroons a separate quasi-federal status with its own legislative and executive organs. It expresses the hope, however, that the Administering Authority will continue to give sympathetic consideration to the wishes of all the representatives of the Southern Cameroons House of Assembly concerning the extension of its powers.

(2) The Trusteeship Council, cognizant of the fact that the Northern Cameroons continues to be administered as an integral part of the Northern Region of Nigeria, notes with satisfaction that it is now more fully represented than previously in the federal House of Representatives as a result of the establishment of four electoral constituencies entirely within the boundary of the Trust Territory; that a portfolio for Trust Territory Affairs has been created in the Executive Council of the Northern Region and given to a Northern Cameroons' representative from the Dikwa Emirate; and that, with a view to preserving the identity of that part of the Trust Territory as an entity separate and distinct from Nigeria, a consultative committee consisting of all the federal and regional elected representatives from the Northern Cameroons has been established which will be called upon to express its views on any proposed federal or regional legislation affecting the Trust Territory and to make representations about the requirements of the Northern Cameroons to the federal or northern regional authorities. The Council, in the absence of further information on the extent of the guarantees provided for the Northern Cameroons as to its representation in the Northern House of Assembly, is unable to comment on these new arrangements but will keep under review the functions and operations of the two newly established institutions, namely the portfolio for Trust Territory Affairs and the Consultative Committee, *vis-à-vis* the Commissioner of the Cameroons.

(3) The Trusteeship Council, having regard to the geographical, ethnic and cultural situation in the Cameroons under British administration and taking note of the new arrangements which were made after consultation with representatives of the people of the Trust Territory, is of the opinion that these arrangements, although they may prejudice the progressive development of the Trust Territory towards a separate independent status as a whole, nevertheless represent a new and important step towards the attainment of the objectives as set forth in Article 76 of the Charter and mark a significant advance, especially for the Southern Cameroons, in the establishment of self-governing institutions within the wider framework of the Federation of Nigeria.

(4) The Trusteeship Council is confident that the Administering Authority, in implementing or revising these arrangements, will continue to keep the people of the Trust Territory informed of the significance and implications of these arrangements so that they will be in a position to express their views on them directly and freely.

III. TANGANYIKA

22. With regard to the administrative union affecting Tanganyika, the Standing Committee recalls the following conclusions of the Trusteeship Council adopted on 23 July 1952 (A/2151, para. 77):

"The Trusteeship Council,

"(a) Recognizing that the common customs, fiscal, and administrative services organized on an inter-territorial basis may have definite advantages to the individual territories participating in such arrangements;

"(b) Recognizing that such arrangements should not, in any way, interfere with the progressive development of a Trust Territory and that its interests should not be subordinated to the interests of any of the other territories participating in the administrative union;

"(c) Recalling that, by article 5 (b) of the Trusteeship Agreement for Tanganyika, the Administering Authority shall be entitled to constitute Tanganyika into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control, and to establish common services between such territories and Tanganyika where such measures are not inconsistent with the basic objectives of the International Trusteeship System and with the terms of the Agreement;

"(1) Is of the opinion that the instruments establishing the East Africa Inter-Territorial Organization do not appear to be incompatible with the Charter of the United Nations and with the Trusteeship Agreement for Tanganyika;

"(2) Is not firmly convinced, however, that some of the operations under the East Africa Inter-Territorial Organization, including the operations of the East African Industrial Council, may not prejudice the future economic development of the Trust Territory;

"(3) Remains, therefore, of the opinion that all the operations of the administrative union affecting Tanganyika must be continually examined so as to ensure that the inter-territorial arrangements do not interfere with the attainment of the objectives of the Trusteeship System."

23. The Standing Committee further recalls that in line with the conclusions of the Trusteeship Council noted above, it endeavoured to examine in its regular reports to the Council the practical operations of the administrative union affecting the Trust Territory of Tanganyika so as to ensure that the inter-territorial arrangements did not interfere with the attainment of the objectives of the Trusteeship System. In particular the following questions were kept under the Committee's review:²

(a) The question of prior consultation with the inhabitants of the Trust Territory before any revision of the existing inter-territorial arrangement. In this connexion the Committee noted that the East Africa (High Commission) (Amendment) Order-in-Council, 1951, continued the operation of the East Africa Central Legislative Assembly until 31 December 1955;

(b) The question of employment conditions prevailing for the inhabitants of Tanganyika in the services of the East Africa High Commission;

(c) The operations of the East African Industrial Council, the licensing system and the question of adequate participation in the activities of the Industrial Council of suitably qualified representatives of the indigenous population of the Trust Territory;

(d) The question of the social and economic implications of the East Africa Inter-Territorial Organization;

² See T/L.448.

(e) The operation of the East African Railways and Harbours Administration;

(f) The operation of the East Africa Posts and Telecommunications Administration.

24. During its 61st, 62nd, 64th and 66th meetings the Standing Committee examined the additional information submitted to it by the Administering Authority (T/C.1/L.45), the report of the Commission on the Civil Services of the East Africa Territories and the East Africa High Commission (T/C.1/L.40), the annual reports of the East African Posts and Telecommunications Administration, the summaries of the reports of the Commissioner for Transport, East Africa High Commission, and of the General Manager of the administration of the East African Railways and Harbours (T/C.1/L.44), the functions of the East Africa Industrial Council and the provisions relating to the licensing system (T/C.1/L.42, T/C.1/L.46), the relevant part of the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1142), the observations of the Administering Authority thereon (T/1162 and Add.1) and the relevant statements of the Administering Authority before the Trusteeship Council. The Standing Committee noted the following:

(a) *General*

The Administering Authority stated that the East Africa Inter-Territorial Organization is in no way whatsoever a political union of the territories; it exists as a means of providing services common to all those territories more efficiently and at a lower cost than the individual territories could provide for themselves and the machinery for collaboration in the legislative and administrative fields on problems which are common to all territories and which could not easily be solved unilaterally.

(b) *Employees of the East Africa High Commission*

The recommendations of the Commission on the Civil Services of the East Africa Territories and the East Africa High Commission had been accepted in broad outline by the Tanganyika Government and the High Commission and were being implemented.

The principles on which the Commission's recommendations for all the civil services, including the East Africa High Commission, were based, were:

(i) All services should eventually be staffed entirely from local sources;

(ii) The avenues of entry and advancement should be so arranged as to give full scope for the qualities and aptitude of the employee regardless of his race;

(iii) There should be no barrier in any part of the service which was in fact (even though not in name) one of race, and the grading of posts by common standards of responsibility should replace racial scales;

(iv) The limit of advance of any serving member of the service should be set solely by his qualifications and by his proved ability, which should include the qualities of integrity, character and leadership;

(v) The recommendations could only be carried out gradually if the machinery of the public services was not to break down.

The Administering Authority stated that, as it was clear that for many years to come a major, though decreasing, proportion of the higher posts must continue to be filled from overseas, the principle of paying an additional allowance, to be called inducement pay, had been accepted as necessary in order to obtain officers of the right standard from overseas, but the receipt of the inducement addition would not confer on the recipient any superiority in status or seniority within a grade; that the result of the implementation of the Commission's recommendations would be that any suggestion of racial distinction would

disappear from the High Commission and its services, as from the Tanganyika Civil Service; and that the employees would be either on a salary scale common to all races or would be in a post which had been graded, not by race but by responsibility only, and which carried the same salary regardless of the race of the occupant.

(c) *East African Railways and Harbours Administration*

The Administering Authority stated that it was clear beyond doubt that Tanganyika had benefited immensely from the amalgamation of the East African railways and port systems; that before the amalgamation the expenditure on the capital account of the Tanganyika Railways from 1936 to 1947 was £611,878, an average of £51,000 per annum, whereas since the amalgamation in 1948 capital expenditure (excluding renewals) had been at the rate of over £2 million a year; and that from 1919 to 1947 total capital expenditure on the Tanganyika Railways was approximately £5,600,000 whereas total capital expenditure from 1948, the date of the amalgamation, already incurred and capital expenditure planned up to the end of 1956 in Tanganyika on the railways, harbours and road services was approximately £29 million.

The General Manager of the East African Railways and Harbours pointed out in his report for 1953 that it was as yet too early for the full benefits of the amalgamation to become apparent, because the East African Railways and Harbours Administration had been so occupied in consolidating its organization on an amalgamated basis; at the same time it was occupied with the unprecedented increase in traffic during the post-war period. It was, however, now setting up its research services and beginning to formulate a policy for the future.

(d) *East African Posts and Telecommunications Administration*

The Administering Authority stated that Tanganyika had benefited from the economies which the amalgamation of the East African Posts and Telecommunications services made possible and from the provision of increased technical services and increased efficiency.

(e) *Effect of common customs policy on Tanganyika*

The Administering Authority stated that the new East African Customs Management Act passed by the High Commission in 1954 in no way infringed the right of Tanganyika to impose the customs and excise duties which it considered best fitted to its own circumstances.

(f) *East African research services*

The Administering Authority pointed out that the pooling of the resources of the East African territories in research services had avoided overlapping and duplication of effort and had resulted in Tanganyika receiving far greater benefits from the East African services than it would have received had it had to provide the same services unaided.

(g) *East African Industrial Council*

The Administering Authority informed the Standing Committee that the main differences between the previous ordinance and the new East African Industrial Licensing Ordinance which was brought into force on 1 November 1953 were as follows:

(1) The manufacture of all articles scheduled as subject to licensing under the Ordinance shall cease to be subject to licensing on the expiration of twenty years from the date of the Ordinance coming into force; licensing control of the manufacture of any article may, by order of the Governor and with the approval of the legislature, be extended beyond this limit;

(2) Persons carrying on cottage industries are exempted from the provisions of the Ordinance;

(3) The grounds on which a licence may be refused or revoked are defined as follows:

(i) Failing to comply with any condition attached to a licence;

(ii) Failing or ceasing to manufacture for sale any specified article, or to operate any factory for the manufacture for sale of such specified article, in respect of which the licence is granted, or

(iii) Failing to maintain a minimum level of production of such specified article;

(4) A declaration stating that no other licence to manufacture a specified article will be granted for a period not exceeding five years (as provided for in the Ordinance of 1949 mentioned above) may be granted to an applicant by a majority decision of the Council, but shall only be operative in the Territory if a majority of the Tanganyika representatives on the Council vote in favour of such a declaration;

(5) A declaration of this nature may be renewed for a further period not exceeding five years at a time;

(6) Provision is made for the grant of conditional licences in respect of an article which is the subject of a declaration, provided the applicant has obtained the consent of the person in whose favour such a declaration has been made.

The Administering Authority stated that since the inauguration of the licensing system in 1948, twenty-two licences had been granted in all the three East African territories; that of these, eight had subsequently been revoked; that of those revoked one only was a licence granted for a factory to be set up in Tanganyika; that applications for three licences had been rejected, none of them in respect of applicants from Tanganyika; and that four of the licences now in force were held by licensees operating in Tanganyika.

25. At its 62nd meeting the Standing Committee heard the special representative, who furnished further information concerning the operation of the administrative union affecting Tanganyika.

The Standing Committee noted the following statements of the special representative:

(a) The East Africa inter-territorial arrangements had gradually come into being for practical reasons, had not their origin in political pressure, and were not a prelude to the establishment of a political federation.

(b) The Administering Authority was not contemplating a political federation of Kenya, Uganda and Tanganyika. Public opinion in Tanganyika showed at present no desire for such an idea, while the people in Uganda were opposed to it.

(c) No form of political federation would be considered without the free consultation of the inhabitants of the Trust Territory, and the Administering Authority would continue to take into consideration the freely expressed wishes of the peoples concerned.

(d) The Administering Authority did not contemplate at present enlarging the existing number of inter-territorial services; the sole question under consideration was whether to extend for a period of another four years the operation of the East Africa Central Legislative Assembly, the terms of which, according to the East Africa (High Commission) (Amendment) Order-in-Council, 1951, would expire by 31 December 1955, unless prolonged.

(e) A proposal on that issue would be submitted about the middle of 1955 in the form of a draft resolution in the Tanganyika Legislative Assembly, where each province

of Tanganyika would have three representatives whose duty it would be to ascertain and present the wishes of the population concerned.

(f) The Administering Authority continued to inform the people of the Trust Territory on the operation of the administrative union as well as on the proposed prolongation of the operation of the East Africa Central Legislative Assembly through the effective and at present most useful and appropriate channels of its administrative officers, who were specifically instructed to ascertain the wishes of the inhabitants; those were wishes expressed in an atmosphere of absolute freedom and taken into consideration by the Administering Authority. Press releases were also distributed by the Administration and reproduced in the local Press in English as well as in Swahili and a booklet entitled *How Tanganyika is Governed* containing a section devoted to the East Africa High Commission would be published shortly.

(g) The Administering Authority hoped that the progressively developing co-operative movement would soon produce from among its leaders an African with the necessary experience and expert qualifications in economics who could be appointed to the East African Industrial Council.

(h) Most of the Trust Territory's industries were outside the competence of the East African Industrial Council; on the other hand, the operation of the licensing system for certain industries under that Council encouraged the development of new industries in Tanganyika because it was essential to provide for them a sufficiently large market in the wider area of the three East African territories. It was the intention of the Administration to continue to encourage hydroelectric development in the Trust Territory and to create conditions favourable for the attraction of capital and investors. With this aim in view the Administration wished to continue to preserve the atmosphere of stability and security which was essential for further industrial development.

(i) The Declaration, issued by the East African Industrial Council in 1949 in connexion with the granting of a licence to Nyanza Textiles Industries Limited for the establishment of a textile mill in Uganda, which prohibited until 1954 the establishment in any of the three East African territories of cotton yarn or cotton piece-good industries, had expired and had not been renewed. No such declaration concerning other specified articles had been granted.

26. At its 72nd meeting the Standing Committee took note of the additional information submitted by the Administering Authority and containing replies to certain questions asked from the special representative (T/C.1/L.48 and Corr.1).

27. Having examined the new developments concerning the administrative union affecting Tanganyika, the Standing Committee on Administrative Unions recommends that the Trusteeship Council should adopt the following conclusions and recommendations:

(1) The Council notes that under the East Africa (High Commission) (Amendment) Order-in-Council, 1951, the operation of the East Africa Central Legislative Assembly was continued until 31 December 1955. The Council notes that the Administering Authority intends to submit in the Tanganyika Legislative Assembly, during 1955, a proposal regarding the future of the East Africa Central Legislative Assembly. The Council is of the opinion that the Administering Authority should furnish all information on the examination carried out with respect to the functioning of the administrative union and on the reasons which led the Administering Authority to continue it. The Council

recommends that any arrangement should not interfere with the development of the Trust Territory as a separate entity and should in no way operate to the disadvantage of the Trust Territory.

(2) The Council notes that the further extension of the life of the East Africa Central Legislative Assembly will be subject to the prior approval of the Tanganyika Legislative Assembly in which each province of Tanganyika will have three representatives whose duty it will be to ascertain and present the wishes of the people concerned. The Council further notes the statement of the Administering Authority that it has continued to inform the people of the Trust Territory on the operation of the administrative union, as well as on the prolongation of the operation of the East Africa Central Legislative Assembly, through its administrative officers, who are specifically instructed to ascertain the wishes of the inhabitants. The Council recommends that the Administering Authority should continue to consult the population on all questions concerning the operation of the East Africa High Commission and its effects on the Trust Territory and further, that the Administering Authority should ensure that the population fully understands the purport and the consequences of the measures taken or contemplated. The Council expresses the hope that the Administering Authority will submit to it full information on the scope of these consultations and on the procedures followed.

(3) The Council notes that under the present East Africa High Commission system most of the inter-territorial services are located in Kenya. The Council expresses the hope that the Administering Authority will give consideration to the desirability and feasibility of locating some of these services in the Trust Territory.

(4) The Council recalls its recommendation made at its eleventh session to the effect that the Administering Authority should give consideration to the appointment of suitably qualified representatives of the indigenous population on the East African Industrial Council (A/2151, para. 57). The Council notes that up to the present, there is no African representative from Tanganyika on the Industrial Council but that the Administering Authority hopes that the co-operative movement will, before long, produce from amongst its leaders an African with the necessary qualifications and experience to sit on that Council. The Council expresses the hope that the Administering Authority will find ways and means of appointing an African to the Industrial Council with the least possible delay. The Council requests the Administering Authority to report on this matter in its next annual report.

(5) The Council notes the statement of the Administering Authority to the effect that the majority of Tanganyika's industries are outside the competence of the East African Industrial Council, that the granting of licences for the manufacture of scheduled articles is undertaken only after careful consideration and that the operation of the licensing system encourages the development of new industries in Tanganyika. The Council, in the absence of further information, cannot yet be fully satisfied that the Industrial Council operates in the best interests of the Territory. The Council notes in this connexion that the records of the Industrial Council have still not been made available to it, and therefore reiterates its recommendation that the Administering Authority should furnish it with these records or transmit such other appropriate information as will enable the Council to carry out its functions with respect to this important aspect of the operation of the administrative union.

(6) The Council notes the acceptance by the Administering Authority in broad outline of the recommendations of the Commission on the Civil Services of the East

Africa Territories and the East Africa High Commission and the principles underlying those recommendations. The Council expresses the hope that the inter-territorial services will be staffed on the basis of complete racial equality and that inhabitants from Tanganyika, wherever employed in these services, will be guaranteed the same rights and privileges which are guaranteed to them under the Trusteeship Agreement.

(7) The Council notes the statement of the Administering Authority reaffirming that no form of political federation between Tanganyika, Kenya and Uganda will be considered without the free consultation of the inhabitants of the Trust Territory.

IV. RUANDA-URUNDI

28. With regard to the administrative union affecting Ruanda-Urundi, the Standing Committee recalls the following conclusions of the Trusteeship Council, adopted on 23 July 1952 (A/2151, para. 113) :

"The Trusteeship Council,

"(a) Recalling that by article 5, paragraph 1, of the Trusteeship Agreement, the Administering Authority shall have full powers of legislation, administration and jurisdiction in the Territory of Ruanda-Urundi and shall administer it in accordance with Belgian laws as an integral part of Belgian territory, subject to the provisions of the Charter and of the Agreement ;

"(b) Recalling that by article 5, paragraph 2, of the Trusteeship Agreement the Administering Authority shall be entitled to constitute Ruanda-Urundi into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty and to establish common services between such territories and Ruanda-Urundi, provided that such measures are not inconsistent with the objectives of the International Trusteeship System and with the provisions of the Agreement ;

"(c) Recalling that under Article 76 b of the Charter one of the basic objectives of the Trusteeship System shall be "to promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement" ;

"(d) Considering that the law of 21 August 1925 establishing the administrative union between Ruanda-Urundi and the Belgian Congo is not fully consistent with present administrative practices and is not sufficiently precise with regard to the provisions of the Trusteeship Agreement ;

"(1) Is of the opinion that there is no evidence to indicate that the practical operation of the administrative union of Ruanda-Urundi and the Belgian Congo is incompatible with the provisions of the Charter of the United Nations and of the Trusteeship Agreement for Ruanda-Urundi ;

"(2) Is however of the opinion that the Government of Belgium should give further consideration to bringing the law of 21 August 1925 into accord with present-day practices."

29. The Standing Committee began the examination of questions relating to the administrative union affecting Ruanda-Urundi at its 63rd meeting, on 14 March 1955. It examined the relevant part of the annual report of the Government of Belgium on the administration of Ruanda-

Urundi for the year 1953,³ the relevant part of the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1141), the observations of the Administering Authority thereon (T/1164 and Corr.2) and the information relating to paragraph 7 of resolution 293 (VII) of the Trusteeship Council concerning administrative unions (T/C.1/L.41).

30. At the same meeting, the Standing Committee also decided to submit to the special representative of the Administering Authority certain questions on the operation of the administrative union, to which the special representative replied on 21 March 1955 (T/C.1/L.47).

31. On 28 March 1955, however, the Trusteeship Council at its 610th meeting adopted a recommendation in which the Council, having noted the information which it had thus far obtained on the administrative union of Ruanda-Urundi with the Belgian Congo, requested the Administering Authority to give the Council a brief statement of the effects it thought the union was likely to have on the Territory's future political development.

32. At its 65th meeting, the Standing Committee therefore decided that, in view of the fact that the Trusteeship Council had already adopted a recommendation concerning the administrative union, it had no alternative but to postpone consideration of the question until the information requested in the Council's recommendation was submitted by the Administering Authority and until the Council had taken a decision thereupon.

V. NEW GUINEA

33. With regard to the administrative union affecting New Guinea, the Standing Committee on Administrative Unions recalls the following conclusions of the Trusteeship Council adopted on 23 July 1952 (A/2151, para. 271) :

"The Trusteeship Council,

"(a) Recalling that by article 4 of the Trusteeship Agreement for the Territory of New Guinea, the Administering Authority 'shall be responsible for the peace, order, good government and defence of the Territory and for this purpose shall have the same powers of legislation, administration and jurisdiction in and over the Territory as if it were an integral part of Australia, and will be entitled to apply to the Territory, subject to such modifications as it deems desirable, such laws of the Commonwealth of Australia as it deems appropriate to the needs and conditions of the Territory' ;

"(b) Recalling further that, by article 5 of the Trusteeship Agreement, the Administering Authority 'shall be at liberty to bring the Territory into a customs, fiscal or administrative union or federation with other dependent territories under its jurisdiction or control, and to establish common services between the Territory and any or all of these territories, if, in its opinion, it would be in the interests of the Territory and not inconsistent with the basic objectives of the Trusteeship System to do so' ;

"(c) Recalling further General Assembly resolution 224 (III) of 18 November 1948 in which the General Assembly endorsed the observation of the Trusteeship Council that an administrative union 'must remain strictly administrative in its nature and its scope and that its operation must not have the effect of creating any conditions which will obstruct the separate develop-

ment of the Trust Territory, in the fields of political, economic, social and educational advancement, as a distinct entity' ;

"(d) Recalling that, under Article 76 b of the Charter, one of the basic objectives of the Trusteeship System shall be 'to promote the political, economic, social, and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement' ;

"(e) Recalling that section 8 of the Papua and New Guinea Act of 1949 declares it to be the intention of the Parliament that the Territory of Papua and the Territory of New Guinea shall continue to be territories under the authority of the Commonwealth and that the identity and status of the Territory of New Guinea as a Trust Territory shall continue to be maintained ;

"1. Recognizes that common customs, fiscal and administrative services organized on an inter-territorial basis may have advantages for the individual territories participating in such arrangements, particularly under the economic and social conditions prevailing in territories like Papua and New Guinea ;

"2. Considers that complete integration of the political institutions of a Trust Territory and a Non-Self-Governing Territory not subject to trusteeship provisions may hinder the separate development of the Trust Territory as a separate entity ;

"3. Is of the opinion that, with regard to the operation of the administrative union, the Administering Authority should continue to provide adequate formal protection of the interests of the Trust Territory, in particular with relation to the possibility of the promulgation of legislation which may not be in conformity with the Trusteeship Agreement and the principles of the Charter."

34. In the course of its 68th and 69th meetings on 20 and 21 June 1955, respectively, the Standing Committee heard the representative and the special representative of the Administering Authority, who furnished further information, at the invitation of the Committee, on the administrative union affecting New Guinea.

From their statements the Standing Committee noted that :

(a) In accordance with the intention declared by the Australian Parliament in section 8 of the Papua and New Guinea Act, 1949-1950, that the identity of the Territory of New Guinea as a Trust Territory shall continue to be maintained, the Administering Authority has continued to keep separate accounts on the revenue and expenditure of the Trust Territory and has, in fact, expended considerably more upon the administration, welfare and development of the Trust Territory than the total amount of revenue raised in the Territory ; has continued to give separate consideration to the Trust Territory's requirements for administrative staff and services ; and, in general, has continued to take fully into account in the formulation of policies affecting the Trust Territory the terms of the Trusteeship Agreement and the provisions of the Charter.

(b) The Administering Authority is of the opinion that the participation of New Guinea in an administrative union with Papua is in the interests of the Trust Territory as referred to in article 5 of the Trusteeship Agreement, that the administrative union is not prejudicial to the development of the Trust Territory but is of definite advantage to it in all fields, and that the arrangement is appropriate to the particular circumstances of New Guinea since both territories are located on the same island, have a similar

³ 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, Etablissements généraux d'imprimerie, 1954.

ethnic composition and similar geographical characteristics and are in the same early state of political development.

(c) It is the policy of the Administering Authority to advance the political development of the Trust Territory through the development of local government organs. Accordingly, as a first step, village councils are being established. The next step will be to form area councils, the membership of which will be drawn from the village councils. And eventually this may lead to the establishment of regional councils.

(d) The Administering Authority, taking into account the present low degree of political maturity in the Territory, is of the opinion that the Legislative Council of Papua and New Guinea has little impact on the political development of the indigenous inhabitants. The Administering Authority does not intend at present to increase the number of indigenous representatives on the Legislative Council or to establish a separate legislature for the Trust Territory.

(e) The Administering Authority nominated two indigenous representatives from the Trust Territory to the Legislative Council of Papua and New Guinea, more by way of an experiment, but considers that up to the present their contribution to the overall work of the Council has been negligible. Their contributions are mainly of local character which would come within the province of local government.

(f) The Administering Authority is considering a recommendation of the Select Committee to appoint indigenous observers to the Legislative Council of Papua and New Guinea who would have the right to ask questions but not the right to vote. In order to allow their participation in the work of the Legislative Council the relevant law would have to be amended. At present, however, there is no restriction on the indigenous inhabitants attending meetings of the Legislative Council, and certain of them do so.

(g) Elections were held in October 1954 for the return of the three elected members of the Legislative Council of Papua and New Guinea. Considering the present stage of political development in the Trust Territory, the Administering Authority does not intend to extend the right to vote and to stand for election to the indigenous inhabitants.

(h) The total composition of the Legislative Council of Papua and New Guinea has remained the same as previously. Among the nominated indigenous representatives from the Trust Territory, Mr. John Vuiia, President of the Rabaul Village Council, has replaced Mr. Aisoli Salim.

(i) The Administering Authority has continued to study methods of associating the indigenous inhabitants in the work of the Executive Council of Papua and New Guinea as recommended by the Trusteeship Council at its fourteenth session; the special representative, however, had no additional information on this question.

(j) The Administering Authority has no intention of establishing districts which would lie across the inter-

national boundary between Papua and New Guinea; and although minor changes took place in the boundaries of two districts, the changes were strictly within the Trust Territory.

(k) The working conditions of the 3,398 workers from the Trust Territory employed in Papua are in accordance with, and regulated by, the Labour Ordinance which is applied both to the Trust Territory and to Papua. The emigration of workers from the Trust Territory into Papua is due to the fact that opportunities for employment in their own districts are limited, and work is available in Papua. No shortage of labour has resulted from this migration in the Trust Territory.

35. Having examined all available information on the administrative union affecting the Trust Territory of New Guinea, the Standing Committee on Administrative Unions recommends that the Trusteeship Council should adopt the following conclusions:

(1) The Trusteeship Council notes that the various common administrative services operating through governmental departments and established under the administrative union affecting the Trust Territory of New Guinea and the Territory of Papua appear to be of certain advantage for the overall administration of the Trust Territory, particularly at its present stage of general development. Considerable doubt has, however, been expressed in the Council lest the operation of the Legislative Council of Papua and New Guinea should go beyond the administrative needs and requirements of the Trust Territory. The Council wishes to reiterate its recommendation that the arrangements made under the administrative union should not be allowed to interfere with the development of the Trust Territory as a separate entity and that the Administering Authority should continue to examine the organization of the legislative structure of the Trust Territory in the light of paragraph 1(d) of General Assembly resolution 326 (IV) and of the stated policy of the Administering Authority regarding the advancement of the Trust Territory through the development of local government organs.

(2) The Trusteeship Council notes the assurances of the Administering Authority that it has no intention of establishing districts which would lie across the boundaries of the Trust Territory and the Territory of Papua, and further notes the statement of the Administering Authority that the boundaries of the Trust Territory are maintained.

(3) The Trusteeship Council notes the statement of the Administering Authority that the emigration of 3,398 workers from the Trust Territory to the territory of Papua does not give rise to any shortage of labour in the Trust Territory and that the provisions of the Labour Ordinance regulate and protect the working conditions in both territories. The Trusteeship Council will continue to keep the question of labour migration from the Trust Territory under constant review.

(4) The Trusteeship Council notes with satisfaction that the Administering Authority continues to improve the presentation of separate statistical and other data affecting the Trust Territory.

DOCUMENT T/L.603

Union of Soviet Socialist Republics: draft resolution

[Original text: Russian]
[15 July 1955]

The Trusteeship Council,

Considering that the question of administrative unions is of great importance for the progressive development of the Trust Territories in their advance towards self-government and independence,

Recommends the Administering Authority for the Trust Territory of the Cameroons under British administration

to establish in that Territory legislative and administrative organs which would not be subordinate to any organ or organs of the Colony of Nigeria, and, for that purpose, to adopt legislative and other measures to secure the participation of the indigenous population of the Cameroons in the legislative, executive and judicial organs of the Trust Territory.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2151	Special report of the Trusteeship Council on administrative unions affecting Trust Territories and on the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union		Official Records of the General Assembly, Seventh Session, Supplement No. 12.
T/1141	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Ruanda-Urundi		Official Records of the Trusteeship Council, Fifteenth Session, Supplement No. 2.
T/1142	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Tanganyika		Ibid., Fifteenth Session, Supplement No. 3.
T/1162 and Add.1	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Tanganyika		Ibid., Fifteenth Session, Supplement No. 3.
T/1164 and Corr.2	Observations of the Administering Authority on the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Ruanda-Urundi		Ibid., Fifteenth Session, Supplement No. 2.
T/C.1/L.			Documents in this series are mimeographed only.
T/L.408	Interim report of the Standing Committee on Administrative Unions on the Cameroons under British administration		Official Records of the Trusteeship Council, Thirteenth Session, Annexes, agenda item 7.
T/L.448	Report of the Standing Committee on Administrative Unions on Tanganyika		For the substance of this report, as adopted by the Trusteeship Council at its 524th meeting, see Official Records of the General Assembly, Ninth Session, Supplement No. 4, p. 46 to 48.
T/L.486	Report of the Standing Committee on Administrative Unions on Togoland under British administration		Official Records of the Trusteeship Council, Fourteenth Session, Annexes, agenda item 7.
T/L.487	Report of the Standing Committee on Administrative Unions on the Cameroons under British administration		Ibid., Fourteenth Session, Annexes, agenda item 7.
T/L.555	Interim report of the Standing Committee on Administrative Unions		Ibid., Fifteenth Session, Annexes, agenda item 7.
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Agenda item 11 : Report of the Committee on Rural Economic Development of the Trust Territories

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DOCUMENT T/1196

Fifth progress report of the Committee on Rural Economic Development of the Trust Territories

[Original text: English]
[13 July 1955]

1. The Committee on Rural Economic Development of the Trust Territories established by resolution 305 (VIII) of the Trusteeship Council held its fourteenth meeting on 13 July 1955, when it adopted the present progress report for submission to the Council.

2. The Committee recalls that in its fourth progress report (T/1132), of which the Council took note at its 558th meeting, it indicated that it felt it to be essential to the completion of its task to await the results of special studies being undertaken of important aspects of rural economic development in certain Trust Territories.

3. The Committee had hoped that this information would become available in time for it to complete its final report before the close of the sixteenth session of the Council. The Committee was informed, however, that one of these special studies, namely the report of a Royal Commission on land and population problems in the East African territories under United Kingdom administration, including the Trust Territory of Tanganyika, had only very recently been completed and that the United Kingdom Government was, consequently, not yet in a position to present the report, in so far as it related to

Tanganyika, together with its own observations, to the Committee.

4. The Committee was also advised that certain new measures of importance to the questions under study had recently been taken in respect of two other Trust Territories, namely, Togoland under French administration and the Cameroons under French administration. The representative of France stated that his Government would be pleased to make available to the Committee the texts of decrees dated 20 May 1955, in one case reorganizing the private and public lands systems in the two Trust Territories, in the second case relating to the question of the protection of the forest resources of the French Overseas Territories and the Trust Territories, and in the third case modifying the mining regulations in these territories.

5. The Committee, in asking the Trusteeship Council to agree in these circumstances to a further postponement of the final report, draws attention to the fact that various aspects of the subject entrusted to it for study have been and are being examined by the Council in the course of its regular examination of conditions in the individual Trust Territories.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
T/1132	Fourth progress report of the Committee on Rural Economic Development of the Trust Territories		Official Records of the Trusteeship Council, Fourteenth Session, Annexes, agenda item 9
T/1196	Fifth progress report of the Committee on Rural Economic Development of the Trust Territories	1	



TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

ANNEXES

SIXTEENTH SESSION

NEW YORK, 1955

Agenda item 12: General Assembly resolutions 752 (VIII) and 858 (IX) and Trusteeship Council resolution 1085 (XV): Attainment by the Trust Territories of the objective of self-government or independence

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T/L.602	Report of the Committee on the Question of the Attainment of Self-Government or Independence	21
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DOCUMENT T/L.500

India: draft conclusions and recommendations

[Original text: English]
[12 July 1954]

A. GENERAL SITUATION

(i) *Conclusions and recommendations of the Council*

The Council expresses the opinion that the attainment of the objectives of the Trusteeship System, and in particular of the objective of self-government or independence as set forth in Article 76 b of the Charter, requires the application by all of the Administering Authorities to all the Trust Territories of certain fundamentally similar policies and programmes of constitutional and political development. Among these common policies and programmes the Council places particular emphasis upon the development of properly representative executive and legislative organs which should have progressively increasing jurisdiction over the affairs of the Territory in each case; the use of the most appropriate methods of popular consultation in the formulation of the progressive

constitutional and political advance; and the adoption of accelerated measures to provide opportunities for the indigenous population to enter the highest positions of public office and public affairs, and to man the administration increasingly with indigenous personnel, with the aim of complete transfer of administration to indigenous personnel, without which self-government cannot be really achieved.

The Council, therefore, while reserving to succeeding sections of this report its conclusions and recommendations as to the specific matters mentioned above, expresses in general terms its concern at the wide disparity which exists in constitutional and political development between a number of individual Trust Territories or groups of territories. The Council is aware that in some cases this disparity may derive in part from differences in the stages of general development so far attained; its particular concern, however, lies in the inequality of political advancement which exists between certain Trust Territories whose populations are at approximately the same level of general development, and the inequality which arises from fundamental differences in the policies of the Administering Authorities concerned.

¹ This document was submitted at the fourteenth session under the following title: India: draft conclusions and recommendations for the draft report of the Secretary-General (T/L.464 and Corr.1 and Add.1, annex).

In this respect, in the case of those Trust Territories which are at a relatively higher level of general development, the Council draws particular attention to the progress which has been and continues to be made in the transfer of executive and legislative powers and of administrative responsibility, after consultation with the inhabitants, to organs genuinely representative of them, in the Trust Territories of Western Samoa under New Zealand administration and Togoland and the Cameroons under British administration (in provisional association with the Gold Coast and Nigeria respectively). Subject to the final determination, in accordance with the freely expressed wishes of the peoples concerned, of the relationships between Togoland and the Gold Coast and between the Cameroons and Nigeria, it notes with approval that in all of these Territories full self-government or independence is the early and positive contemplated goal which is consciously promoted. It notes with concern, on the other hand, the absence of comparable measures, taken or contemplated, to prepare for self-government or independence by a similar transfer of powers in the Trust Territories of Togoland and the Cameroons under French administration and Nauru under Australian, New Zealand and United Kingdom administration and New Guinea under Australian administration; it regrets the failure of the Administering Authorities concerned fully to implement the recommendations which it has previously made towards that end, reiterates those recommendations, and draws their urgent attention to the further recommendations on specific matters set forth hereunder. In the particular case of the Trust Territories under French administration, the Council also proposes to the General Assembly that, as a party to the Trusteeship Agreements, the latter should subject to further review the relationship of these Trust Territories with the French Union, with a view to determining whether the French Constitution presents constitutional or other obstacles to the appropriate forms of political advancement of the Trust Territories, and, if so, what further recommendations should be addressed to the Administering Authority.

In the case of those Trust Territories which are at a relatively lower level of general advancement, the Council notes that at least a beginning has been made in the development of territorial executive and legislative organs, in the restricted form at present of official bodies in which the inhabitants have minority representation on a racial basis, in the Trust Territories of Tanganyika under British administration and (in provisional association with Papua) in New Guinea under Australian administration. It particularly draws the attention of the Administering Authorities concerned to those previous recommendations of the Trusteeship Council for the more equitable representation and participation of the inhabitants in these organs and to the further recommendations set forth hereunder. In the case of the Trust Territory of Ruanda-Urundi under Belgian administration, the Council is obliged to observe that it continues to be handicapped by the absence of any clear indication of the manner in which the Administering Authority proposes to develop a structure of government consonant with the objectives of the Charter, and emphasizes the concern which it had expressed at its eleventh and thirteenth sessions² to receive from the Administering Authority a statement of its policy in this matter. For the time being the Council must continue to view in a serious light the inadequacy, in the light of the Charter and the Trusteeship Agreement, of measures thus far taken or contemplated for the political advancement of the Trust Territory.

B. CONSULTATIONS WITH THE INHABITANTS IN REGARD TO THE MEASURES TAKEN OR CONTEMPLATED TOWARDS SELF-GOVERNMENT

(j) *Conclusions and recommendations of the Council*

The Council, considering that Article 76 b of the Charter requires that the progressive development of the inhabitants of the Trust Territories towards self-government or independence should be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned, expresses the opinion that an obligation thus rests upon each Administering Authority to ensure that each measure to be taken towards self-government or independence is subjected, by the most appropriate means, to consultation with the inhabitants.

The Council therefore notes with satisfaction the adoption and application, by the Administering Authorities of the Cameroons and Togoland under British administration, Tanganyika and Western Samoa, of the principle of popular consultation in the formulation of all major measures of constitutional and political development. While aware that this process of consultation has not in all these cases been applied as exhaustively as is desirable, owing in part to the apparent lack of adequate bodies of public opinion on the issues concerned, the Council is confident that, with the further political education of the inhabitants of these territories, the process of popular consultation can be more intensively applied. In this connexion it notes with special interest the action of the Administering Authority for Togoland under British administration in inviting the General Assembly to ascertain, in pursuance of Article 76 b of the Charter and if necessary by plebiscite, the views of the inhabitants of that Territory as to its future status.

The Council regrets the failure of the Administering Authorities of the other Trust Territories to undertake any form of specific and direct consultation with the inhabitants as the basis of their constitutional systems and political structures. It considers this omission to be a matter of particular concern in the case of the Trust Territories of the Cameroons and Togoland under French administration and the Trust Territory of Nauru. It observes that the two first-mentioned Territories are administered under a constitution, applying to the French Union as a whole, in whose formulation and adoption indigenous inhabitants of the Trust Territories concerned played no part, and whose provisions appear to preclude them from being adequately or effectively consulted as to the basic measures of political development that are possible, even within its framework. The Council recommends that the General Assembly, in undertaking the further view proposed above of the relationship of the Trust Territories with the French Union, take this aspect of the problem into special consideration.

In the case of Nauru the Council expresses the opinion, and draws it to the particular attention of the Governments of Australia, New Zealand and the United Kingdom as the joint Administering Authority, that full consultations with the inhabitants on all aspects of their present uncertain future are both feasible and urgently necessary.

In the case of the Trust Territories which are at a relatively lower level of general advancement, the Council recommends to the Administering Authorities of New Guinea and Ruanda-Urundi that they adopt and apply the principle of popular consultations and the early introduction of effective, more real and substantial proposals in the governmental and administrative structures, and commends to their attention the use which

² See A/2150, p. 77 and A/2680, p. 78.

has been made by the Administering Authority for Tanganyika of special committees or commissions of inquiry as an elementary means of ascertaining the views of the populations to the widest extent possible.

C. DEVELOPMENT OF REPRESENTATIVE, EXECUTIVE AND LEGISLATIVE ORGANS AND EXTENSION OF THEIR POWERS

(j) *Conclusions and recommendations of the Council*

The Council in amplification of its view that the fulfilment of the objective of Article 76 b of the Charter requires the progressive establishment of fully representative and competent executive and legislative organs, expresses the opinion that these organs should normally lie within and pertain to the Trust Territories concerned. It considers that arrangements tending towards the political union of a Trust Territory with any other territory, such as the establishment of common executive and legislative systems, may be justified only in exceptional circumstances and that their continuance or otherwise must be made subject to the freely expressed wishes of the people of the Trust Territory concerned.

The Council notes that only in the case of the Trust Territory of Western Samoa has there been a development of a representative, executive and legislative system pertaining exclusively to the Trust Territory. It notes that, on the other hand, in Tanganyika the Administering Authority, while developing executive and legislative organs within the Territory, has transferred part of their competence to the East Africa High Commission and Legislative Assembly in respect of certain common services; that the Trust Territories of Togoland and the Cameroons under British administration, administered under the Trusteeship Agreements as integral parts of the Gold Coast and Nigeria respectively, share with those territories common executive and legislative organs; and that the Trust Territory of New Guinea, administered under the Trusteeship Agreement in an administrative union with Papua, also shares with that Territory common executive and legislative organs.

The Council considers that an obligation rests upon the Administering Authority in each of these cases to subject the existing arrangements to the freely expressed wishes of the peoples concerned, and that the urgency of such consultations increases in proportion to the extent to which the organs of government are made representative of the peoples and their powers are extended. In this connexion the Council notes that in the case of the Cameroons under British administration, such consultations have led to a modification of the existing arrangements, including the proposed establishment in the southern part of the Territory of local executive and legislative organs; and in the case of Togoland under British administration, it again draws attention to the proposal of the Administering Authority that the United Nations itself should ascertain the wishes of the inhabitants as to their future constitutional status.

The Council notes further than no representative executive or legislative organs exist in the Trust Territories of the Cameroons and Togoland under French administration, but that, by virtue of their association with the French Union, these Territories fall within the centralized executive and legislative systems of the Union as a whole. The Council, being concerned that its long-standing recommendations for the transfer of legislative powers in particular to representative organs within the Trust Territories have not been implemented, notes that this question is an essential aspect of the further review which it has proposed above of the relationship between the Trust Territories and the French Union.

The Council notes finally the total absence in the Trust Territories of Ruanda-Urundi and Nauru of any measure, taken or contemplated, for the transfer of executive and legislative powers to representative organs within the Territories, and refers the Administering Authorities to the relevant conclusions and recommendations which it has set forth above.

D. THE DEVELOPMENT OF UNIVERSAL ADULT SUFFRAGE AND DIRECT ELECTIONS

(j) *Conclusions and recommendations of the Council*

The Council considers as being of the utmost importance in the development of the representative organs of government to which the executive and legislative powers must be progressively transferred, the introduction of universal adult suffrage and its exercise through direct elections. It draws attention to the fact that its previous recommendations on this matter in respect of individual Trust Territories have been largely directed towards that end.

The Council expresses the opinion that the Administering Authorities of the Trust Territories may have been unduly cautious in the introduction of universal suffrage, whether for local or for territorial elections, and considers that the process should be accelerated in all Territories where it has not yet been fully introduced. The Council especially commends to the earnest study of the other Administering Authorities the successful application, in particular to largely illiterate rural populations, and without the delay involved in establishing previously a civil registry, of universal suffrage for both legislative and local government elections in the whole of Togoland under British administration and in part of the Cameroons under British administration, and for the Local Government Council in Nauru.

The Council, noting the arbitrary system of electoral categories upon which suffrage is based in the Trust Territories of the Cameroons and Togoland under French administration, expresses the opinion that the time has arrived for the introduction in those Territories of full universal suffrage, subject only to the usually accepted disqualifications, and for the extension of universal suffrage to local as well as territorial elections.

The Council notes the special problems raised in respect of representation in the main organs of government in Trust Territories containing important immigrant minorities, notably the Cameroons under French administration, where separate electoral colleges and separate representation exist for French citizens and non-citizens; Tanganyika, where the grant of suffrage to any of the population groups now separately represented has been delayed; and Western Samoa and New Guinea, where full franchise is restricted to non-indigenous persons and separate representation exists. The Council is strongly of the opinion that these arrangements should be supplanted with the least possible delay by systems of common electoral rolls and common representation; and that this is a matter for immediate action in the Cameroons under French administration.

The Council expresses the opinion, further, that direct elections based on universal suffrage should be held in the Trust Territories at intervals as brief as possible, consistent with political and administrative stability, in order to assure the populations of adequate experience in democratic election procedures well in advance of the transfer of executive and legislative power to their representative organs. The Council is concerned, in this connexion, to note that the principal elections in the Trust Territories of the Cameroons and Togoland under

French administration are held only at intervals of five years, and that the representation established in 1951 and 1952 on the basis of restricted electoral lists would not therefore be normally renewed until 1956 and 1957.

E. THE TRAINING OF INDIGENOUS PERSONS AND THEIR APPOINTMENT TO POSITIONS OF RESPONSIBILITY IN THE ADMINISTRATION

(j) Conclusions and recommendations of the Council

The Council has demonstrated by its recommendations to the Administering Authorities throughout the period of the Trusteeship System the importance which it attaches to the training of indigenous persons and their appointment to positions of responsibility in the Administrations, its awareness of the general inadequacy of measures taken so far, and its recognition of the special problems still faced even in those Territories where the

relatively greater progress has been made. The Council again draws the attention of the Administering Authorities to the recommendations which it has made in the past.

F. THE DEVELOPMENT OF ADEQUATE PUBLIC REVENUE

(j) Conclusions and recommendations of the Council

The Council, having noted that in most cases the budgets of the Trust Territories are prepared under two categories, ordinary and extraordinary budgets, the second of which is in most cases financed from outside sources; appreciates the financial assistance given by the Administering Authorities to the Trust Territories in their economic development and recommends to the Administering Authorities to take greater measures to develop the agricultural and industrial potentialities of the Trust Territories and to make them financially self-supporting in the shortest possible time.

DOCUMENT T/L.579

Report of the Secretary-General

*[Original text: English]
[21 June 1955]*

1. In accordance with Trusteeship Council resolution 1085 (XV) the Secretariat has prepared a draft report bringing up to date the information contained in the special section of the report of the Council to the General Assembly covering the period from 22 July 1953 to 16 July 1954 concerning the question of the attainment by the Trust Territories of the objective of self-government or independence (A/2680, part III).

2. The Secretariat has based this draft on principles and sources of the same nature as were described in the draft report of the Secretary-General submitted at the fourteenth session on this question (T/L.464 and Corr.1

and Add.1). The greater part of the material contained in the draft is drawn from the official records of the United Nations. The exceptions relate to information which has been received by the United Nations Library through official channels of the Administering Authorities concerned.

3. As stated in the draft report itself, an effort has been made to avoid excessive duplication of material contained in the previous report of the Council by including in the present draft references to that material rather than the material itself, and by limiting the draft as far as possible to developments which have occurred in the intervening period.

ANNEX

Draft report of the Council

I. GENERAL

1. General Assembly resolutions 558 (VI) of 18 January 1952 and 752 (VIII) of 9 December 1953 respectively invite the Administering Authorities of the Trust Territories other than Somaliland to give in their annual reports information, including estimates of the time factor, in respect of measures intended to lead to self-government or independence; and request the Trusteeship Council to include in each of its own reports a separate section dealing with the implementation of the resolutions. The Council is asked to specify in particular the measures

taken in respect of consultations, the development of organs of government and of universal suffrage and direct elections, the training and appointment of indigenous persons for responsibility in the administrations, and the development of adequate public revenue. It is requested, further, to state in each case its conclusions and recommendations in the light of both recommendations.

2. The Council included the results of its first survey of these questions in its report to the General Assembly covering the period from 22 July 1953 to 16 July 1954 (A/2680, part III). While expressing satisfaction at this

action, the General Assembly in its resolution 858 (IX) of 14 December 1954 noted that the Council had not formulated any conclusions or recommendations on the subject, and expressed the hope that it would do so in its next and succeeding reports.

3. In order to avoid the excessive reproduction of information previously submitted, the present section of the Council's report has been given the form of an account of new developments or other progress made in relation to the situation as it existed one year previously and as was described in the previous report. The two accounts, considered in conjunction, are intended to provide an up to date summary of the situation according to the information at the disposal of the Council.

4. The Administering Authorities concerned have not included in their annual reports any information bearing specifically on the invitation of the General Assembly that they should submit information concerning the manner and timing of progress towards self-government or independence. The Council again draws attention, however, to the fact that the data included in the normal course in the annual reports, and supplementary information provided by the Administering Authorities, contain information relating directly or indirectly to various aspects of the subject matter of the resolutions of the General Assembly. This information is already contained in summary form in part II of the present report of the Council dealing with conditions in the Trust Territories, where may also be found the conclusions and recommendations adopted by the Council in its regular procedure of examination. In addition, in the period under review, as the outcome of suggestions made in respect of two Territories by the United Nations Visiting Mission to Trust Territories in East Africa, 1954, statements were made by the Administering Authorities concerned regarding the question of establishing time limits for the attainment of self-government or independence in those two Territories. This material is not treated elsewhere in the report of the Council than in the present part.

II. MEASURES INTENDED TO LEAD THE TRUST TERRITORIES TO SELF-GOVERNMENT OR INDEPENDENCE

A. GENERAL SITUATION

(a) *Tanganyika*

5. The general constitutional situation remains as described in the previous report of the Council to the General Assembly. The steps there mentioned as being undertaken to improve and extend the representation of the racial groups in the executive and legislative bodies and to reorganize the local government system have been or are being put into effect, as will be shown in greater detail below.

6. As the outcome of a suggestion made in the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1142), with one member dissenting, to the effect that final and intermediate target dates should be established for the attainment by the people of Tanganyika of self-government or independence, the Administering Authority has defined its position as to the question of determining a period of time for the achievement of that objective. The Visiting Mission, impressed by the general progress made by the Trust Territory in the relatively brief post-war period, considers it to be in the interest of rapid and stable development

that steps should be taken to state more precisely the manner in which self-government should be achieved, and to fix the goal even in approximate terms in point of time. The Mission believed that, firstly, there was a need to make it clear that a self-governing or independent Tanganyika would inevitably be a state primarily African in character with a government mainly in African hands; and, secondly, that a period of time should be fixed within which the Territory might be helped, with reasonable optimism as well as reasonable caution, to attain the goal. Targets and target dates should also be set for intermediate phases of political, economic and social development. The Mission expressed the opinion that self-government was within reach of the people of the Trust Territory much earlier than a period of twenty to twenty-five years which it had suggested in the case of Ruanda-Urundi (see para. 9).

7. The Administering Authority explained its own attitude towards these matters in a series of statements submitted in writing and orally through its representative and special representative at the fifteenth session of the Council. As to the question of the period of time involved, the Administering Authority was unable to agree that a time-table should be fixed for the successive phases of constitutional development and that a date should be specified—which of necessity would have to be an arbitrary date—by which the Territory would be granted self-government. The declared policy of the Administering Authority was that constitutional development of Tanganyika should be by stages, the ground being consolidated and the future reviewed in the light of the experience gained before each important stage was undertaken. The rigidity of a fixed time-table would be inimical to the harmonious development of political institutions corresponding to consecutive stages of economic and social evolution.

8. It was further stated on behalf of the Administering Authority that the essential requirements for true self-government might be reduced to two: namely, that there should exist a fairly large body of persons with education, knowledge and experience, prepared to assume responsibility and possessing and deserving the confidence of the majority of the people; and that the resources of the Territory should be so developed that through its own production and trade it was self-sufficient and in a position to provide adequate funds to maintain the Government, including all public services. It was considered impossible to foresee when those two requirements would exist in Tanganyika. In a further review of arguments against the fixing of a date for self-government or independence it was stated that (a) the stage of development which the Trust Territory had reached and present conditions there made it impossible to fix a date; (b) if a target date were fixed it would probably be a disappointment to many of the inhabitants and, being arbitrary, it would be very difficult to alter without causing a certain political instability; (c) the inhabitants themselves had never asked that a date should be fixed; and (d) the many less-developed indigenous authorities who were firmly attached to their traditions and customary laws would think that they had been abandoned before they were anywhere near ready to take their places at the side of the more advanced tribes. The Administering Authority stated also that the suggestion that Tanganyika could achieve self-government in less than twenty years was based on erroneous assumptions as to the capacity of the people for development and as to the level of advancement already reached in certain areas. If such a time-table were accepted it would mean not self-government but either administrative or economic collapse or the vesting of excessive power in a largely non-African civil service.

(b) *Ruanda-Urundi*

9. The general constitutional situation remains as described in the previous report of the Council to the General Assembly. The Administering Authority has reiterated in its most recent annual report³ the statement reproduced in the Council's previous report to the effect that it does not find it possible to set forth in detail the policy by which the Trust Territory will be brought to self-government or independence. In addition, as the outcome of a suggestion made by the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1141), with one member dissenting, for the formulation of a programme leading to the achievement of self-government in twenty to twenty-five years, the Administering Authority has defined its position as to the question of determining a period of time for the attainment of that objective. The Visiting Mission recorded an opinion given to it that while it was very difficult to set any time limit, in three or four generations, providing that the inhabitants would have the possibility of associating with other societies which could guide them, the inhabitants of the Trust Territory could take over the major task of governing the Territory. Considering that it should be possible to estimate a period within which a people could be helped to develop in modern times with modern facilities towards self-government or independence, the Mission did not believe that a prolonged period of tutelage covering three or four generations was necessary to achieve the objective. Its own impressions of the people as intelligent, industrious, peaceful and possessing a society adaptable to changing conditions and capable of growth supported its belief that they could be developed to govern themselves in one generation.

10. The Administering Authority explained its own attitude towards these matters in a series of statements submitted in writing and orally through its representative and special representative at the fifteenth session of the Council. It described itself as fully in agreement with the opinion of the dissenting member of the Mission, namely, that no adequate evidence was available on which to estimate that self-government should be achieved in any given number of years; that the factors involved in political development could not be calculated on an arithmetical basis and depended not only on the measures undertaken by the Administering Authority but also on the response of the people to those measures and to the stimulus of other events both inside and outside the Territory; that an attempt to set long-term targets a quarter of a century ahead might well discourage the African people, who would, for the time being, respond much more enthusiastically to a series of short-term programmes within immediate reach; and that there was no demand from the people for the fixing of any terms of years.

11. It was stated further on behalf of the Administering Authority that the fixing of a target date was impossible because the play of moral and psychological forces could not be calculated in advance, and dangerous because if the forecast proved inaccurate the Administering Authority would be obliged either to disappoint the hopes which had been raised or to grant self-government before the people were ready for it. The fixing of a target date would be an obstacle rather than a stimulus to the healthy development of political institutions, owing to the excitement which would be caused by the anticipation of such an

upheaval. Furthermore, those chiefs and notables who were still attached to ancient traditions would be encouraged to hope that the regime previous to that of the Belgian administration would be restored. There was also the economic danger exemplified by the fact that the mere publication of the Visiting Mission's suggestions had created uneasiness among industrialists considering investing in the Trust Territory, not because European capitalists were unwilling to invest in self-governing countries but because some hope of stability was essential for capital investment. Moreover the Administering Authority, which had already advanced enormous sums of money to the Territory, would be unlikely to continue to build roads, ports and airfields if they were shortly to be allowed to fall into decay.

(c) *Cameroons under British administration*

12. The new Nigerian Constitution, applying also to the Cameroons, whose projected main lines were described in the previous report of the Council to the General Assembly, was put into effect in the latter part of 1954. The constitution maintained the general federal structure of Nigeria but introduced important changes in the composition and powers of the federal and regional organs of government, and in the particular case of the Trust Territory, gave the Southern Cameroons quasi-federal status and its own executive and legislative organs. The Northern Cameroons remained part of the Northern Region.

13. No estimate has been given as to the period of time required for the attainment of self-government or independence. As reported last year, it was agreed after the constitutional conferences that there should be a further conference in Nigeria, not later than three years from August 1953, to review the Constitution and to examine the question of self-government.

(d) *Cameroons under French administration*

14. The general constitutional situation arising from the association of the Trust Territory with the French Union remains as described in the previous report of the Council to the General Assembly.⁴

15. No major changes in the political and administrative structure within the Territory have been made in the period under review. Concerning the period of time in which the Trust Territory might attain self-government or independence, the Council was informed at its fifteenth session on behalf of the Administering Authority that until certain conditions had been met it would be dangerous to fix, *a priori*, the date by which a Territory would be ready to attain the objective. The view was expressed that political development was in direct relationship to cultural, economic and social development and that those two forms of evolution must therefore go hand in hand. Until a certain stage had been reached in both it would not be sensible to set an official time limit for the Territory's attainment of self-government or independence. Furthermore, it was stated, at a time when most countries were seeking to associate in wide unions and were even sacrificing part of their sovereignty to that end, it would be paradoxical to exclude certain countries from ties of political interdependence and intentionally expose them to the formidable dangers of isolation. As far as concerns the manner in which the objective may

³ *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, Etablissements généraux d'imprimerie, 1954.

⁴ It may be noted that in May 1955 the French National Assembly decided that the revision of a number of the articles of the French Constitution, including the whole of Chapter VIII, which deals with the French Union, should be undertaken.

be achieved, the Council was informed that when the period of trusteeship came to an end the inhabitants would have a choice between three alternatives: (1) to remain united with France in a single community within the French Union, (2) to become independent and then freely associate themselves by treaty with the French Republic, or (3) to become independent and sever all associations with France.

(e) *Togoland under British administration*

16. The revised Gold Coast Constitution which was designed to cover the transitional period before the attainment of independence and applies also to Togoland, and whose main lines were described in the previous report of the Council to the General Assembly, was put into effect in May 1954. The constitution maintained the unitary political structure of the Gold Coast and Togoland; its principal effects were to enable the enlargement of the Legislative Assembly and its reconstitution entirely by means of direct adult suffrage, and the establishment of a wholly representative Cabinet responsible for internal self-government subject to the reserved powers of the Governor.

17. As for the time and manner of the attainment of self-government or independence, the Administering Authority stated in 1954, as previously reported, that the Gold Coast would attain full self-government within a measurable period of time; that at that date the objectives of the Trusteeship System would be substantially achieved in Togoland; and that in the meantime the United Nations should take steps to ascertain the wishes of the population as to their future. The General Assembly decided (resolution 860 (IX)) during the period under review that this should be done without prejudice to the eventual solution which they may choose, whether it be independence, unification of two independent Togolands, unification with an independent Gold Coast, or some other self-governing or independent status. The Trusteeship Council was requested to consider what arrangements should be made and to send a special mission to both the Togolands to make a special study of the problems concerned, and it took action in pursuance of this request by despatching to the Togolands a visiting mission whose special report on this question will be considered by the Council after the close of the period covered by the present report.⁵

(f) *Togoland under French administration*

18. The general constitutional situation arising from the association of the Trust Territory with the French Union remains as described in the previous report of the Council to the General Assembly.⁶ Within the Territory, the reforms in the territorial organs which had been under consideration in various forms since 1950 were finally enacted during the period under review; they provide for a partly-elected Government Council to assist in the administration of the Territory and for a number of modifications of the existing powers of the Territorial Assembly, and they also open the way to further development at the local government level. The reforms are explained in greater detail in section C.

19. As far as concerns the time and manner in which self-government or independence may be attained, the Council was informed at its fifteenth session of the view

⁵ See part I, chap. IV.

⁶ Action towards a revision of the constitutional provisions governing the French Union has been mentioned in connexion with the Cameroons, sub-section (d) above.

of the Administering Authority that it was for the latter, because of the responsibility entrusted to it under the Trusteeship Agreement, to initiate any change in the status of the Territory. At the appropriate time, which was to be determined by it alone, it would consult the population, either through their elected representatives in the French Parliament or by some other means. When the time arrived, it would hand over to the Territory the responsibility for determining its political status and institutions.

(g) *Western Samoa*

20. The general constitutional situation and internal political and administrative structure remain as described in the previous report of the Council to the General Assembly.

21. As far as concerns the time and manner of the attainment of self-government, the representative constitutional convention previously announced as a means of allowing the population to consider a constitutional plan for a future self-governing State of Western Samoa was convened in the Territory during the period under review. As will be explained more fully below, the convention adopted a series of resolutions envisaging a parliamentary system of government, under a Head of State possessing a power of suspensory veto. The State would maintain indefinitely, although subject to change, a special relationship with New Zealand which would probably involve questions of defence, foreign affairs and seconded officers in the Public Service.

22. No date for the coming into effect of these proposals, if accepted by the Administering Authority, was put forward. The proposals indicate that the constitution itself would be susceptible to further evolution, in respect not only of the relationship with New Zealand but also of reserved legislative subjects and enactments, the procedure of constitutional amendment, succession of the Head of State, and the composition of the legislature.

23. The High Commissioner announced to the convention at the outset of its work that the Administering Authority was prepared to put into force any constitutional scheme which it thought good for the Samoan people and which did not conflict with its responsibilities as Administering Authority. It was prepared to give effect to it in a series of stages as rapid as was consistent with the wishes of the people, the safety and stability of Samoan society, the capabilities, knowledge and experience of the territorial leaders, the laws of practicability, and the over-all responsibility of the New Zealand Government. The Administering Authority would carefully consider the recommendations of the convention and the question of the effective date of any acceptable constitution; it was also pledged to keep the Trusteeship Council informed and to give due consideration to its views and advice.⁷

(h) *Nauru*

24. The general constitutional situation and structure of government remain as described in the previous report of the Council to the General Assembly.

25. As a matter bearing generally upon the question of the attainment of self-government or independence, it may be noted that the future of the indigenous inhabitants of Nauru is being studied in terms of their possible

⁷ The Administering Authority later communicated to the Council a statement on the constitutional proposals. See T/L.579/Add.1.

resettlement outside the Trust Territory. The Administering Authority states that the prospect of the exhaustion of the phosphates in about sixty years' time, and the fact that on present indications the agricultural resources of the island, which will remain undiminished, will not then provide adequately for an increased Nauruan population with a high standard of living, have led it to undertake a comprehensive investigation and training programme calculated to ensure the continued well-being and advancement of the Nauruan people. It reported that this study continued through 1954 in collaboration with the Nauruan Local Government Council and that the Trusteeship Council would be informed when a plan acceptable to the people concerned was evolved.

(i) *New Guinea*

26. The general constitutional situation remains as described in the previous report of the Council to the General Assembly. No major changes in the political and administrative structure within the Trust Territory have been made in the subsequent period.

(j) *Conclusions and recommendations of the Council*

...

B. CONSULTATIONS WITH THE INHABITANTS IN REGARD TO THE MEASURES TAKEN OR CONTEMPLATED TOWARDS SELF-GOVERNMENT⁸

(a) *Tanganyika*

27. The current reorganization of central and local institutions of Government follows generally the lines drawn by two special inquiries in which, as described in the previous report of the Council, public opinion among all races and communities in the Trust Territory was consulted for that express purpose. Although the principal change at the centre—the establishment of parity of representation of the three main racial groups in the legislature—was originally devised in the light of a conflict of claims as between the Africans, Asians and Europeans consulted, the Administering Authority has stated that the reform has subsequently been accepted by the overwhelming majority of the people. This conclusion was established as a result of discussions of the matter by administrative officers in the normal course of their duty, and various statements made in the vernacular press and at meetings of political associations.

28. Forms of consultation have been or are being employed in the application of some other aspects of current political reform. At the centre, where the unofficial members of the Legislative Council were previously nominated on a personal basis, the majority of them are now appointed to represent the racial groups

⁸ As previously, the term "consultations with the inhabitants" is interpreted according to the context in which it appears in General Assembly resolution 752 (VIII), and is taken to mean, primarily, those measures employed to determine the opinions of the population concerning specific issues by such means as representative conferences, commission of inquiry, referenda, etc., rather than the functions which a permanent statutory body (e.g., a representative, legislative or advisory organ) may be considered to have in expressing the views of the population on the matters within its normal competence. These latter functions have been regarded as falling more properly in section C.

in their geographical areas; and before their appointment the Administering Authority stated that they would be selected after consultation with bodies representing the communities or interests which they would serve. At the local government level, the Ordinance of 1953 enabling the establishment of county, town and local councils explicitly requires the Government to satisfy itself in each case that "there is among the inhabitants of and residents in the area concerned a general wish that the authority should be established". In respect of the introduction of the elective principle at this level, the policy has been to invite the organs themselves to indicate their wishes; and in the case of the Legislative Council it is intended to make the introduction of elections a progressive matter dependent upon substantial local demand as well as upon practicability.

(b) *Ruanda-Urundi*

29. No specific and direct consultations of the inhabitants on measures leading towards self-government in the principal sense employed in this report are reported to have been carried out during the year under review. The Council of the Vice-Government General, the high councils of the two *pays*, and the district, chiefdom and sub-chiefdom councils provide the principal means of expression of opinion on budgetary and other administrative matters and questions of local interest.

(c) *Cameroons under British administration*

30. The arrangements made for the Trust Territory during the period within the revised Constitution for Nigeria and the Cameroons were reported by the Administering Authority to have accorded with the freely expressed wishes of the local inhabitants as stated by their representatives at the conferences held with the Secretary of State for the Colonies in London in 1953 and in Lagos in 1954. An outline of the proceedings of those conferences was included in this section of the previous report of the Council to the General Assembly.

31. In the case of the Southern Cameroons, further measures in the development of self-government on which the new House of Assembly, containing an elected majority, is expected shortly to play a legislative and not merely consultative role are mentioned in section C below. In the case of the Northern Cameroons, permanent consultative machinery on such matters as proposed legislation has been provided by the establishment of a consultative committee consisting of the members of the Federal and Northern Legislatures.

(d) *Cameroons under French administration*

32. No specific and direct consultation of the inhabitants or measures leading towards self-government in the principal sense employed in this report are reported to have been carried out during the year under review. In so far as means of consultation are provided by the representation of the inhabitants on statutory organs, it may be noted, however, that elected representatives of the population in both the Territorial Assembly and the French Parliament participated in steps taken towards municipal government reform in the Territory. The Administration in the first instance submitted to the Territorial Assembly a proposal to replace existing appointed municipal commissions by councils elected by a single electoral college and having an appointed mayor. The Administering Authority reported that a majority of the members of the Assembly had advocated the use

of a dual electoral college, and a proposal along those lines had been approved. This measure, however, had been superseded as the result of a proposal introduced by the French Government into the French Parliament to establish councils elected by single colleges, and having elected mayors, in the French territories of West and Equatorial Africa and Madagascar; at the request of the Cameroons deputies in the National Assembly, this proposal had been extended to include the three principal towns of the Trust Territory. At the time of the fifteenth session of the Trusteeship Council the bill was awaiting action by the Council of the Republic.

(e) *Togoland under British administration*

33. The interim constitutional changes for the Gold Coast and Togoland which were effected during the period under review were based on the consultations undertaken in the two Territories, which were described in this section of the previous report of the Council to the General Assembly.

34. At the invitation of the Administering Authority, the General Assembly and the Council have taken preliminary steps to ascertain, in explicit pursuance of Article 76 b of the Charter, the views of the inhabitants on the future status of the Trust Territory in the light of the pending attainment by the Gold Coast of full self-government. The Administering Authority has expressed its willingness to agree to the holding of a plebiscite if, after the forthcoming Visiting Mission has reported, the United Nations wishes to make further inquiries.

(f) *Togoland under French administration*

35. The reforms recently enacted in respect of the political institutions of Togoland under French administration did not derive from specific and direct consultations with the inhabitants. Falling within the category of legislative matters reserved to the French Parliament, they originated in 1952 as a government draft. This draft, however, underwent considerable modification at the hands of the parliamentary organs; the Administering Authority stated that elected representatives of the Trust Territory played an important part in the principal legislative stages involved: namely, the debates of the Assembly of the French Union, the National Assembly and the Council of the Republic.

36. The municipal reform bill referred to in the case of the Cameroons was also extended to include four towns in Togoland by action of the National Assembly.

(g) *Western Samoa*

37. The proposal of the Administering Authority that a representative constitutional convention should be held in the Trust Territory before the end of 1954 to consider a constitutional plan for a future self-governing State of Western Samoa was described in the previous report of the Council to the General Assembly. The representative working committee established by the High Commissioner under his chairmanship deliberated on the matters which the Administering Authority had suggested could be examined by the convention and in July 1954 presented a report and provisional recommendations under those headings. These recommendations were published and circulated widely throughout the Territory.

38. Recommendations on the composition of the convention were also made by the working committee, endorsed by the Legislative Assembly and accepted by

the High Commissioner. As a result of these and some further recommendations subsequently made, the final membership of the convention was as follows:

<i>Fautua</i>	2
High chiefs	2
Samoan judges	4
Working committee members not otherwise listed	5
Local Government Board	5
Democratic Party	2
Chamber of Commerce	1
Planters' Association	1
Aleisa settlers	1
European delegates	7
Legislative Assembly	17
<i>Fono of Faipule</i>	41
District representatives	82

TOTAL 170

39. Apart from those chosen by virtue of their office, the main body of the Samoan representatives—the *Faipule* and the additional district representatives (two from each district), comprising 123 in all—were almost all elected by customary methods a short time before the opening of the convention. The triennial elections of the *Faipule* were then due; and in most constituencies the election of the two additional delegates for the convention was carried out at the same time. According to Samoan custom only the *matai* (the heads of extended families estimated to number 4,515 in 1954) took part in these elections. The Democratic Party, to which two seats were allotted, is described by the Administering Authority as the only true non-governmental political organization in the Territory but as comprising only about one hundred members, all of them Samoans; its main aims include on the one hand the adoption of universal male suffrage and on the other hand the preservation of Samoan customs. Of the European delegates, seven were additional to those attending by virtue of their membership in the legislature and other bodies; these seven were chosen by the European community by formal election from among thirteen nominations.

40. The Administering Authority has described the convention as a representative body clearly expressing public opinion in the Territory, and has stated, in respect of the fact that most of the delegates were *matai*, that it is satisfied that in the present state of Samoan social and political organization the views of the community are adequately represented by these representatives. The delegates showed themselves willing to discard some of the traditional formalities of discussion; all the Samoan members joined wholeheartedly in the debates; and although the general atmosphere of the convention was conservative there were in all debates speakers who did not hesitate to stand up and voice the contrary or unpopular opinion.

41. The papers and proceedings of the convention,⁹ transmitted in full to the Trusteeship Council by the Administering Authority, show that it was left free to establish its rules of procedure and to decide by discussion and where necessary by majority vote the main desired lines of constitutional change. The High Commissioner withdrew after opening the convention, which then unanimously elected the two *Fautua* as joint chairmen; they retired temporarily when the question of the Head of State was under discussion. A steering committee was elected to advise the chairmen and to draft conclusions. The proceedings were held in public and were broadcast, and verbatim records were kept. The part

⁹ *Constitutional Convention of Western Samoa, 1954: Papers and Proceedings*, vols. I to III and *Working Committee Papers*, vol. IV.

played by the High Commissioner was limited to supplying information, upon request, as to alternative forms of government. The convention lasted for six weeks, from 10 November to 23 December 1954.

42. The agenda consisted in essence of the points which the Administering Authority had suggested for consideration, and on which the working committee had submitted proposals. While the convention was given explicitly to understand that these proposals did not limit or commit it in any way (and were also not to be taken as an expression of the views of the Administering Authority), the proceedings indicate that there was, in general, little disposition on its part to dissent from them. The recommendations adopted by the convention envisage, as the Administering Authority sees them, the development of a constitution modelled on the British parliamentary system, following in general the pattern which had been suggested by the Administering Authority's statement. The principal institutions would be a single legislative body, a Cabinet responsible to it, and a Head of State possessing a power of suspensory veto. Western Samoa would retain indefinitely its "special relationship" with New Zealand, to be based eventually on an alliance or agreement somewhat similar to the arrangement at present existing between the United Kingdom and the Kingdom of Tonga; New Zealand would exercise, through a resident representative, certain functions yet to be determined but concerning "in some way" the subjects of defence, foreign affairs and seconded officers.

43. Details of the proposals concerning the legislative and executive branches, suffrage and the public service will be given under the relevant headings below. All of the resolutions were carried by a show of hands. No formal count of the voting was recorded, but it was observed that no negative votes were cast for any resolution except that concerning the Head of State. This matter gave rise to the strongest differences of opinion heard in the convention; supporters of the two High Chiefs urged recognition of their status as traditional leaders of the Samoan people equally with the *Fautua*. The records of the convention state that the largest number of affirmative votes was for the resolution to maintain indefinitely a special relationship with New Zealand. No resolution was adopted on one of the points put forward—the question of common citizenship and common status—on which the convention tacitly accepted a recommendation of its steering committee that the whole matter be left over for further study.

(h) Nauru

44. It has been noted above that the problem of the future of the Nauruan people after the phosphate deposits have been exhausted has been studied by the Administering Authority in collaboration with the Nauruan Local Government Council. This body is elected by compulsory universal adult suffrage, and any person entitled to vote is also eligible for election.

(i) New Guinea

45. The Administering Authority described in its annual report¹⁰ forms of consultation used in the application of existing measures. In the case of the establishment of village councils it stated that the people were always consulted before a council was established; and when a sufficient number of village councils had been set up

in a district the people would be consulted regarding the formation of area councils composed of representatives from the village councils. By the time this consultation was practicable on a district and then possibly on a regional scale, a stage would be approaching when the people would be able to play a full part, in a way which they understood and desired, at all levels of the Territory's political system. The Administering Authority reported also the establishment of a select committee of the Legislative Council, which has a non-official minority, to study the question of associating indigenous persons with its work as observers.

(j) Conclusions and recommendations of the Council

...

C. DEVELOPMENT OF REPRESENTATIVE, EXECUTIVE AND LEGISLATIVE ORGANS AND THE EXTENSION OF THEIR POWERS

(a) Tanganyika

46. Effect was given during the period under review to the reorganization of the composition of the Legislative Council on the basis, previously determined, of parity of representation of the three main racial groups on the unofficial or representative side of the organ. As from April 1955, the Council has consisted on that side of ten Africans, ten Asians and ten Europeans, one of each race being chosen to represent each of the eight provinces and the capital, Dar-es-Salaam, and one of each to represent certain general interests, these latter being an Arab business man, the European leader of the sisal industry, and a member of the important Haya tribe of the Lake Province. The official side or Government bench is larger than the other by one member; its thirty-one members comprise seventeen senior officials, all of them Europeans, and fourteen persons, some of whom hold quasi-official positions, who have been nominated to sit with the Government on the understanding that they will support its policies. Of these, four are Europeans, four are Asians, four are Africans, and two are Arabs, and they include the six unofficial members of the Executive Council.

47. The reorganized Legislative Council possesses, as previously, full legislative and budgetary competence subject to the assent of the Governor. In the Executive Council both the role and the composition of the unofficial minority have undergone change. Previously consisting of three Europeans, one African and one Asian, the unofficial members are now six in number: two from each of the main races. The change in their function lies in the fact that as a step towards the conferring of executive responsibility upon non-officials, they are being invited to interest themselves in and to assist in answering in the Legislative Council for certain departments of the Government.

48. On the local government level, some of the new organs envisaged by the Local Government Ordinance, 1953, have been established. The Ordinance enables the creation, when local opinion favours it, of county and town councils (which are intended to be inter-racial in composition) and local councils (which are intended to be either purely African or inter-racial depending on local wishes). By the early part of 1955 town councils had been established at four places, a local council at one, and a provisional county council in one area.

49. The administrative and legislative structure linking the Trust Territory with the neighbouring territories of Kenya and Uganda in the common services of the East Africa High Commission remains unchanged. The

¹⁰ Commonwealth of Australia, *Report to the General Assembly of the United Nations on the Administration of the Territory of New Guinea from 1st July, 1953, to 30 June, 1954*, Canberra, Government Printing Office.

question of extending its life beyond the current four-year period which began in 1951 is to be considered by the Tanganyika Legislative Council.

(b) *Ruanda-Urundi*

50. No further changes were reported during the period in the composition and powers of the Council of the Vice-Government-General or in the structure of the indigenous councils established under the decree of 14 July 1952. The Administering Authority reported that the new councils were over 1,300 in number and had more than 8,000 members who had been, since the beginning of 1954, gaining experience in public affairs. It emphasized the importance of the fact that by requiring the indigenous authorities to obtain the concurrence of the councils the new system was putting an end to the exclusive role of custom as a source of law. The population on the whole had shown a lively interest in the sub-chiefdom councils, and chiefdom councils in the more advanced areas had already modified the authority of the chiefs. The organization of district councils was proceeding more slowly. At the highest level the *Bami*, although still the supreme heads of their indigenous *pays*, were now required to obtain their councils' approval of proposed measures.

(c) *Cameroons under British administration*

51. The Nigeria (Constitution) Order in Council¹¹ which came into operation on 1 October 1954 makes provision for a constitution for Nigeria and the Cameroons under which the two Territories combined form a Federation of Nigeria including the Eastern and Western Regions (the Northern Region forming part of one of these), the Southern Cameroons, a separate area having a status somewhat different from that of a region, and the Federal Territory of Lagos.

The Constitution established a Federal Legislature composed of an appointed speaker, three *ex-officio* members, 184 elected members from constituencies (of which four lie strictly and entirely within the Northern Cameroons and six within the Southern Cameroons) and up to six members representing special interests or communities. It established also a legislature for each of the regions and for the Southern Cameroons, the latter consisting of the Commissioner for the Cameroons as president, three *ex-officio* members, thirteen elected members, six Native Authority members and not more than two special members.

52. The Constitution also established a Council of Ministers as the principal instrument of policy for the Federation; it is composed of the Governor-General as president, three *ex-officio* members, and ten ministers appointed from among the elected members of the legislature, of whom one is to be a member from the Southern Cameroons. It established an executive council for each region and for the Southern Cameroons. The latter is composed of the Commissioner as president, three *ex-officio* members and four unofficial members appointed from among the members of the legislature.

53. The general effect of the constitution is to place the powers of policy-making and legislation in virtually all matters largely in the hands of organs containing, for the most part, representative African majorities, subject to certain restrictions in the case of financial measures,

and to constitutional safeguards in respect of the status of the Cameroons. The over-riding powers reserved formally by the Administering Authority are not intended to be used in a sense contrary to the will of the legislatures unless exceptional circumstances arise.

54. Apart from the change in status of the Southern Cameroons, which under the previous constitution formed part of the Eastern Region, the Administering Authority has explained that the nature of the new Federation is such that the greater balance of power resides not in the centre but in the regions. The principal powers reserved to the Federation are those dealing with external affairs—defence, police and security, immigration, mines, railways, posts and telegraphs, the trunk roads and prisons—while most other matters of government are in the hands of the regional authorities. The Southern Cameroons has been given competence to legislate and act upon all matters within the competence of the regional legislatures, the essence of the difference between it and the regions being that the laws passed by it have to be assented to by the Governor-General of the Federation as a means of ensuring proper safeguards, especially in financial matters.

55. While in regional matters the affairs of the Northern Cameroons will be regulated by the organs of the Northern Region, of which the area of the Trust Territory forms an integral part, a consultative committee has been established which consists of all federal and regional elected representatives in the Northern Cameroons and those who are members of the Northern House of Chiefs. The committee will be called upon to express its views on any proposed federal or regional legislation and to make representations about the requirements of the Northern Cameroons both to the Northern Regional Government and to the federal authorities. Furthermore, on the regional executive level, the Executive Council has decided to create a portfolio for Trust Territory Affairs, which is held by a Cameroons minister.

56. The development of local government has proceeded in the Trust Territory along the lines previously reported, especially in the northern part. Local government legislation is a matter for regional action, and the new Southern Cameroons legislature is expected by the Administering Authority to make the introduction of an up-to-date system one of its most urgent tasks. The legislature is also empowered by the Constitution to establish courts of justice, including a High Court, for the Southern Cameroons.

(d) *Cameroons under French administration*

57. No changes took place during the period under review in the composition and powers of the Territorial Assembly, which remained essentially as described in the previous report of the Council. In respect of the extension of powers reported under consideration since 1950, the Council was informed at its fifteenth session that draft legislation similar to that recently enacted for Togoland (see below) was under study but had not yet been submitted to the French Parliament.

58. In the field of local government an additional urban mixed commune was established in 1954 and the general application of the system of rural communes was envisaged. As noted above, after the Territorial Assembly had approved a plan for municipal reform, the French National Assembly adopted a bill on the same subject providing for the conversion of three mixed communes into full municipalities; the Council was informed at its fifteenth session that the bill was being considered by the Council of the Republic and would be put into effect within six months after its final enactment.

¹¹ See *Statutory Instruments, 1954, No. 1146, the Nigeria (Constitution) Order in Council, 1954*, London, Her Majesty's Stationery Office, 1954. Since the full text has been reproduced in T/C.1/L.43, a brief summary only is given here.

(e) *Togoland under British administration*

59. The Gold Coast (Constitution) Order in Council, 1954,¹² was designed to bring the Gold Coast, with which the Trust Territory is administered as an integral part, to the last stage of constitutional development before independence. It brought about two principal changes: the transformation of the Legislative Assembly into a body consisting entirely of persons directly elected by universal adult suffrage from 104 constituencies covering the Gold Coast and Togoland as a whole; and the appointment from that Assembly of all the members of the Cabinet, which is the principal instrument of policy. The Ministers are appointed by the Governor in accordance with the constitutional practices of the United Kingdom by which the leader of the majority party in the legislature is invited to be Prime Minister and the rest of the Ministers are appointed on his advice and allocated portfolios by him.

60. The Administering Authority has explained that the new Constitution has thus involved a large measure of devolution of its own powers and duties to the Legislative Assembly and the Cabinet and that, in fact, in nearly all fields the day-to-day administration of the Gold Coast and the Trust Territory is now their responsibility. Nevertheless the ultimate responsibility of the United Kingdom Government for the administration of Togoland is preserved by provisions in the constitution which place responsibility for the implementation of the Trusteeship Agreement upon the Governor acting at his discretion and which provide that any law which is repugnant to any provision of the Agreement shall be void to the extent of the repugnancy. The Governor also retains a special responsibility for defence and external affairs, the latter including relations with the United Nations and the specialized agencies.

61. With these qualifications, Togoland is treated in matters of representation and participation in the functioning of the political institutions as if it were part of the Gold Coast. The electoral boundaries, which are not related to the boundary between the two territories, determine the representation of its people in the Legislative Assembly; there are fourteen constituencies which lie wholly or partly within the Territory. The election results determine their participation in the government; two Togolandese were in fact chosen by the leader of the successful party to serve as Minister of Education and Ministerial Secretary to the Ministry of Local Government respectively.

62. There were no further major changes in the local government system during the period under review.

(f) *Togoland under French administration*

63. Final action on the draft law relating to the territorial and regional institutions of Togoland was taken by the French Parliament on 31 March 1955 and the law was promulgated on 16 April 1955.¹³ The law

¹² See *Statutory Instruments, 1954, No. 551*, London, Her Majesty's Stationery Office, 1954. A summary of its provisions is contained in T/C.1/L.36.

¹³ *Bulletin Officiel du Ministère de la France d'Outre-Mer* (No. 96 of 29 April 1955, pp. 580-589). The Administering Authority submitted to the General Assembly on 2 December 1954 a draft of the law as approved by the National Assembly on first reading on 3 November 1954 (A/C.4/299). It was substantially amended thereafter by the Council of the Republic which ultimately, however, accepted the National Assembly's second draft. Certain differences which remain between the law and the draft reproduced in A/C.4/299 are noted below.

abrogates all existing provisions which are contrary to it and affects in particular certain provisions of decrees of 23 March 1921 defining the powers of the Commissioner of the Republic (*Commissaire de la République*), of 3 January 1946 effecting an administrative reorganization, and of 25 October 1946 establishing the Representative (now Territorial) Assembly.

64. The major change is the replacement of the wholly official Private Council (*Conseil privé*) by a new organ, the Government Council (*Conseil de gouvernement*) of ten persons, of whom one-half are to be elected. They are to consist of the Commissioner of the Republic, as chairman, five members elected by the Territorial Assembly (in itself an elected body) and four nominated by the Commissioner from among persons outside the Assembly. The Commissioner enjoys a casting vote in the event of an equal division. He is also empowered, if he considers that a decision of the Council goes beyond its competence, to suspend the application of that decision while appealing, within eight days, to the Minister of Overseas France.

65. The general function of the Council as described in the law is to assist the Commissioner in administering the Territory, in giving effect to the resolutions and decisions of the Territorial Assembly, and in examining the principal political questions. Specifically, in matters other than decisions of the Assembly, the Commissioner is to consult the Council before issuing administrative orders (*arrêtés*) except that in cases of emergency where the maintenance of law and order or public health or defence require it he may issue such orders and then immediately convene the Council and report to it. The Council's supervision of the implementation of decisions of the Assembly is provided for by a requirement that every order of the Commissioner giving legal effect to such a decision must be made in the Council within a period not exceeding three months. The Council may submit proposed measures to the Assembly. In the event of famine, in time of external tension or when exceptional circumstances demand,¹⁴ it may take decisions, which must be ratified subsequently by the Assembly but are immediately effective, varying import or export duties or railway rates. Its other specified powers are that, after consultation with the Assembly, it may grant incorporation (i.e., *la personnalité morale*) to administrative districts and approve agricultural concessions of 200 hectares or less, forestry concessions of 500 hectares or less, and temporary forestry permits for periods up to five years; and that it alone may decide upon claims at law up to 500,000 francs in value.

66. A provision of the law to which particular importance is attached is that which permits each member of the Government Council to interest himself in an assigned sector of the Administration. After stating that each member of the Council shall remain invested for his whole term of office with powers personal to himself, the law provides that the Commissioner is to assign to each a sector of activity in respect of the administrative organization of the Territory; the member will then enjoy a right of information and inquiry concerning the service or services involved, in order to enable him to follow its or their activities.¹⁵ Each year, at the opening of the budget session, the Commissioner is to make to the

¹⁴ This text represents an amendment of that reproduced in A/C.4/299, which reads "In an emergency arising from economic circumstances . . .".

¹⁵ This article also represents an amendment. In the text reproduced in A/C.4/299 the members were granted a general right of information allowing them to follow in every detail the operation of the service or services placed in the sector assigned to them.

Territorial Assembly, in the name of the Government, a special and detailed report on the situation of the Territory and the operation of the public services.

67. The establishment of this new Council has been described on behalf of the Administering Authority as the most far-reaching change brought about by the new law. In anticipation of criticism that, because of the president's casting vote, the balance between the elected members and the other half of the Council was more apparent than real, the representative of France stated before the Fourth Committee (449th meeting) that it was gratuitous to assume that the Council would be so divided, and that in any case the responsibility for administration imposed on France by the Trusteeship Agreement made it necessary, at least during the first experimental period, to invest the representative of the Administering Authority (i.e., the Commissioner of the Republic) with a prerogative that would be exercised, however, only in exceptional cases. The method of selecting the four appointed members had been left unspecified, moreover, rather than being confined to Government officials, so that the possibility would not be ruled out of recruiting these members from among local personages. He described the powers of the Council as extensive, and the assignment to each member of a sphere of administrative activity as its most remarkable innovation. The Administration would henceforth be under permanent supervision; and the Council members would be not only supervisors but initiators, since they would lead the discussion in the Territorial Assembly of drafts submitted to it by the Council.

68. In the case of the Territorial Assembly, the law reformulates the powers of this organ by establishing new ones and also by transferring certain subjects from the category of those upon which the Assembly previously had a right of consultation to that of matters on which, within its defined competence, it now has a power of decision. It contains in the first instance a statement of certain general powers not written into the 1946 decree: namely, the power to deliberate upon¹⁶ regulations applying laws and decrees when those measures entitle it to do so, and the power to deliberate upon any proposals deriving from matters of a local character when these matters are not already covered by statute or regulation. There is a further qualification of this latter power in that the deliberations of the Assembly on such matters must be submitted to the Minister of Overseas France who may within one month approve them or request from the appropriate parliamentary or executive organs their annulment on grounds of excess of power or violation of the law.¹⁷ The Assembly is also given the right to express its opinion, which is to be forwarded through the Commissioner of the Republic to the appropriate authority, as to whether an act or decree should be extended to the Territory without change or on the manner in which it should be adapted to local conditions. As previously, the Assembly may address to the Commissioner any request for information on questions of interest to the Territory, and charge one or more of its members with gathering, within the Territory, information necessary to its work. It retains also its former right to

¹⁶ Literal translation of the French verb *délibérer*, which in this context means to debate and reach a decision, the force of such decision being subject to such qualifications as are stated.

¹⁷ This text represents an amendment to that reproduced in A/C.4/299, in which it was provided that the decisions should take legal effect unless within three months the Commissioner gave notice that he intended to ask for a second reading or refer the decision to the appropriate parliamentary or executive organs.

transmit directly to the Minister of Overseas France any observations concerning the administration of the Territory, and in addition may express wishes (*vœux*) for submission through the Commissioner to the appropriate authorities in France.

69. Apart from budgetary powers, discussed below, the law spells out in two main categories—deliberative and consultative—the specific powers entrusted to the Assembly. For the most part the subjects covered and their categories do not differ greatly from those listed under the 1946 decree; but certain qualifications have been removed or modified and certain previously consultative powers have been made deliberative. Thus the Assembly is now entitled to deliberate, and not merely to be consulted, upon schemes under the equipment and development plan; this right is subject to any decrees made under the act establishing the plan, but the Assembly is also to be consulted on the preparation of such decrees. Thirteen other subjects are listed on which the Assembly may deliberate without qualification; most of them were also listed as deliberative powers under the 1946 decree, but with a qualification in respect of questions involving the development plan. These subjects include the determination of public works to be undertaken, the classification of roads, canals and ponds, charges for public utilities, the award of works contracts, questions of movable and immovable property, certain legal suits affecting the Territory, gifts or legacies, and the organization of sports. The Assembly may also deliberate upon the manner in which acts and decrees (i.e., of the French Parliament and executive branch respectively) concerning matters set out in a second list shall be applied to the Territory. A majority of these questions also fell under the deliberative powers previously granted: namely the encouragement of production, the organization of savings funds, low-cost housing, co-operatives, tourism, town planning, scholarships, relief and court fees. The remainder—namely, regulations on land, agriculture, forestry, mining, hunting and fishing, the organization of agricultural and other credit, and rent regulations, were previously consultative questions.¹⁸

70. Where it was previously consulted on these matters, the Assembly is now empowered to deliberate upon agricultural concessions of more than 200 hectares and forestry concessions of more than 500 hectares, subject, if the Commissioner thinks fit, to reference to the Administering Authority.

71. In respect of budgetary powers, the law provides as before that the budget is to be prepared by the Commissioner, but it is now to be submitted to the Territorial Assembly by the Government Council. The budget is to be divided into chapters and articles according to a nomenclature determined by the Minister for Overseas France and, as under the previous law, it is to be deliberated by chapter and by article. It continues to contain two kinds of expenditure, obligatory and optional, the former comprising debt payments and the cover of previous deficits, expenditures imposed by law, expenditures relating to the judiciary and internal security (but not specifically, as before, to public education and health) and the salaries and allowances of public officials. The Assembly is empowered as previously to deliberate upon the manner of assessment and collection and the rate of levies, taxes, dues and fees. In addition, it has the new power of deliberating upon the raising of loans, the guarantee of liabilities incurred by public undertakings, and the grant, loan and investment of territorial

¹⁸ In the text reproduced in A/C.4/299 these questions were included in the list of subjects upon which the Assembly might deliberate, but not specifically in respect of the application of laws and decrees.

funds. These tax and other matters are subject to approval by the Administering Authority; decisions on the budget, as on the other questions upon which the Assembly has deliberative powers, are to be applied by order of the Commissioner-in-Council unless within one month from the end of the session he requests their annulment as *ultra vires* or in breach of statute and unless within two months after that the annulment is carried out.

72. Except for those questions transferred to the category of deliberative subjects, the matters on which the Assembly must be consulted remain largely as under the 1946 decree. Thirteen in number, they relate to the organization of education, public works regulations, representation on economic bodies, the prison system, the organization of notaries, bailiffs and other judicial officers and commercial agents, the administrative organization of the Territory, public lands, rules of civil procedure (but not the organization of the judiciary), regulations on civil registration, the labour and social security systems, local health organization, local administrative staff and the grant of general prospecting licences.¹⁹

73. In explaining the significance of the changes in the powers of the Territorial Assembly, the representatives of the Administering Authority have stated that although it was not possible to speak of legislative powers in the sense in which that term was understood in French legal terminology,²⁰ it could nevertheless be said that the Assembly would possess a power substantially comparable with that of legislation in all the fields within its competence, provided only that the matters concerned had not already been covered by either the Constitution or the law. The Assembly had not acquired full legislative powers for the simple reason that the development of the Territory did not warrant it; its acquisition of such powers would mark the end of the period of Trusteeship and require a change of status, and in the meanwhile it was able through the exercise of its present powers to gain experience in work of a legislative nature. Although it had no power to discuss or take decisions on political questions, it could in fact discuss all other questions even if, as in the case of the budget, they had political repercussions.

74. The Administering Authority has stated also that during the period a major change occurred in the field of local government. The same law of 16 April 1955 as mentioned above reorganizes the local councils (*conseils de circonscription*) existing by virtue of a decree of 3 January 1946, in the sense that the *circonscriptions* (*cercles* or *subdivisions*) may in future, when circumstances allow, be granted incorporation; this implies the

¹⁹ The text reproduced in A/C.4/299 would have made the grant of these licences a matter of deliberation rather than of consultation.

²⁰ As explained in the previous report of the Council to the General Assembly (A/2680), legislative power with regard to penal law, civil liberties and political and administrative organization in the Overseas Territories—and in practice in the Trust Territories—rests under the French Constitution with the French Parliament. Special provisions for each Territory may also be decreed after consultation with the Assembly of the French Union and in certain cases the Territorial Assemblies. In the second reading of the bill in the Council of the Republic, the Minister of Overseas France emphasized that any decision of the Territorial Assembly which, whatever the text voted, bore upon criminal legislation, the system of public liberties—meaning not only political and civil liberties but also the freedoms of association, organization, trade unionism, labour, commerce and industry—or which sought to reorganize the administrative structure of the Territory would be null and void (*Débats, séance du 31 mars 1955, p. 1266*).

control of local budgets established by the councils, which in this field would have no longer consultative but deliberative powers.

(g) *Western Samoa*

75. The executive, legislative and advisory organs of the Territory remained basically as described in the previous report of the Council to the General Assembly. Changes were made, however, in the internal organization of the Executive Council and the Legislative Assembly: a representative advisory body on questions of common concern to Western Samoa and American Samoa was established, and the constitutional convention recommended a number of changes in the constitutional and political structure of the Territory.

76. In respect of the existing constitutional system, a development during the period was the establishment in the Executive Council of an "Associate Member" system as a means of giving the four elected members (three Samoans and one European) of the Council greater experience of the work of government departments and the general machinery of government. Under this system the principal departments are divided into three groups placed respectively under the Secretary to the Government, the Financial Secretary and the Attorney-General. Each of the elected members of the Executive Council has certain departments allotted to him and is associated with the official member in their administration and in the development of government policy in connexion with them. In 1954 the Legislative Assembly also reorganized its standing committees, adding a new one for agriculture and co-operatives, merging the previously separate committees for education and broadcasting, and retaining those dealing with health and public works. Informal discussions between the Governor of American Samoa and the High Commissioner resulted in an agreement to establish an Inter-Samoa Consultative Committee which will meet periodically and discuss matters of common interest to the Samoan islands as a whole. The Trust Territory is represented by three Samoan and one European unofficial members, with senior government officials attending as required. The new body is purely advisory in its functions.

77. The constitutional convention proposed that a single legislature should replace the present Legislative Assembly and the *Fono of Faipule*. It would be presided over by a speaker elected by the legislature and would, "for the time being", consist of forty-one Samoan members (subject to early consideration of an increase to forty-five), five European members and two official members, these being officials who would also hold the portfolios of justice and finance, again as an interim measure. The legislature would have full legislative powers subject only to a suspensory veto to be retained by the Head of State and to any restriction which might be advisable due to the suggested maintenance of a special relationship with New Zealand. The reserved subjects and enactments would remain as they are for the present, but would be reviewed as further constitutional changes took place. The legislature would eventually have full power to amend the constitution, subject to some form of delaying or restrictive procedure.

78. A Premier and Cabinet would control the Executive Government. The Legislature would choose the Premier, if necessary by ballot; if he resigned or was dismissed (by the Head of State after a two-thirds vote in the Legislature), the Legislature would not necessarily be dissolved but would elect a new Premier. The members of the Cabinet would be chosen by him from among the elected legislators subject to the approval of the Legislature, except that the portfolios of justice and finance would be held for the time being by officials.

(h) *Nauru*

79. No change was reported in the composition or powers of the elected Nauru Local Government Council. During the period, draft ordinances were considered which would enable the Council to administer the Nauruan housing scheme and a social services scheme for old-age and other pensions. Under the ordinance establishing it the Council may, subject to approval, provide or co-operate in providing any public or social service as well as engage in business or other enterprise and carry out works of public benefit.

(i) *New Guinea*

80. No change was reported in the composition or powers of the Executive and Legislative Councils of New Guinea and Papua. The Administering Authority stated that when the inhabitants of the Trust Territory had achieved the prerequisite social and educational advancement and had graduated in political training through responsible participation in local government and in the electoral processes of the Legislative Council, consideration would be given to associating indigenous representatives in the work of the Executive Council. In the case of the Legislative Council, it stated that a plan would be developed and implemented as soon as circumstances permitted to appoint indigenous persons as observers, but it considered that apart from legal difficulties involved the number of observers who could be appointed during the next several years was very obviously limited.

81. The structure of non-statutory district and town advisory councils, confined to non-indigenous persons and reported to deal with matters of predominantly non-indigenous interest, remained unchanged except for an arrangement to bring the town and district councils into closer liaison. Although no new village councils were proclaimed during the year ended 30 June 1954 under the Native Village Councils Ordinance, the Administering Authority reported that preparatory work among new groups had been continued.

(j) *Conclusions and recommendations of the Council*

...

D. THE DEVELOPMENT OF UNIVERSAL ADULT SUFFRAGE AND DIRECT ELECTIONS

(a) *Tanganyika*

82. The Administering Authority announced during the period that it intends that the next step in constitutional development in the Territory, when the new Legislative Council has been well established, should be the introduction of elections on a common roll with appropriate qualifications in specified areas where there may be a substantial demand and their introduction is practical. The Legislative Council will be consulted before such a proposal is implemented; its success is expected to depend to some extent on the prior establishment of a multi-racial outlook in the areas selected, not only with the object of eliminating the need for special protection of minorities but also to avoid the necessity for recognizing and perpetuating existing communal divisions.

83. On the local government level the Administering Authority reaffirmed its policy of extending the elective principle to the newly established organs as and when there is a demand for it. To implement this policy the Administration has invited the urban organs to indicate their wishes, and a committee consisting mostly of local representatives from the townships has studied the problem of adapting the form and procedure of elections to meet varying local conditions.

(b) *Ruanda-Urundi*

84. No further development of the various forms of election employed previously in the establishment of the extra-customary, sub-chiefdom and higher indigenous councils was reported.

(c) *Cameroons under British administration*

85. New electoral regulations were made as a consequence of the introduction of the 1954 Constitution for Nigeria and the Cameroons. Elections to the regional legislatures follow the electoral college system, as previously, requiring two stages in the Southern Cameroons and two or more, according to the constituency, in the Northern Region of which the Northern Cameroons forms part. In the case of the federal legislature, however, elections are now by popular ballot and not by the regional legislatures. The franchise remains as explained in the previous report of the Council, and in practice is exercised by adult males.

86. The elected members of the new Southern Cameroons legislature are those chosen in the last Eastern Region elections in 1953. The six Native Authority members were elected during the period under review, and the first elections to the reorganized Federal House of Representatives were held in December 1954.

(d) *Cameroons under French administration*

87. No change in the electoral laws explained in the previous report of the Council took place during the period, and the categories of persons entitled to vote in either of the two electoral colleges, remained as there described. The number of registered electors showed a further increase from 580,000 in 1952 to 600,300 in 1953 and 630,111 in 1954. The next regular occasion for parliamentary and territorial elections, last held in 1951 and 1952 respectively, will normally occur in 1956 and 1957.

88. Proposals before the French Parliament for elected municipal councils have been mentioned above.

(e) *Togoland under British administration*

89. A revision of the electoral law which accompanied the introduction of the new constitution for the Gold Coast and Togoland extended direct elections by secret ballot and universal adult suffrage to the whole of the Trust Territory. The qualifications for registration were broadened to include those who had paid either the previous or current year's basic local rate; the only other requirements were British nationality or protected status, an age of twenty-one years or more, and ownership of immovable property or six months' local residence.

90. The elections were held on 15 May 1954. The fourteen seats allocated to constituencies lying wholly or partly within the Trust Territory were contested by thirty-eight candidates, including representatives of four political parties. Altogether 124,076 votes were cast out of a registered electorate of 197,000.

(f) *Togoland under French administration*

91. As noted in the case of the Cameroons under French administration, no change in the electoral laws explained in the previous report of the Council took place during the period. The number of registered electors showed a further increase from 113,279 in 1953 to 152,099 in 1954.

92. The next parliamentary and territorial elections, held at five-year intervals, would normally fall due in 1956 and 1957 respectively. With the enactment, however, of the law of 16 April 1955 reorganizing the Togoland institutions, a decision was made to renew the Territorial Assembly immediately, and elections were called for 12 June 1955. The Administering Authority has reported that the elections took place on that date and that nearly

80 per cent of the registered electors took part in the vote. Proposals before the French Parliament for elected municipal councils have been mentioned above.

(g) *Western Samoa*

93. The separate Samoan and European systems of suffrage—confined to the *matai* in the former case and applying to all adults in the latter—were exercised during the period under review. The elections to the Legislative Assembly which are held every three years, took place in April 1954. The choice of the twelve Samoan members was made by the *Fono of Faipule*, itself representing the *matai*, in accordance with rules which they had previously drawn up. Three of the sitting members were returned, two of them unopposed and one after a vote. Three new members were nominated unopposed by their districts and their nominations duly confirmed by the *Fono of Faipule*. In the six other cases two or more nominations were received and the choice was made by vote. The five European members were elected by 840 voters out of a total of 1,263 on the roll. The election of the *Fono of Faipule* held by the *matai* every three years was carried out in September 1954.

94. The constitutional convention, invited by the Administering Authority to consider a system of direct, secret election of members of the legislature upon the widest suffrage which the Samoan people felt able to accept, resolved that in the forty-one *Faipule* constituencies which it proposed as the future Samoan constituencies (subject to a possible increase to forty-five), only the *matai* should have the right either to vote or to be nominated as candidates for election. A qualification proposed by the working committee that this arrangement should be valid "for the time being" was omitted from the resolution, which provided further for the establishment in each constituency of a list of *matai* entitled to vote, and for the use of the ballot only when there was no majority nomination of a candidate. The Administering Authority states that there was encouraging and outspoken support by a small minority for more liberal suffrage methods, but that the notion of suffrage is understood and accepted only by a numerically small group. The majority were firm in their view that the Samoan people neither wanted nor had need of universal suffrage in electing their representatives.

95. The convention, which did not propose any solution to the problem of the separate status of Samoan and European persons, recommended that the present system of suffrage and electoral methods for the Europeans should be retained.

(h) *Nauru*

96. Compulsory adult suffrage, exercised by direct election, remained the basis of the establishment of the Nauru Local Government Council. The occasion for its further exercise did not arise during the period; the renewal of the Council is due to take place, however, not later than December 1955, the end of the maximum four-year interval between elections.

(i) *New Guinea*

97. The systems of suffrage (for non-indigenous and non-alien persons in the case of the Legislative Council and, in effect, for all adults in the case of the village councils) remained as previously described. New elections for the three non-official and non-indigenous members of the Legislative Council, last elected in 1951, were due to take place by November 1954, the end of the statutory minimum three-year interval.

(j) *Conclusions and recommendations of the Council*

E. THE TRAINING OF INDIGENOUS PERSONS AND THEIR APPOINTMENT TO POSITIONS OF RESPONSIBILITY IN THE ADMINISTRATION

(a) *Tanganyika*

98. The civil service of the Territory underwent revision during the period as a result of the acceptance by the Government, with some modifications, of the report of the East African Salaries Commission. The report aimed at providing broad foundations for a public service ultimately to be recruited wholly within Tanganyika, by integrating the existing senior and junior services and by establishing uniform basic salary scales and opportunities of advancement for all persons irrespective of race. In practice, very few Africans have yet qualified and been appointed to the posts previously classified as senior. One of the duties of a Public Service Commission due to be established in 1955 will be to keep lists of posts which may be filled by local candidates of all races and to examine methods of training the candidates to fill them, and a standing committee on training is also being set up.

99. It continues to be the policy of the Government to give every assistance, often by paying fully for fees and subsistence, to African students from secondary schools who qualify for higher education. In 1954, there were 112 Tanganyika students studying at Makerere College in Uganda, as compared with eighty-eight in 1953 and fifty-seven in 1952; in 1953 there were also eleven Africans at universities and colleges overseas, four at co-operative courses in England, and fifteen at an engineering school in Uganda. No indication can, of course, be given as to how many of these students may eventually enter the civil service.

100. The total numbers employed in the civil service in 1953, including the large number of minor posts in the subordinate service, were 16,272 Africans (13,719 in 1952), 1,449 Asians (1,359 in 1952) and 2,835 Europeans (2,747 in 1952).

(b) *Ruanda-Urundi*

101. The Council was informed during the period of a statement of policy made on behalf of the Administering Authority to the effect that it intended to open to the indigenous population, step by step, access to all professions including the public service. For the time being the conditions required from candidates for the higher posts (in which there were 564 Europeans in 1953 as against 524 in 1952) exclude in practice non-European candidates. The lower grades are filled for the most part by indigenous and Congolese agents (597 in 1953 as against 559 in 1952), most of whom have had secondary education.

102. As in 1952, twenty-four Africans from the Trust Territory were taking higher studies, mostly in the Belgian Congo, where all their expenses were being paid by the Government.

(c) *Cameroons under British administration*

103. The basic situation remained as described in the previous report of the Council. While the number of Cameroons Africans appointed to senior positions has remained small, the Council was informed that the Administration was anxious to increase their number and expected a considerable intake from among students presently at universities and university colleges in Nigeria and abroad. The total Government staff employed wholly

in the Trust Territory (as distinct from Nigeria, where some Cameroonians are also employed) in 1952 and 1953 was as follows :

	1952	1953
Cameroonians	843	850
Other Africans	556	512
Non-Africans	94	77

104. During 1953 over forty inhabitants of the Cameroons were known to be studying at universities in West Africa, the United Kingdom, the United States of America and India, as compared with thirty-one in 1952.

(d) *Cameroons under French administration*

105. The basic situation remained as described in the previous report of the Council. Total personnel numbered 2,165 Europeans and 10,147 Africans in 1953; these included eighty-four Africans (as against seventy-three in 1952) and 1,043 Europeans in the higher administrative positions. The Africans in these posts were sixty-three African medical officers (*médecins africains*), a male nurse, nineteen midwives and a pharmacist. Several other administrative posts involving responsibility and trust were also reported to be held by Africans. In addition to other training facilities, a new centre for the preparation of candidates for administrative examinations was opened in 1953 at Yaoundé. Thirty-nine officials holding scholarships were on training courses in France and in adjoining French territories. Scholarships in France granted for higher education in general showed a further increase, from 82 to 109 for the scholastic year 1953-1954.

(e) *Togoland under British administration*

106. Further measures aimed at speeding up the implementation of the now long-standing policy of "Africanization" of the Gold Coast civil service were taken during the period. By the end of 1954 four of the nine administrative officers stationed in Southern Togoland were Africans, and so also was the water development engineer in charge at Ho. There were twelve Togolanders in senior posts in the Gold Coast service as a whole at the end of 1953, and two were appointed to the administrative service during 1954. The most recent totals available of Togoland students undergoing higher education are those given in the previous report of the Council.

(f) *Togoland under French administration*

107. The basic situation remained as described in the previous report of the Council. Total European personnel increased between 1952 and 1953 from 195 to 198 and African personnel from 2,472 to 2,527. The Administering Authority listed in its annual report²¹ a total of 253 Africans belonging to the higher cadres of the service, including 143 teachers, thirty-one midwives and visiting nurses, nineteen public works and railway officials, twenty African medical officers (*médecins africains*), pharmacists and veterinarians and three commissioners and inspectors of police. A further list of forty-three higher posts held by Africans included an official who again served, at the fifteenth session of the Council, as the special representative from the Territory, the acting chief of an administrative sub-division, and a number of others in charge of sections within departments and of district medical, agricultural and other services.

²¹ *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Togo placé sous la tutelle de la France, année 1953*, Paris, Imprimerie Chaix, 1954.

108. The number of scholarship-holders attending higher education courses in French universities increased from fifty-eight in 1952 to sixty-five in 1953 and sixty-eight in 1954. The Administering Authority stated that the number had now reached its normal level, since it was concerned that scholarships should be granted only to students genuinely and effectively engaged in serious duty.

(g) *Western Samoa*

109. The Public Service consisted at the end of 1954 of 1,167 persons of whom, according to an arbitrary classification, seventy-seven were Europeans not domiciled in the Territory, eleven were Europeans locally domiciled, 193 were Europeans born in the Territory and 886 were Samoans. Of ninety-seven senior posts actually occupied, three were held by Samoan senior assistant administrative officers and five by Samoan professional or technical officers. Sixty-two of these posts were held by Europeans not domiciled in the Territory and the remainder by domiciled Europeans (ten) and local Europeans (seventeen).

110. The Administering Authority states that the vast majority of those employed in the public service, in the judiciary and in the local government organization are Samoans or part-Samoans who regard the Territory as their homeland. One assistant public service commissioner, the registrar of the Land and Titles Court and the registrar of the High Court are Samoans; the only full-time Commissioner of the High Court, the Postmaster, the Collector of Customs and the Assistant Secretary (District Affairs) are part-Samoans of European status; and many other local officers hold responsible positions.

111. Nineteen of the scholarship-holders sent to New Zealand have so far returned to take up positions in the Public Service. Requirements for staff training were the subject of a special inquiry towards the end of 1954. Six members of the Public Service were seconded during the year to the New Zealand service for periods of training.

112. The constitutional convention recommended that the Government of Western Samoa should control its own public service.

(h) *Nauru*

113. The total number of Nauruans employed by the Administration in 1953-1954 was 258, as compared with 288 in the previous year. In addition to the Head Chief who holds the post of Native Affairs Officer and is also a district magistrate, in May 1954 the senior Nauruan clerk in the post office was appointed postmaster, a position previously filled by a European; the others were employed in a variety of posts including assistant medical practitioners, teachers, radio technicians, works foremen, mechanics, clerks and labourers. The Administering Authority reported on plans being developed for technical training in Australia at the tertiary level, and cadetships for administrative training, and also on a study about to be made of the development of all forms of technical and vocational training. In 1954 twenty-eight students were undergoing secondary education in Australia as compared with twenty-three in the previous year. No Nauruan was yet reported to be studying at the university level.

(i) *New Guinea*

114. The annual report for 1953-1954 described the general situation outlined in the previous report of the Council, including the preparation being made for an auxiliary division which would associate indigenous personnel for the first time with the public service proper.

A scholarships scheme to send indigenous pupils to secondary schools in Australia was inaugurated in 1954 with the award of six scholarships. Six other students were taking medical courses in Fiji.

(j) *Conclusions and recommendations of the Council*

...

F. THE DEVELOPMENT OF ADEQUATE PUBLIC REVENUE ²²

(a) *Tanganyika*

115. The fall in certain world commodity prices, especially that of sisal, from the high levels of the previous two years was reflected in 1953 in the total of ordinary revenues—£14.7 million as against £15.8 million in 1952. The revenues nevertheless maintained their otherwise normal increase over earlier years, and were estimated at £15 million for 1954-1955. The largest sources in 1953 were customs and excise revenues (£4.4 million) and direct taxes and fees (£7.1 million). The special export tax on sisal was removed with the drop in market prices; a similar kind of graduated tax was applied to coffee in 1954. Among other new tax measures, the Government decided to establish a graduated non-racial personal tax amounting in most cases to about 10 shillings a year which would replace its approximate half-share of the African house and poll tax and also supplant the non-native poll tax.

116. Revenue for development purposes, separate from the ordinary budget, amounted to £3.2 million and included £0.85 million in grants from the Administering Authority. The revenue of the Native Authorities for 1954 was estimated at approximately £2.2 million. Revenue of the Dar-es-Salaam municipality for the same year was estimated at £361,000.

(b) *Ruanda-Urundi*

117. Ordinary revenues increased from 593 million Belgian francs in 1952 to an estimated 620 million francs in 1953 and 644 million francs in 1954, the principal sources being customs and excise duties (229 million francs in 1954), head taxes on the indigenous inhabitants (111 million) and income tax (76 million). Under the extraordinary budget, the main source of which is an annual interest-free advance voted by the Belgian Parliament, the total credits which had been available by the end of 1953 were 952 million francs, of which 588 million had been thus far committed to projects under the development plan.

118. Independently of both of these budgets, those of the indigenous treasuries amounted at the end of 1953 to 328 million francs.

(c) *Cameroons under British administration*

119. In the fiscal year 1953-1954, when the Trust Territory had no budget independent of that of the Nigerian federal and regional budgets, total Government revenue attributable to the Trust Territory was estimated at £1.1 million, a fall from the provisional total of nearly £2 million in the previous year. For the first time since 1948-1949 an apparent deficit—the relatively large one of £400,000—was revealed. The apparent surpluses in the intervening years had been set aside in actual funds for capital development and used mainly for road

construction (£296,000 in 1952-1953). The deficits, on the other hand, have been met by the Nigerian budget as a whole and are not required to be made up by the Territory. Since the latter part of 1954, the Southern Cameroons Government has had its own regional budgetary arrangements, to be subsidized when necessary by the Federal Government; it was able to balance its first budget, covering the period from October 1954 to March 1955.

120. In the past, the main sources of Government revenue attributable to the Trust Territory have been companies tax, notably that derived from the statutory Cameroons Development Corporation, and customs duties. The Trust Territory also benefits from its share of development grants made to Nigeria by the Administering Authority, included in the figures given above and totalling £112,000 in 1952-1953. The independent budgets of the Native Authorities had total revenues of £382,200, mainly derived from local taxes and fees but including certain grants from territorial funds. A further separate source of revenue for public purposes is the surplus profit of the Cameroons Development Corporation (£60,285 in 1953).

(d) *Cameroons under French administration*

121. Revenues in the territorial budget, of which indirect taxation is the largest source, amounted to 12,300 million francs CFA ²³ in 1953 as compared with 8,200 million francs in 1952. As previously, part of the costs of administration (salaries of administrators and magistrates, armed forces and certain other services) was met from the budget of the French Republic, involving a total of 714 million francs metropolitan in 1953 against 326 million francs in 1952. A total of 597 million francs CFA expended in 1953 by the nine municipalities was derived partly from other local revenues.

122. Under the Fonds d'investissement pour le développement économique et social des territoires d'outre-mer (FIDES), a total of 18,000 million francs which had been committed between 1947 and the end of 1953 was derived almost equally from contributions by the Administering Authority (7,867 million francs) and from advances made by the Central Bank of Overseas France (7,544 million francs). With the start of the second four-year plan (1953-1957) it has been decided that the Administering Authority should contribute 75 per cent of the financing in the form of grants, while the local contribution will be reduced to 25 per cent, to be financed by low-interest advances repayable in twenty-five years.

(e) *Togoland under British administration*

123. The estimates of Government revenue derived from the Trust Territory, which has no budget of its own, showed a total of over £2 million in 1952-1953, representing an increase of more than £0.5 million over the previous year. The main items of ordinary revenue were import duty (£544,000) and export duty (£644,000); an amount almost as large represented a transfer from accumulated development funds of £585,000. Grants from the Administering Authority totalled £42,000 and from the Cocoa Marketing Board £29,000. The apparent surplus of ordinary revenue over ordinary expenditure allowed an additional £258,000 to be placed to the Trust Territory's development reserve, bringing it to £572,000. Over and above all these funds, the Gold Coast Government in 1953 allocated an additional £2 million for projects in Togoland and in the Trans-Volta Region which includes Southern Togoland. New forms of development

²² The budgetary systems in the various Trust Territories were explained at some length in the previous report of the Council.

²³ One franc CFA equals two French francs.

revenue more recently introduced are a graduated tax on cocoa exports and the floating of local loans.

124. Local councils in the Southern Section of Togoland derived £124,000 in revenues, including Government grants, in 1952-1953 and £177,000 in the following year.

(f) *Togoland under French administration*

125. Revenue in the territorial budget in 1953 totalled 1,527 million francs CFA as against 1,411 million francs in 1952, and was 204 million francs less than expenditure. The principal sources were customs receipts, direct taxation and refundable advances. Steps were taken during the year towards the establishment of a general system of income tax.

126. In 1953 the expenditure made in the first phase of the development plan amounted to 483 million francs CFA, raising the total since 1947 to 2,346 million francs, financed in approximately equal shares by grants from the metropolitan power and refundable advances. The new division of development funds between French Government grants and repayable advances has been mentioned above in connexion with the Cameroons.

(g) *Western Samoa*

127. The receipts of public revenues in 1954 reached a total of £1.15 million as compared with £0.9 million in 1953. A deficit of £16,940 was occasioned by developmental expenditure which totalled £0.25 million and was paid for mainly from the surplus of ordinary revenue over recurrent expenditure (£170,400) and otherwise by grants from the profits of the New Zealand Reparation Estates (£54,500) and withdrawal from the capital development reserve (£29,000). The main source of ordinary revenue was indirect taxation, accounting for £708,000, with public undertaking providing £81,000 and direct taxation £45,000. The accumulated cash surplus, mainly invested in New Zealand, totalled just under £598,000 at the end of the year.

128. The revenue pattern of the Territory has been completely reviewed by a departmental committee set up for the purpose. The main recommendation envisages the introduction of income tax as such, which would be largely achieved by consolidating the present salary, store and amusement taxes and altering slightly the present bases of assessment. Building and copra taxes would be abolished completely. Export duty, although not in

theory a desirable form of taxation, would be retained for want of a practical alternative. It is estimated that the revised system, on which public comment has been invited, would produce roughly the same amount of revenue as is presently being received.

(h) *Nauru*

129. The manner in which the administration and other development of the Trust Territory is financed almost entirely from the earnings of the British Phosphate Commissioners remained basically as described in the previous report of the Council, but the arrangements have been revised in certain details. Where previously the cost of administration was financed mainly from a royalty paid for the purpose, the Commissioners now, after the budget has been approved by the Administering Authority, make funds available by quarterly instalments to cover all administration expenditures which are not met from other revenue. Revenue from this and other lesser sources amounted in 1953-1954 to £237,000 as compared with £179,000 in the previous year and covered for the first time the cost of Nauruan education, previously met from the Nauruan Royalty Trust Fund. This latter fund is now to be used, at the suggestion of the Nauru Local Government Council, for financing such activities of the Council as are approved by the Administration. The fund received during the period, from a royalty of 3d. per ton of phosphate exported, a total of £15,000 which eliminated a deficit and left a balance of £6,700. A second public fund, the Nauruan Community Long-Term Investment Fund, financed by a royalty of 5d., increased to £108,000.

(i) *New Guinea*

130. The internal revenues of the Territory, derived very largely from customs charges, increased from £1.5 million in 1952-1953 to just under £2 million in 1953-1954, but again required a grant by the Administering Authority, in much larger amount, to meet expenditures. This grant rose from £2.8 million to £3.1 million.

131. The revenues of the indigenous village councils also showed a further increase to just over £30,000. The principal source is local taxes, accounting for £27,000.

(j) *Conclusions and recommendations of the Council*

...

DOCUMENT T/L.579/Add.1

Addendum to the report of the Secretary-General

[Original text : English]
[19 July 1955]

Note : As requested at the 642nd meeting of the Council, the Secretariat has prepared, for insertion at the indicated places in the draft report annexed to T/L.579 the following amendments and additional paragraphs relating to constitutional changes in Western Samoa.

II. MEASURES INTENDED TO LEAD THE TRUST TERRITORIES TO SELF-GOVERNMENT OR INDEPENDENCE

A. GENERAL SITUATION

Paragraph 21

(g) *Western Samoa*

Insert, after the words "Head of State", the words "consisting of the two *Fautua* acting jointly and".

Paragraphs 22 and 23

Replace these paragraphs by the following :

"22. The Administering Authority published on 16 June 1955 and subsequently communicated to the Trusteeship Council proposals for further constitutional development based on the recommendations of the Convention. The principal step envisaged is the establishment after September 1957 of the desired single legislature, to be followed at a later stage by the formation of a fully responsible executive branch.

"23. The form of the future relationship with New Zealand would depend, the Administering Authority stated, on the course of the Territory's constitutional development. The scope of the responsibilities which it would be proper for New Zealand to bear if it was

to provide protection for the Territory's interests in the international sphere would, in part, be defined by the same process. The Administering Authority must at the same time have regard to its obligations under the Trusteeship Agreement. The major constitutional changes now contemplated would involve eventual amendment or termination of the present agreement, and the United Nations would need to satisfy itself that the objectives of the Trusteeship System were being realized.

"23a. Concerning the proposal that the Head of State should consist of the two *Fautua*, the Administering Authority stated that this question was obviously one in which the feelings and loyalties of the Samoan people were properly and deeply involved and it did not propose at this stage to comment on the recommendations."

B. CONSULTATIONS WITH THE INHABITANTS IN REGARD TO THE MEASURES TAKEN OR CONTEMPLATED TOWARDS SELF-GOVERNMENT

(g) *Western Samoa*

Insert after paragraph 43 a new paragraph as follows:

"43a. Further consultations are envisaged before the agreed constitutional changes are put into effect. In outlining, in the light of the recommendations of the Convention, proposals for the development of the existing political institutions, the Administering Authority stated that before formulating these proposals more specifically it would welcome their discussion in public as well as in the Executive Council, the Legislative Assembly and the Fono of Faipule. It also expressed confidence that the inhabitants would give further thought to improving the franchise and welcomed the establishment of a Samoan Status Committee as a means of further discussion of the unresolved problem of common status."

C. DEVELOPMENT OF REPRESENTATIVE, EXECUTIVE AND LEGISLATIVE ORGANS AND THE EXTENSION OF THEIR POWERS

(g) *Western Samoa*

Insert after paragraph 78 a new paragraph as follows:

"78a. The Administering Authority subsequently announced its agreement that a single legislature should be established. It proposed that the new body should be convened after the end of the term of the present Fono of Faipule in September 1957. The question of the composition and powers of the new legislature would receive the fullest consideration by the Administering Authority before any final action was taken. The Administering Authority also agreed that ultimately a premier and a cabinet of ministers, all of whom would be members of the legislature, should constitute the executive branch of government; but it had concluded that it would be in the best interests of the Territory to allow further time to pass and experience to accumulate before this objective was realized. During the period of reorganization of the legislature the High Commissioner would continue to act as chief executive; and in the meantime the "Associate Member" system in the Executive Council would be extended and otherwise developed."

D. THE DEVELOPMENT OF UNIVERSAL ADULT SUFFRAGE AND DIRECT ELECTIONS

(g) *Western Samoa*

Insert after paragraph 95 a new paragraph as follows:

"95a. The Administering Authority subsequently announced its agreement that a permanent Samoan membership of forty-five would be suitable and that the suffrage in the Samoan constituencies should be limited for the time being to *matai*. It stated, however, that it did not share the misgivings of the Convention that a widening of the formal basis of political representation would necessarily have harmful effects, and it saw reason to expect that the people would continue to give thought to ways and means of liberalizing the franchise."

E. THE TRAINING OF INDIGENOUS PERSONS AND THEIR APPOINTMENT TO POSITIONS OF RESPONSIBILITY IN THE ADMINISTRATION

(g) *Western Samoa*

Paragraph 112

At the end of this paragraph add the following:

"The Administering Authority envisaged that the future self-governing State would do so, subject only to such separate arrangements relating to seconded officers as might be agreed on. In the meantime the possibility was being examined of giving the Government of Western Samoa a more direct voice in matters affecting public service policy."

F. THE DEVELOPMENT OF ADEQUATE PUBLIC REVENUE

(g) *Western Samoa*

Paragraph 128

Amend this paragraph to read as follows:

"128. The revenue pattern of the Territory has been completely reviewed by a departmental committee set up for the purpose, and changes in the tax structure have followed. Legislation has been adopted to substitute income tax for the existing system of stores and salary taxes, and among other changes a sliding scale of export duty on cocoa has been established and the port and service tax on imports abolished.

"128a. A completely new customs tariff schedule of import duties has been brought into effect, providing for duties in three main classes, with essential goods in the lowest class on a rate of 15 per cent, the other classes carrying rates of 33.5 per cent and 45 per cent (25 per cent and 33.5 per cent respectively in the case of British Preference). An economic survey carried out under the joint auspices of the Samoan Government and the South Pacific Commission has served to emphasize that *per capita* production has not kept pace with the great natural increase in population; the Administering Authority considers that although the Territory is in a sound financial position it will soon be unable, unless production is increased, to use any of its current revenue for capital development or to increase substantially the present services."

DOCUMENT T/L.591**United Kingdom of Great Britain and Northern Ireland: amendments to the draft report prepared by the Secretary-General (T/L.579, annex)**

[Original text: English]
[7 July 1955]

Paragraph 6, first sentence

- (a) Replace the words "as the outcome of" by the word "following";
- (b) Replace the words "defined its position" by the words "re-affirmed its attitude".

Paragraph 31, first sentence

Replace the words, "on which the new House of Assembly, containing an elected majority, is expected

shortly to play a legislative and not merely consultative role" by the words "in which the new House of Assembly, containing an elected majority, now plays a legislative and not merely a consultative role".

Paragraph 61, second sentence

Replace the words "are not related to" by the words "do not wholly follow".

DOCUMENT T/L.602**Report of the Committee on the Question of the Attainment of Self-Government or Independence**

[Original text: English]
[15 July 1955]

1. At its 632nd meeting on 7 July 1955 the Trusteeship Council established a Committee consisting of representatives of Haiti, India, New Zealand and the United States of America to consider how the question of the attainment by the Trust Territories of the objective of self-government or independence (General Assembly resolutions 752 (VIII) and 858 (IX), Trusteeship Council resolution 1085 (XV), and T/L.500, T/L.579 and T/L.591) should be dealt with, and to submit a report on the matter to the present session of the Council.

2. The Committee held three meetings, on 13, 14 and 15 July 1955, at the first of which it elected Mr. Max H. Dorsinville (Haiti) as its Chairman, and at the last of which it adopted unanimously its present report to the Council.

3. The Committee noted that the requests made by the General Assembly in its resolutions imply the establishment of a permanent procedure of annual reporting by the Council on the question. Considering the matter in the first instance from the point of view of a permanent procedure, the Committee agreed that the Council's consideration of the question of the attainment of self-government or independence, since that is the ultimate objective of the Trusteeship System, should preferably not be separated from the regular and detailed examination by the Council of conditions in each Trust Territory and its appraisal of political, economic, social and educational development.

4. The Committee therefore endeavoured to devise a procedure which, if adopted by the Council, would ensure on the one hand that the progress of each of the Trust Territories concerned towards the ultimate objective should be appraised at the time when the Council had the whole situation in the Territory under review and had all the relevant information at its disposal, and which would meet on the other hand the evident desire of the General Assembly that particular attention should be given to the question and separate sections accorded to it in the Council's reports.

5. The Committee recognized that the most suitable occasion for that appraisal would be the occasion of the Council's examination of the annual report on each of the Trust Territories concerned. It considered that the Council should therefore be invited to decide to give standing instructions to each drafting committee concerned to prepare, for the approval of the Council, appropriate draft conclusions and recommendations concerning the question of the attainment of self-government and independence in the light of the resolutions of the General Assembly.

6. The Committee accordingly recommends to the Council the adoption of the draft resolution annexed to this report.

7. The Committee recognized that the procedure which it has recommended could not suitably be applied for the purposes of the report of the Council to the tenth session of the General Assembly. It noted that all of the relevant drafting committees except that on Western Samoa had already completed their work, either at the fifteenth session or during the present session. It noted further that the Council had already adopted in part the procedure applied in 1954 by requesting the Secretary-General to draft the factual basis of a separate section of its report (T/L.579), to which amendments had been submitted (T/L.591) and for which proposed conclusions and recommendations were before it (T/L.500). The Committee considered that in these circumstances a separate section should be included in the report of the Council to the tenth session of the General Assembly, taking into consideration the terms of General Assembly resolution 752 (VIII), and that it should be for the Council to determine the treatment of this question during its sixteenth session.

ANNEX**DRAFT RESOLUTION**

[For the text of this draft resolution, adopted without change by the Trusteeship Council at its 642nd meeting, see Council resolution 1254 (XVI).]

DOCUMENT T/L.609

Belgium : amendments to the draft report prepared by the Secretary-General (T/L.579, annex)

[Original text: French]
[19 July 1955]

Paragraph 29

Replace the second sentence by the following :

"The Council of the Vice-Government-General is the chief body in which representatives of the population are called upon to give their views on budgetary or administrative matters affecting the Trust Territory as a whole. The higher councils of the two *pays*, the chiefdom and sub-chiefdom councils draw up the local budgets of the *circonscriptions* and take decisions within the limits of the powers vested in them by custom or by law. Like the councils of the Territory they may also express their views on all problems of local interest."

Paragraph 50

In the fourth sentence replace the words "sub-chiefdom councils" by the words "higher councils of the *pays*, chiefdom and sub-chiefdom councils".

Paragraph 84

Replace the paragraph by the following :

"No further development of the various forms of voting employed for the election of the members of extra-customary centre, sub-chiefdom and chiefdom councils, councils of the Territory and higher councils of the *pays* was reported."

Paragraph 101

Add the following at the end of the paragraph :

"... This figure does not include the considerable number of Africans who are employed in the administration but who have not the status of permanent officials of the Ruanda-Urundi Government. There are also many administrative posts in the administration of the two *pays* of Ruanda and Urundi and of the *circonscriptions* of which they are composed. These posts involve the exercise of authority and the assumption of responsibilities which are often substantial. They are all held by indigenous inhabitants."

DOCUMENT T/L.617

France : amendments to the draft report prepared by the Secretary-General (T/L.579, annex)

[Original text: French]
[20 July 1955]

Paragraph 32 :

Replace the first two sentences by the following :

"Since the people send their elected representatives to serve on the various organs of the French Parliament, it may be noted that there is consultation at the highest level whenever any reform is contemplated. These representatives have the same opportunities for taking action as any other members of parliament ; they have free access to the tribune of Parliament to introduce draft legislation and speak in favour of it and they may call on the Government to explain its actions, if they so desire. With particular reference to the municipal government reforms recently undertaken in the Territory, these representatives were able to put forward their views in Parliament, in the same way as the elected representatives in the Territorial Assembly were able to make their statements in the first stage of the discussion. The Administration in the first instance . . . etc."

Replace the last sentence by the following :

"At the time of the sixteenth session of the Trusteeship Council the bill had just been adopted at the second reading by the National Assembly."

Paragraph 35

Replace the first two sentences by the following :

"The observations at the beginning of paragraph 32, referring to the Cameroons under French Administration, apply also to Togoland under French Administration. Thus the bill to reform the political institutions of this Territory, which was introduced in 1952 and became the Act of 15 April 1955, underwent considerable modification . . .".

Paragraph 72

The amendment applies to the French text only.

Paragraph 92

Replace the words "nearly 80 per cent" by "82 per cent".

Paragraph 105

Replace the first four sentences by the following :

"Total personnel numbered 2,165 Europeans and 10,147 Africans in 1953. The higher posts in the Administration were occupied by officials in the general grades, in all 1,043 Europeans and 84 indigenous

inhabitants; the latter included 63 Africans medical officers (*médecins africains*), one male nurse, 16 midwives and one pharmacist. The annual report and statistics of the Administering Authority show that similar posts are also occupied by "senior" grade staff, including those in category A senior grades, who have the same status as the general grade staff and are recruited at the *baccalauréat* level. In 1953 there were

166 indigenous staff in these grades. The Administering Authority has also reported that the State railways, the staff of which is not shown in the statistics of Administration personnel, employed 5,576 persons, including 188 Europeans. This figure included 728 African officials of 'special status' (*statut particulier*) occupying responsible or skilled posts and 4,840 Africans in subordinate posts."

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/C.4/299	Bill concerning the territorial and regional institutions of Togoland under French administration approved by the National Assembly on 3 November 1954		Mimeographed document only
T/C.1/...	Report of the Secretary-General		Documents in this series are mimeographed only
T/L.464 and Corr.1 and Add.1			For the draft report annexed to this document, see <i>Official Records of the General Assembly, Ninth Session, Supplement No. 4, part III</i>
T/L.500	India: draft conclusions and recommendations	1	
T/L.579	Report of the Secretary-General	4	
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T/L.591	United Kingdom of Great Britain and Northern Ireland: amendments to the draft report prepared by the Secretary-General (T/L.579, annex)	21	
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Agenda item 13: General Assembly resolution 855 (IX): Financing of the economic development plans of the Trust Territory of Somaliland under Italian administration

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DOCUMENT T/1186

Note by the Secretary-General

[Original text: English]
[17 June 1955]

1. At its 512th meeting, on 14 December 1954, the General Assembly adopted resolution 855 (IX) on the financing of the economic development plans of the Trust Territory of Somaliland under Italian administration. In operative paragraphs 2 and 3 of that resolution, the General Assembly:

"2. Requests the Secretary-General to consider in agreement with the Italian Government the advisability of asking the International Bank for Reconstruction and Development to send a mission of experts to study the situation and the possibilities of economic development in the Trust Territory of Somaliland under Italian administration."

"3. Requests the Trusteeship Council to continue its study of the question and on the basis of the conclusions of the 1954 Visiting Mission to Trust Territories in East Africa and the report of the Bank, if the plan for the mission referred to in the preceding paragraph is carried out, to endeavour to decide on practical measures for financing the economic development plans for Somaliland and to report to the General Assembly at its next session;"

2. By a letter dated 23 December 1954, the Secretary-General transmitted to the Italian Minister for Foreign Affairs a copy of the resolution and requested him to communicate the views of his Government on the advisability of asking the International Bank for Reconstruction and Development to send a mission of experts to the Territory.

3. By a letter of the same date, the Secretary-General also transmitted a copy of the resolution to the President of the International Bank and informed him that the Italian Government was being approached to ascertain its views on the sending of a mission.

4. By a letter dated 26 January 1955, the Italian Foreign Minister informed the Secretary-General "that the Italian Government, having noted the said resolution with the greatest appreciation, declares itself entirely in favour

of the General Assembly proposal to ask the International Bank for Reconstruction and Development to send a mission of experts to study the situation and the possibilities of economic development in the Trust Territory of Somaliland under Italian administration".

5. By a letter dated 29 December 1954, the Director of the Technical Assistance and Liaison Staff of the International Bank, on behalf of the President of the Bank, acknowledged the receipt of the Secretary-General's letter.

6. A meeting of the representatives of the Italian Government, the International Bank for Reconstruction and Development and the Secretary-General was held at United Nations Headquarters on 1 June 1955 to discuss questions relating to the implementation of General Assembly resolution 855 (IX).

7. By a telegram dated 9 June 1955 the President of the International Bank informed the Secretary-General of his reluctance to accede to the request that a mission of the Bank be sent to the Territory in view of the heavy schedule of operational activities to which the Bank was committed and the availability of alternative means for carrying out such a study through a mission of experts organized by the Secretary-General of the United Nations. The hope was expressed that the Trusteeship Council would find it possible to work out some such alternative satisfactory to all parties concerned. Should this not prove feasible, the Bank would be willing to consider the matter again. However, in order to conform to the Bank's regular pattern of operations, which was based on the requirement of its charter that Bank resources and facilities should be used exclusively for the benefit of members, the President of the Bank expressed the belief that any such request should come from the Government concerned, which had membership of the Bank, and that the mission's report should be addressed to that Government, although it would of course be available to the Trusteeship Council.

DOCUMENT T/L.608/Rev.1

India and Syria : revised draft resolution

[Original text: English]
[20 July 1955]

The Trusteeship Council,

Having noted that the General Assembly, in its resolution 855 (IX), had requested the Secretary-General to consider in agreement with the Italian Government the advisability of asking the International Bank for Reconstruction and Development to send a mission of experts to study the situation and the possibilities of economic development in the Trust Territory of Somaliland under Italian administration, and that it had requested the Trusteeship Council to continue its study of the financing of the economic development plans of the Trust Territory and on the basis of the conclusions of the 1954 Visiting Mission to Trust Territories in East Africa and the report of the Bank, if the plan for the mission referred to above was carried out, to endeavour to decide on practical measures for financing the economic development plans for Somaliland and to report to the General Assembly at its tenth session,

Having been informed by the Secretary-General that the International Bank was reluctant to accede to the request that a mission of the Bank be sent to the Territory but that it would be willing to consider the

matter again in the event that the Trusteeship Council were unable to find it possible to work out alternative means for carrying out such a study satisfactory to all parties concerned, and that any such request should come from the Government concerned, which has membership of the Bank, and that the mission's report would be addressed to that Government,

Having noted the statement of the representative of Italy that the Italian Government considered it necessary that the International Bank should consider the matter again and agree to dispatch a mission, and that to this end the Italian Government would be glad to address a direct invitation to the Bank, requesting also that the final report should be presented concurrently to the Trusteeship Council,

Noting further the statement of the representative of Italy that such a report would enable the Italian Government to submit to the Trusteeship Council a plan as regards problems which required immediate examination and those relating to the economy of the Territory after 1960 when it would become independent,

Decides to take note of these statements.

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Agenda item 15: General Assembly resolutions 557 (VI) and 753 (VIII): Educational advancement in Trust Territories: report of the Secretary-General on offers of study and training facilities for inhabitants of Trust Territories

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DOCUMENT T/1184 and Add.1
Report of the Secretary-General

[Original text: English]
[14 June 1955]

INTRODUCTION

1. The present document constitutes the fourth progress report on the operation of the programme of fellowships, scholarships and internships initiated by General Assembly resolution 557 (VI) of 18 January 1952. The three previous reports were submitted to the Trusteeship Council in documents T/1024, T/1065 and Add.1 and 2 and T/1127.

2. During the period since the submission of the last progress report, seven Member States have continued to offer or have made new offers of fellowships, scholarships or internships for inhabitants of Trust Territories. Detailed information concerning these offers, as well as the applications received in connexion therewith, is set forth below.

OFFERS BY MEMBER STATES

3. Altogether a total of 11 fellowships and 34 scholarships were offered to suitable candidates from Trust Territories by 7 Member States during the period covered by this report. Of this total 16 offers of scholarships (made by India, the United States of America and the Union of Soviet Socialist Republics) were new offers made during the period under review, and the remainder (11 fellowships and 18 scholarships offered by Yugoslavia, the Philippines, Turkey and Indonesia) were offers previously made and continuing in force.

4. In addition to the above, one Member State (Syria) offered to assign three instructors to teach the Arabic language in Somaliland under Italian administration.

5. In the following paragraphs is set forth information on the offers made by each of the States concerned.

(a) India

6. By a note dated 28 September 1954, the Secretary-General was informed that the Government of India had decided to offer, under the 1955-1956 Cultural Scholarship Scheme, two scholarships for students from Trust Ter-

ritories for the academic year 1955-1956. The offer included a monthly allowance of 200 rupees plus the capitation, tuition and examination fees. Travel charges to and from India were not included. The closing date for the receipt of applications was initially given as 1 December 1954 but was subsequently extended upon request of one Administering Authority to 1 January 1955. By a note dated 10 June 1955 the Secretary-General was informed that the Government of India had now made the necessary provisions for the grant of free passages to students selected from Trust Territories.

(b) Indonesia

7. There was no change in the scope and conditions of the four fellowships offered by the Government of Indonesia for post-graduate studies at Indonesian universities and the two fellowships for study at universities outside Indonesia.

(c) Philippines

8. There was no change in the information submitted by the Government of the Philippines relating to the availability of eleven scholarships in Philippine institutions and outlined in a previous report of the Secretary-General (T/1065).

(d) Syria

9. By a note dated 10 July 1954, the Secretary-General was informed that the Government of Syria had decided to assign three teachers of the Ministry of Education to teach the Arabic language in schools in Somaliland under Italian administration. The Secretary-General communicated this proposal to the Italian observer to the United Nations on 15 July 1954.

(e) Turkey

10. There was no change in the scope and conditions of two university scholarships offered by the Government of Turkey which were outlined in previous progress reports of the Secretary-General (T/1065, T/1127).

(f) *Union of Soviet Socialist Republics*

11. By notes dated 19 and 24 May 1955, the Secretary-General was informed that the Government of the Union of Soviet Socialist Republics had decided to grant ten scholarships to students from Trust and Non-Self-Governing Territories for study in the USSR. The Secretary-General transmitted this information to the Administering Authorities on 25 May and 13 June 1955.

(g) *United States of America*

12. By a note dated 24 November 1954, the Secretary-General was informed that the Government of the United States of America had made available under Public Law 402 four grants for the academic year 1955-1956 to students from Trust Territories including funds for travel, maintenance, orientation and tuition, as for the previous year. Applications for these grants were to be submitted by 1 March 1955. The note also contained reference to the various other educational facilities outlined in the last progress report (T/1127). The Secretary-General transmitted this information to the Administering Authorities on 30 November 1954.

(h) *Yugoslavia*

13. There has been no change in the scope and conditions of the five fellowships for special training and five university scholarships which are under offer by the Government of Yugoslavia. In a note dated 24 February 1955, the Permanent Representative of Yugoslavia to the United Nations expressed the desire that the Secretary-General should bring to the attention of the Administering Authorities the fact that these facilities were offered by his Government and that financial allocations had been made in 1952, but that none had been utilized so far. The Secretary-General communicated the contents of that note to the Administering Authorities on 2 March 1955.

APPLICATIONS FORWARDED TO THE SECRETARY-GENERAL BY ADMINISTERING AUTHORITIES

14. During the period covered by this report, twelve applications for scholarships were forwarded to the Secretary-General by the Administering Authorities of the Trust Territories concerned. Of this number, seven emanated from Somaliland under Italian administration (five of which were subsequently withdrawn), four from Togoland under British administration and one from Togoland under French administration. Three candidates from the Cameroons under French administration, whose applications had been noted in the last progress report (T/1127), withdrew their applications.

15. By a note dated 13 December 1954, the Permanent Representative of the United States of America to the United Nations informed the Secretary-General that his Government appreciated the offer of the Indian scholarship, but regretted there were no candidates in the Trust Territory of the Pacific Islands in a position to qualify for this offer. This information was transmitted to the Permanent Representative of India to the United Nations.

16. In the following paragraphs is set forth information on the applications and withdrawals forwarded to the Secretary-General by the Administering Authorities.

(a) *Cameroons under French administration*

17. By a note dated 30 November 1954, the Administering Authority informed the Secretary-General that three candidates, whose applications were noted in the last progress report (T/1127), had withdrawn their applications. The candidates concerned were Mr. Paul Asombo, who had applied for a scholarship in Turkey, Mr. Samuel Mounet, who had applied for a scholarship in Yugoslavia, and Mr. Josué Emanuel Mbock, who had applied for a scholarship in India. The Secretary-General transmitted this information to the Member States offering the scholarships on 2 and 3 December 1954.

(b) *Somaliland under Italian administration*

18. During August to November 1954, the Administering Authority transmitted seven applications, all of which were for scholarships in secondary education in India. Five of these applications were subsequently withdrawn for personal reasons, and in one case, because the applicant had left for Egypt to pursue his studies in that country. These applications were from Messrs. Abdulaziz Haji Dirie Hersi, Mahamud Jama Mohamed, Abdullahi Haji Abdirahman, Hersi Magan Issa and Mahamud Said Aden Hassan. Two candidates, Messrs. Yassin Sugulle Habsei and Ali Said Mahamud Farah maintained their applications.

(c) *Togoland under British administration*

19. By a note dated 8 February 1955, the Administering Authority transmitted applications from the following four candidates: Messrs. Emmanuel Mark Datsa and Stephen Newton Kwami Bedu Botsyoe, both for scholarships in Turkey; Mr. Jonas Anderson Var'ndi Asamoah, for a scholarship in Yugoslavia; and Mr. Gershon Seth Kwami Dzansi for a scholarship in either the United States of America or the Philippines. The Secretary-General transmitted these applications to the Member States offering the facilities on 11 February 1955.

(d) *Togoland under French administration*

20. By a note dated 2 October 1954, the Administering Authority transmitted an application from Mr. Gaston Dossou for a scholarship in engineering in the United States of America. This application was forwarded to the Permanent Representative of the United States on 7 October 1954. The Secretary-General was subsequently informed, by a further note dated 24 February 1955, that this candidate had submitted a new application for the academic year 1955-1956.

APPLICATIONS RECEIVED DIRECTLY BY THE SECRETARY-GENERAL

21. During the period covered by this report, the Secretary-General transmitted to Member States offering educational facilities and to the Administering Authorities concerned, thirty-five applications received directly from candidates from Trust Territories. These applications were as follows:

(a) *Applications from Togoland under British administration*

Name	Type of scholarship requested	Country requested	Date of transmittal
Moses E. K. Adibo	Medical courses	Yugoslavia	7 October 1954 and 4 January 1955
Miss Elizabeth Aku Aklaku	Pharmacy	Yugoslavia	16 August 1954
Theodore Kwaku Amanier	Agriculture	India	4 January 1955

(a) Applications from Togoland under British administration (continued)

Name	Type of scholarship requested	Country requested	Date of transmittal
C. Y. Anku	Arts and crafts, technology	India	10 November 1954
G. K. Apasu-Gbotsu	Higher education in administration	United States of America	7 November 1954
Kenneth N. K. Asafo	Agricultural engineering	United States of America	17 August 1954
Jonas Anderson V. Asamoah	Political science or economics	Yugoslavia	6 August 1954
Kodzo Ayeke	Law or economics	Yugoslavia	24 August 1954
Gershon Komla Brese	Agriculture	United States of America	18 October 1954
Ernest Christian Kwasi Buami	Higher education, economics or agriculture	Philippines, Turkey	30 August 1954
Ennocent Dzimego Dartey	Higher education	United States of America	2 September 1954
Emanuel Kudoga Dickens	Secondary education	India	7 December 1954
Gershon Seth Kwami Dzansi	Economics, political science	United States of America, Philippines	24 and 25 August 1954
Clemence Akoto Klayi	Economics	Philippines, United States of America, Turkey	23 August 1954
Emmanuel Kallai	Crafts	United States of America	16 and 18 August 1954
Seth Michael Kweku Kanyagui	Agriculture	Philippines, United States of America, Yugoslavia	20 and 23 August 1954
Anselme Kodzo Paaku Kludze	Liberal arts, history	United States of America	7 October 1954
A. C. Komlaste	Teacher training	Philippines	12 October 1954
Lawrence Kwame Konutse	Medicine or agriculture	United States of America, Yugoslavia	3 August 1954
Miss Joan A. Kttoh	Teachers' College	United States of America	10 November 1954
F. K. Mwadjo	Economics	United States of America	26 November 1954
E. K. Mawudeku	Higher education: economics	Philippines United States of America	23 February and 11 April 1955 23 August 1954 and 1 March 1955
Gilbert Kodzo Osei	Social anthropology	United States of America	16 August 1954
Simon Kwami Panku	Local government and public administration	Philippines	12 October 1954
Winifried Pongo	Medicine	Turkey	16 September 1954
Peter K. Saba	Higher education, agriculture	United States of America, Yugoslavia	26 August 1954
Fabian Kwaku Venyo	Forestry	Yugoslavia, United States of America	2 November 1954

(b) Applications from Togoland under French administration

Name	Type of scholarship requested	Country requested	Date of transmittal
Emmanuel Abdallah	Liberal arts, Fordham University	United States of America	16 July 1954

(c) Applications from the Cameroons under French administration

Name	Type of scholarship requested	Country requested	Date of transmittal
Dominique Nguessi	Mining engineering	United States of America	24 August 1954
Jean Nonga Yomb	Medicine	Yugoslavia, United States of America	24 August 1954
Jules Mévaa	Higher education	United States of America	7 October 1954
Martin Mimbang	Higher education	Indonesia	6 December 1954
Jean Mouzong A N'Djama	Higher education	Yugoslavia	11 January 1955
Simon Owono	Arts	Yugoslavia	7 February 1955

(d) Applications from Somaliland under Italian administration

Name	Type of scholarship requested	Country requested	Date of transmittal
Mohamed Nur Gutale	Secondary education	India	29 June, 15 October and 17 November 1954

22. The Secretary-General also received 345 other communications relating to the programme addressed to him directly by inhabitants of the Trust Territories. These communications included requests for general information, numerous applications submitted by students who were manifestly not qualified and applications transmitted after the closing dates for their submission. The Secretary-General informed such applicants of the details of the scholarships scheme, procedures, qualification requirements and other conditions.

GRANTS OF SCHOLARSHIPS, FELLOWSHIPS AND/OR INTERNSHIPS

23. During the period covered by this report, ten scholarships or grants were awarded to students from the Trust Territories (one by India, five by the United States of America and four by Yugoslavia). Four applications were rejected (by Indonesia and Turkey) because the candidates did not possess the requisite qualifications. Of the successful candidates, one was from the Cameroons under British administration, one from the Cameroons under French administration, two for Somaliland under Italian administration, one from Tanganyika, four from Togoland under British administration and one from Western Samoa.

24. Details of the various decisions and grants are set forth in the following paragraphs.

(a) India

25. By a note dated 22 June 1954, the Secretary-General was informed that Mr. Patrick J. Ngassa from the Cameroons under British administration had been awarded an Indian scholarship at the Madras Christian College for the year 1954-1955. This scholarship was subsequently cancelled, however, as the candidate was unable to obtain his passport in time and the Permanent Representative of India to the United Nations later (on 8 March 1955) informed the Secretary-General that Mr. Ngassa had been awarded a new scholarship under the 1955-1956 scheme. This information was transmitted to the Administering Authority on 16 March 1955.

(b) Indonesia

26. By a note dated 13 August 1954, the Secretary-General was informed that the Indonesian Government considered Mr. Wanko Denis from the Cameroons under French administration, whose application was noted in the previous progress report, as ineligible for an Indo-

nesian fellowship because of lack of qualifications. This information was transmitted to the Administering Authority and the applicant.

(c) Turkey

27. By notes dated 27 August 1954 and 11 March 1955, the Secretary-General was informed that Mr. Paul Asombo, from the Cameroons under French administration, and Messrs. Emanuel Mark Datsa and Stephen Newton Kwami Botsoye, from Togoland under British administration, did not qualify for Turkish scholarship awards. The Secretary-General duly notified the Administering Authorities concerned and the applicants.

(d) United States of America

28. By a note dated 26 November 1954, the Secretary-General was informed that the following students had been granted awards for one year of university study by the United States of America: Mr. Ian John Fairbairn, Western Samoa, to undertake social studies at the University of Washington (renewal of 1953-1954 grant); Mr. Frank Ernest Omari, Tanganyika, to study education at the University of Chicago (renewal of 1953-1954 grant); Mr. Hassan Haji Ali Mirreh, Somaliland under Italian administration, to study education at Goshen College, Indiana; Mr. Abdurahman Nur Hersi, Somaliland under Italian administration, to study education at New Jersey State Teachers College, Trenton, New Jersey; and Mr. Stephen Ekobena, Cameroons under French administration, to study liberal arts at Adolphus College, St. Peter, Minnesota.

(e) Yugoslavia

29. By notes dated 24 February and 11 May 1955, the Secretary-General was informed that the Yugoslav Government had granted scholarship awards to Messrs. P. K. Saba, E. K. Adibo, Miss Elizabeth Aku Aklaku and Mr. Jonas Anderson V. Asamoah, all from Togoland under British administration. The Secretary-General duly transmitted this information to the Administering Authority and the applicants.

DISSEMINATION OF INFORMATION CONCERNING THE SCHOLARSHIP PROGRAMME

30. In pursuance of the request contained in General Assembly resolution 753 (VIII) the Secretary-General has included in United Nations information material prepared for dissemination in the Trust Territories details of the offers of facilities and of the procedure to be followed in submitting applications. This information has also been included in the UNESCO handbook *Study Abroad*.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
T/1024	Report by the Secretary-General		Official Records of the Trusteeship Council, Eleventh Session, Annexes, agenda item 13.
T/1065 and Add.1 and Add.2	Report of the Secretary-General		Ibid., Twelfth Session, Annexes, agenda item 16.
T/1127	Report of the Secretary-General		Ibid., Fourteenth Session, Annexes, agenda item 15.
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TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

ANNEXES

SIXTEENTH SESSION

NEW YORK, 1955

Agenda item 16: Trusteeship Council resolution 36 (III) and General Assembly resolution 754 (VIII) : Provision of information on the activities of the United Nations in Trust Territories : report of the Secretary-General

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DOCUMENT T/1193

Report of the Secretary-General

[Original text: English]
[7 July 1955]

INTRODUCTION

1. Trusteeship Council resolution 36 (III) invited the members responsible for the administration of Trust Territories to furnish the Secretary-General with the names and addresses of officials in Trust Territories to whom Council records and other material might be sent for their information.

2. The members were further invited by the above resolution to suggest to the Secretary-General appropriate channels through which information concerning the aims and activities of the United Nations might be communicated to the general public in the Territories.

3. The resolution concluded by requesting the Secretary-General and the Administering Authorities to inform the Trusteeship Council periodically of the steps taken in pursuance of the resolution.

4. The Secretary-General accordingly submitted a number of reports¹ to the Council on this question and the Administering Authorities included information on the subject in their annual reports.

5. General Assembly resolution 754 (VIII) took note of the Secretary-General's third report (T/1073) and noted that while the Administering Authorities had supplied names and addresses in accordance with the first part of the Council's resolution, they had in no case made any specific suggestions concerning the dissemination of information to the inhabitants of the Trust Territories and to the general public.

6. The resolution expressed the opinion that the existing arrangements for the dissemination in Trust Territories of information on the United Nations were, in general, inadequate and of limited effectiveness, and requested the Secretary-General to initiate, on the basis of suggestions from the Administering Authorities or of his own knowledge, or both together, a direct flow of information material addressed to the general public in the Trust Territories.

7. In conclusion, the Secretary-General was requested to include in his periodic reports lists of the channels of dissemination which he had established.

8. The Secretary-General, in pursuance of General Assembly resolution 754 (VIII), requested the Adminis-

tering Authorities (T/1100) to advise him as to their suggestions for the effective implementation of the General Assembly resolution. The replies which he received have enabled the Secretary-General to proceed with consultations with the representatives and the special representatives of the Administering Authorities in order to work out practical arrangements for the provision of information in Trust Territories and, in particular, to ascertain the most suitable material for use in the Territories.

9. The present report shows some increase in the distribution of official records; development of good operational contacts with authorities in the Administrations or with media of information, teachers and non-governmental organizations; and a definite increase in the flow of United Nations information to the public of several Trust Territories. However, the production of special material suitable for the varying literacy levels of the Territories calls for further effort on the part of the Secretariat and further co-operation by the Administrations.

10. Extracts from the annual reports of the Administering Authorities, the reports of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, and of the United Nations Secretariat meetings with special representatives from Trust Territories are included in this report.

I. DISPATCH OF OFFICIAL RECORDS²

11. The following table shows the distribution by the United Nations of official records to addresses supplied by the Administering Authorities:

Territory	Number		Copies of records	
	1954	1955	1954	1955
Western Samoa				
Western Samoa	22	21	30	49
Tanganyika				
Tanganyika	11	11	150	150

² Official Records of the Trusteeship Council (summary records of meetings, annexes and supplements, including resolutions of the Council and reports of Visiting Missions), fascicules of summary records of the Fourth Committee, reports of the Trusteeship Council to the General Assembly, resolutions adopted by the General Assembly on the reports of the Fourth Committee.

¹ T/824, T/1028 and Add.1, T/1073, T/1100, T/1121.

Territory	Number		Copies of records	
	1954	1955	1954	1955
Ruanda-Urundi				
Ruanda-Urundi	1	1	36	36
Cameroons under British administration				
Cameroons	1	1	30	100
Nigeria	2	2	51	6
Cameroons under French administration				
Cameroons	25	33	26	34
Togoland under British administration				
Togoland	7	8	13	12
Gold Coast	9	9	47	45
Togoland under French administration				
Togoland	18	18	19	21
New Guinea				
New Guinea	43	40	43	40
Papua	39	44	55	61
Australia	1	1	1	1
Nauru				
Nauru	4	4	5	5
Pacific Islands				
Pacific Islands	5	5	25	25
Honolulu	1	-	10	-
Guam	-	2	5	15
Washington, D. C.	1	1	3	3
Somaliland under Italian administration				
Somaliland	44	44	44	44

12. The other "suitable material" mentioned in paragraph 1 of Trusteeship Council resolution 36 (III) consists of reprints of articles from the *United Nations Review* and, occasionally, other Department of Public Information material including United Nations Day kits, which comprise basic pamphlets, charts and booklets.

II. DISSEMINATION OF INFORMATION IN THE TRUST TERRITORIES

(a) General

13. During the fourteenth and fifteenth sessions, the responsible services of the United Nations Secretariat consulted with almost all of the special representatives of the Administering Authorities of the Trust Territories in the Pacific and in East and West Africa respectively.

(b) Tanganyika

(i) Information supplied by the Administering Authority

14. The Administering Authority's annual report for 1955³ gives the information that material concerning the United Nations and the International Trusteeship System has been distributed in the Territory to schools, missions, libraries, and welfare centres in English, and in Swahili translations prepared locally. Instruction on these subjects forms part of the syllabus of citizenship in all schools.

(ii) Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1142)

15. The Mission reported that it had found there was insufficient information concerning the United Nations in the Territory, but that both officials and the general public

wished for more. The Tanganyika Government had taken the initiative in preparing a series of constructive suggestions as to how the flow of information might be both increased and improved.

16. These suggestions were elaborated further in the Administering Authority's reply to a questionnaire formulated by the Visiting Mission, and are being followed up by direct correspondence with the appropriate services in the Territory. A pamphlet written and produced by the Territorial Government entitled *Notes on the United Nations—Prepared by the Department of Education, Tanganyika, for the use of schools in the Territory* has provided the Department of Public Information with a most valuable guide in respect of suitable language, style and approach to the subject.

(iii) Consultations with the Administering Authority

17. The special representative of the Administering Authority at the fifteenth session of the Trusteeship Council met with officials of the Department of Public Information and the Trusteeship Division to review the working arrangement arrived at the year before. At that time the Administering Authority had arranged for the Department of Public Information to establish direct contacts with the Public Relations Officer and editors of newspapers in the Territory. As a result of these contacts the Department was able to secure publication of several articles. Every effort is being made to provide more specially written material.

18. The Tanganyika Government gave helpful guidance on a draft pamphlet prepared by the Department and intended for translation into the simpler idiom of the Swahili language. The revised version is now under preparation. With the co-operation of the Government, extensive distribution might be expected.

(c) Ruanda-Urundi

(i) Information supplied by the Administering Authority

19. The annual report for 1953⁴ states that teaching about the United Nations and the International Trusteeship System was continued in that year.

20. In Government schools, teaching on the subject has been adapted to the various study levels. At the *groupe scolaire* in Astrida, eight hours are devoted to it in the fifth and sixth primary, and twenty-five hours in the middle schools. These lessons have been incorporated into the history course. In the administrative section, they are incorporated into the administration course and the subject-matter is studied in a more detailed manner. It is stated that this material is very well assimilated by the students in the higher grades. At the vocational school in Usumbura, which in 1953 comprised only three sections of apprenticeship and an "orientated" sixth grade, the subject is incorporated into the course of French language and taught in each of the classes. The annual report states that these classes do not reach the level of secondary teaching, and it seems that the educational level of the students is not sufficient to enable them to understand the abstract notions involved.

21. Mission schools have responded to the appeal of the Government inviting them to introduce information about the United Nations and the International Trusteeship System in their teaching. In these schools, the subject is taught from the third grade (primary schools) in from three to seven lessons; in the post-primary schools, it is taught in up to twelve lessons. In the primary schools, the lessons form part of the general educational lectures;

³ Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika under United Kingdom Trusteeship for the Year 1953, London: Her Majesty's Stationery Office, 1954, Colonial No. 307.

⁴ 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, Etablissements généraux d'imprimerie, 1954.

in the post-primary schools, the lessons are incorporated into the history and geography course. It might be said, the report states, that although students have no political preoccupations before they reach their eighteenth year, they follow up the subject with a certain interest.

(ii) *Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1141)*

22. To assist it in carrying out its terms of reference on the matter, the Visiting Mission submitted to the Government of Ruanda-Urundi a memorandum indicating some ways in which informational material for use in the Territory could be provided. No reply to the memorandum was received by the Mission, which, in its report, recommended that the Administering Authority should reconsider the matter. The Mission made several suggestions for the improvement of the arrangements concerning the dissemination of United Nations information material in Ruanda-Urundi. As a number of chiefs expressed a desire to see copies of the official records of the Trusteeship Council, the Mission believed that these records were not easily accessible to the public.

23. While it noted that information about the United Nations was taught in the schools and that a short pamphlet on the main provisions of the United Nations Charter had been published in 1951, the Mission considered that the position with regard to the dissemination of information about the United Nations in Ruanda-Urundi was far from satisfactory. A new pamphlet on the United Nations is being compiled in Ruanda-Urundi. It will be distributed in the schools and will refer to the right of petition.

(d) *Cameroons under French administration*

(i) *Information supplied by the Administering Authority*

24. The annual report for 1953⁵ states that the programmes of study for children in the lower grades are the same as those of the metropolitan country, adapted wherever possible to the circumstances, geographic and human, of the Trust Territory. In civic instruction, the programmes are completed in the middle course by the study of the administrative organization of the Cameroons and the French Republic and by lessons about the United Nations and the United Nations Educational, Scientific and Cultural Organization.

(ii) *Consultations with the Administering Authority*

25. During the fifteenth session of the Trusteeship Council the special representative for the Cameroons under French administration, together with the special representative for Togoland under French administration, discussed with officials of the Department of Public Information developments during the year in the dissemination of United Nations information in the two Territories.

26. The special representatives gave details about plans for an expansion of radio broadcasting services in the two Territories. This expansion might offer scope for more United Nations information.

(e) *Togoland under French administration*

(i) *Information supplied by the Administering Authority*

27. The Administering Authority states in its annual report for 1953⁶ that, on the occasion of United Nations

⁵ *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Cameroun placé sous la tutelle de la France, année 1953*, Paris, Imprimerie Chaix, 1954.

⁶ *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Togo placé sous la tutelle de la France, année 1953*, Paris, Imprimerie Chaix, 1954.

Day, lessons on the aims and work of the United Nations are given in all public and private schools. Moreover, the civic instruction programme provides for the study of the French Union, of the place of Togoland in the French Union, and, accordingly, of the International Trusteeship System. The anniversary of the founding of the United Nations is celebrated in the schools of Togoland, as also is the anniversary of the Universal Declaration of Human Rights.

(ii) *Consultations with the Administering Authority*

28. As already stated, the special representative for Togoland under French administration, in company with the special representative for the Cameroons under French administration, met with officials of the Department of Public Information during the fifteenth session of the Trusteeship Council. In connexion with plans for extension of the radio broadcasting service of the Territory, samples of United Nations broadcasts were sent to the Administration. The present United Nations programmes broadcast from Brazzaville, in French Equatorial Africa, were considered perhaps too complex for the indigenous population of Togoland.

29. With regard to Press material, the special representative asked that it should all be sent to the Government Information Services.

30. The special representative further stated that United Nations films which had been sent to Togoland would be judged by audience reaction and that fields of popular interest would be further explored. The Administration would welcome films which would explain problems of the Territory in a simple manner and which would be understood by the general public.

31. There are now nine volunteer education centres in the Territory to which material from the Department of Public Information is being dispatched directly.

(f) *Togoland under British administration*

(i) *Information supplied by the Administering Authority*

32. The annual report for 1953⁷ states that lessons concerning the United Nations and the International Trusteeship System are given in middle schools, and that United Nations pamphlets and publicity material are distributed regularly throughout the Territory. Posters in connexion with the United Nations and the International Trusteeship System, with vernacular captions explaining them where necessary, are displayed as they are received, in the classrooms of all types of schools. It is stated that the tours of the United Nations Visiting Missions lend realism to these lessons. One institution in the Territory is taking advantage of the UNESCO gift-coupon scheme.

33. The Gold Coast Government has continued its subscriptions to the *United Nations Review* and the *United Nations Reporter*, which are distributed in the Territory, free of charge, through the channels of the Associations for the United Nations in Togoland and the Gold Coast.

(ii) *Consultations with the Administering Authority*

34. During the fifteenth session of the Trusteeship Council the special representative from the Territory again met with officials of the Department of Public Information and the Trusteeship Division.

35. The special representative reported extensive celebration of United Nations Day in the Gold Coast and

⁷ *Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Togoland under United Kingdom Trusteeship for the Year 1954*, London: Her Majesty's Stationery Office, 1954, Colonial No. 308.

Togoland in 1954. A message from the Prime Minister had been broadcast, two former members of the United Nations Secretariat had had a radio discussion on the United Nations and a seminar had been held at the University of the Gold Coast.

36. Appreciation was expressed for the help of the Gold Coast Information Service in distributing United Nations material to the Press in the Territory. The special representative furnished several addresses of officers of film, radio and teaching services in the Territory for direct distribution of information material.

(g) *Cameroons under British administration*

(i) *Information supplied by the Administering Authority*

37. It is stated in the annual report for 1953⁸ that the Administration distributes information about the United Nations. The Public Relations Department also distributes papers and periodicals directly and through the Education Department. There is one United Nations volunteer education centre at Tiko, and steps are being taken to establish three more centres in the Cameroons Province, and three centres in the Bamenda Province. These will be at secondary schools and teachers' training centres, which will receive information about the United Nations direct from the United Nations Department of Public Information. Children are taught the history and principles of the United Nations, and are required in the examination at the end of the primary course to answer questions on the implications of the Trusteeship System.

38. The Commissioner of the Cameroons has directed that members of the Public Service in responsible positions must be acquainted with the activities of the United Nations which affect the Territory, and assures their access to all available literature on the subject.

(ii) *Consultation with the Administering Authority*

39. During the fifteenth session of the Trusteeship Council the special representative for the Cameroons again met with officials of the Department of Public Information, who expressed appreciation of the close co-operation which the territorial authorities had given in implementing the arrangements made in the previous year.

40. It was requested that the Territory should continue to receive the type of coverage of Trusteeship Council proceedings that had formerly been provided by the *United Nations Bulletin*. The Department of Public Information will consider the possibility of making special arrangements to meet this need. It was noted that the supplying of feature articles of particular interest to the Territory to newspapers and press agencies had become a regular practice and that the editors concerned had expressed interest in this service.

41. Plans for the setting up of a radio station in the Territory were reported. At present, the Department of Public Information provides radio material through the Nigerian Broadcasting Service.

42. The Department of Public Information agreed to send proofs of picture wallsheets, intended principally for schools, to the Territory for comment. Further advice was given regarding the establishment of volunteer education centres. The support of the territorial authorities in preparation for the observance of United Nations Day in the Territory in 1955 was again promised.

⁸ *Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of the Cameroons under United Kingdom Trusteeship for the Year 1953*, London: Her Majesty's Stationery Office, 1954, Colonial No. 309.

(h) *Nauru*

(i) *Information supplied by the Administering Authority*

43. The annual report of the Administering Authority for the year ended 30 June 1954⁹ states that information on the United Nations and Trusteeship Council activities is regularly supplied to the Administration in the form of official documents and other publications and that these are also made available to the Nauruan people at the *Domaneab*.

(ii) *Consultations with the Administering Authority*

44. During the fourteenth session of the Trusteeship Council the special representative for Nauru conferred with officials of the Department of Public Information and the Trusteeship Division.

45. The close grouping of the population on this small island makes distribution of United Nations material a very simple matter. However, special material is needed in order to present the aims and the objectives of the United Nations and the specialized agencies in a manner understandable to the indigenous inhabitants.

(i) *Pacific Islands*

Information supplied by the Administering Authority

46. The annual report for the year ended 30 June 1954¹⁰ states that knowledge about the United Nations and the International Trusteeship System is an integral part of the social studies programme in all intermediate schools and in the Pacific Island Central School. United Nations materials are distributed periodically to all districts from the Department of Education. In the various districts simplified explanations and discussions are held for teachers and community leaders. Filmstrips are available and are used with an accompanying explanation adapted to the local culture and environment. A part of the education of elementary school teachers covers the work of the United Nations.

47. At the Pacific Island Central School more attention is given to forms of government which exist outside the Trust Territory, and to the role of the United Nations in Trust Territory affairs. In the Palaus, the development of intellectual and cultural activities has been stimulated by the Education Department chiefly through an annual spring fair, United Nations Day, forum discussions, and adult education.

(j) *Somaliland under Italian administration*

(i) *Information supplied by the Administering Authority*

48. In the annual report for 1954¹¹ the Administering Authority states that the programmes in all the schools of Somaliland include one section dealing with the United Nations Charter and the specialized agencies, the Trusteeship System and the Universal Declaration of Human Rights.

49. In elementary schools, those lessons are taught in a very simple form and only in the middle schools and the School of Political Administration are the subjects dealt with in a more detailed manner. In the latter, the

⁹ Commonwealth of Australia, *Report to the General Assembly of the United Nations on the Administration of the Territory of Nauru from 1st July, 1953 to 30th June, 1954*, Canberra, Government Printing Office.

¹⁰ *Seventh Annual Report on the Administration of the Territory of the Pacific Islands, July 1, 1953, to June 30, 1954, Transmitted by the United States of America to the United Nations pursuant to Article 88 of the Charter of the United Nations*, Department of State Publication 5735, International Organization and Conference Series III, 103, Washington 25, D.C., U.S. Government Printing Office.

¹¹ *Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie, 1954*, Ministry of Foreign Affairs, Rome, 1955, Istituto Poligrafico dello Stato.

United Nations constitutes a whole chapter of the programme of international law. The Universal Declaration of Human Rights has been widely disseminated in the schools and is explained each year in the programme of civic instruction and on the occasion of United Nations Day and Human Rights Day.

50. The annual report states that when the United Nations Visiting Mission came to Somaliland in 1954, all schools had been informed of its duties and functions and that the members of the Mission were able to see for themselves that pupils, even those in elementary classes, were acquainted with the subject; one school at Mogadiscio has devoted one issue of its journal to the subject of the United Nations Visiting Mission.

51. By means of films supplied by the United Nations and the specialized agencies through the United Nations Advisory Council, and films supplied by the Italian Ministry of Education, numerous and varied showings have taken place in the whole of the Territory. Besides being shown in the existing cinemas, schools and barracks, free screenings are also given in public places, by means of the cinema vans of the Administering Authority and of the United Nations Advisory Council.

52. The text of the Universal Declaration of Human Rights has been distributed in Italian and Arabic to members of local assemblies, chiefs, and notables, who have explained its principles to the general public.

(ii) *Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration (T/1172)*

53. The Advisory Council reported that it took advantage of every opportunity to disseminate, in full agreement with the local authorities, all information regarding the United Nations, its organization and aims and, more particularly, the Trusteeship System. Information in Arabic, English and Italian, supplied by the Department of Public Information, was distributed to schools and political and cultural organizations. During the period under review, the United Nations cinema van made as many trips as possible. In close co-operation with the Administration, motion pictures dealing with various activities in Somaliland were shown to the population of the centres visited, for the purpose of promoting the formation of national unity indispensable to the country. Through their many contacts with the population, the members and the secretariat of the Advisory Council found that knowledge about the United Nations and the part it plays in shaping the future of the country is widespread.

54. The Advisory Council points out that the publications available for distribution to the various sections of the population are clearly insufficient. There is only a limited understanding of English or French and the Somali language itself has not been reduced to written form so that printed publications cannot be prepared. The Advisory Council therefore recommended that more publications prepared either in Italian or, preferably, in Arabic by the competent services of the United Nations should be made available. A quantity of selected materials in these languages is being sent by the Department of Public Information.

55. With regard to the two newspapers published in the Territory, the special representative said that feature material written in simple narrative style and short concise summaries of news events would be useful. Not only trusteeship matters, but aspects of health, hygiene, agriculture etc. in Somaliland or similar territories would be of great interest. Of great value to the Territory would be a special simplified review of the Trusteeship Council proceedings on Somaliland. The Department of Public Information will endeavour to meet these needs.

56. With regard to teaching about the United Nations in the schools of Somaliland, the special representative said that teaching aids would be among the most useful materials which could be sent to Somaliland. Photographs and cardboard models would be particularly welcomed.

(k) *New Guinea*

(i) *Information supplied by the Administering Authority*

57. In the report for the year 1953-1954,¹² the Commonwealth of Australia stated that the social studies syllabus provides for school pupils to acquire knowledge of the United Nations and the International Trusteeship System. Full publicity is given through the Native Peoples' Broadcast Sessions and the newspaper, *The Papuan and New Guinea Villager*, to significant days sponsored by the United Nations, such as United Nations Day, World Health Day and Human Rights Day.

58. Most of the information material supplied from United Nations sources is at present beyond the comprehension of the indigenous people, although various booklets and papers are made freely available to school libraries. Action was taken during the year to obtain more simple material and it is hoped that supplies of simple filmstrips would soon be available.

(ii) *Consultation with the Administering Authority*

59. The special representative for New Guinea met with officials of the Department of Public Information during the fourteenth session of the Trusteeship Council. He advised that the territorial Government desired to expand the list of officials and other persons who should receive copies of the official records of the Trusteeship Council and other information material.

60. Short radio talks prepared in simple language and aimed at basic education would be welcomed in the Territory. A recording of a talk made by the special representative at United Nations Headquarters was later sent to New Guinea. Other talks are under preparation.

61. The possibility of lending the Territory copies of United Nations films which are regularly received by the national library in Canberra, Australia, was to be examined. There are two Government mobile film units which show films in the Territory.

62. The possibility of the territorial Government's taking out subscriptions for the *United Nations Review*, or the *United Nations Reporter*, for limited distribution in New Guinea was also to be explored.

63. The Department of Public Information was advised to contact the Director of Education in the Territory for guidance regarding the setting up of a volunteer education centre.

64. Detailed suggestions for the provision of more simple material were subsequently received from the Administering Authority.

(l) *Western Samoa*

(i) *Information supplied by the Administering Authority*

65. The annual report for the year 1954¹³ states that teaching concerning the aims and work of the United Nations and the Trusteeship System is a feature in all schools. It is a recognized part of the social studies course. Literature is distributed to all schools, and

¹² Commonwealth of Australia, *Report to the General Assembly of the United Nations on the Administration of the Territory of New Guinea from 1st July, 1953, to 30th June, 1954*, Canberra, Government Printing Office.

¹³ *Report by the New Zealand Government to the General Assembly of the United Nations on the Administration of Western Samoa for the Calendar Year 1954*, Department of Island Territories, Wellington, Government Printer, 1955.

United Nations Day is observed by the holding of appropriate ceremonies. Movie films, filmstrips, posters, parades with national flags and costumes, addresses, radio broadcasts and class projects all play an important part in stressing the importance of the United Nations. A booklet on *The United Nations and Western Samoa* was distributed throughout the schools in early 1953. The main Government schools in Apia show 16-mm. films dealing with educational matters and with the United Nations.

(ii) *Consultations with the Administering Authority*

66. During the fourteenth session of the Trusteeship Council the special representative for Western Samoa met with officials of the Department of Public Information. He expressed the opinion that more information material other than the official records, which had a limited value, would be welcomed. Arrangements were made for supplying United Nations news features and other material to the Territory's one privately owned newspaper. The questions of films and other visual aids were discussed and further arrangements made to improve supply.

III. GENERAL OBSERVATIONS

67. As a result of the co-operation between the Administering Authorities and the Departments of Trusteeship and of Public Information, United Nations information material has been more widely distributed in the Trust Territories and special material has been prepared.

68. In the publications field, an English draft of a pamphlet deemed suitable for popular distribution was prepared and submitted to the Administering Authorities for comments. These have been received and the pamphlet is now in preparation. New material sent to the Trust Territories in 1955 included revised editions of *Basic Facts about the United Nations* and of *Guide to the Charter of the United Nations*, the tenth year edition of *The United Nations in Brief*, *United Nations Pictorial*, and picture exhibition sets.

69. Special feature articles and other selected press material have been sent to editors and information officers

in the Territories. An effort has been made, in accordance with requests, to provide material of particular interest to Territories in a form suitable for adaptation. The Department of Public Information is in regular contact with 27 organizations servicing the press needs of Trust Territories: 15 in the Gold Coast (for Togoland under British administration), 8 in Nigeria (for the Cameroons under British administration), 3 in Tanganyika and 1 in Somaliland under Italian administration.

70. In the visual field, a sample United Nations picture sheet designed principally for use in schools was produced in English and submitted to the Administering Authorities. It has now been issued and quantity orders from Tanganyika and Togoland under British administration are being met.

71. The production of a picture sheet on the International Trusteeship System will be put in hand as soon as sufficient responses to the first picture sheet have been received.

72. A 35-mm. filmstrip with special reference to the International Trusteeship System will be produced by the Department of Public Information this summer.

73. The Department of Public Information supplies recordings direct to the Gold Coast and Nigerian broadcast services, whose programmes are heard in the nearby Trust Territories.

74. The non-governmental organizations and the volunteer education centres in the Territories receive material regularly.

75. A special poster, leaflet and other material have been prepared for the tenth anniversary of the United Nations and copies have been distributed to all Territories. In addition, 512 copies of the special tenth anniversary edition of the *United Nations Review* have been made available for free distribution to addresses supplied by the Administering Authorities (see para. 11 above).

76. In 1955, a special message for United Nations Day from the President of the Trusteeship Council will again be sent to all Trust Territories.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
T/824	Report of the Secretary-General		<i>Official Records of the Trusteeship Council, Eighth Session, Annexes, agenda item 25.</i>
T/1028 and Add.1	Report of the Secretary-General		<i>Ibid., Eleventh Session, Annexes, agenda item 15.</i>
T/1073	Report of the Secretary-General		<i>Ibid., Twelfth Session, Annexes, agenda item 17.</i>
T/1100	Report of the Secretary-General		<i>Ibid., Thirteenth Session, Annexes, agenda item 14.</i>
T/1121	Report of the Secretary-General		<i>Ibid., Fourteenth Session, Annexes, agenda item 16.</i>
T/1141	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Ruanda-Urundi		<i>Ibid., Fifteenth Session, Supplement No. 2.</i>
T/1142	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Tanganyika		<i>Ibid., Fifteenth Session, Supplement No. 3.</i>
T/1143 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Somaliland under Italian administration		<i>Ibid., Sixteenth Session, Supplement No. 2.</i>
T/1193	Report of the Secretary-General	1	



TRUSTEESHIP COUNCIL

OFFICIAL RECORDS

ANNEXES

SIXTEENTH SESSION

NEW YORK, 1955

Agenda item 17: Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration

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DOCUMENT T/1172

Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration covering the period from 1 April 1954 to 31 March 1955

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 CHAPTER I
GENERAL

 A. INTERNAL ORGANIZATION AND FUNCTIONING
OF THE ADVISORY COUNCIL

Establishment, composition and functions

1. The United Nations Advisory Council was established by General Assembly resolution 289 A (IV) and is composed of representatives of Colombia, Egypt and the Philippines. According to article 2 of the Trusteeship

Agreement, its functions are to aid and advise Italy as the Administering Authority for the Trust Territory of Somaliland.

Operation

2. During the period under review, the Advisory Council held 21 meetings all of which, with the exception of one held in New York, took place at the Council's headquarters in Mogadiscio. Since its establishment, the Council has held a total of 124 meetings.

3. The number of meetings held does not, however, give an accurate idea of the activities of the Advisory Council. Each meeting is in fact but the culmination of numerous prior discussions and unofficial meetings between the members of the Council and officials of the Secretariat. When important matters were studied, conferences were held with the competent officials of the Administration of the Trust Territory. Moreover, during the period under review, the members of the Advisory Council, with or without the assistance of the Secretariat, had a great number of interviews with individuals and elected representatives of the population, groups and various organizations.

4. During the period under review, the Member States of the Advisory Council were represented by the following :

Colombia : Mr. E. de Holte Castello ;

Egypt : Mr. Kamal Eddine Salah ;

Philippines : Mr. Cosme P. Garcia.

5. From 1 April 1954 to 31 March 1955, the Advisory Council had a quorum of two members for a total of 106 days and, for the first time since it was established, full membership of three members for a period as long as 83 days. Thus the Advisory Council was in a position to meet for a total of 189 days.

Secretariat

6. In accordance with paragraph 2 (c) of section D of General Assembly resolution 289 A (IV), the Secretary-General provided the necessary staff and facilities to assist the Advisory Council in carrying out its functions. During the period under review, Mr. Jean de la Roche served as Principal Secretary.

7. The Advisory Council expressed the wish that, in view of the increasing workload, the pressure and severe climatic conditions under which the staff works almost constantly, the present manning-table be revised and the staff eventually increased.

B. RELATIONS WITH VARIOUS UNITED NATIONS BODIES

General Assembly

8. Although circumstances do not always permit the members of the Advisory Council to attend the annual sessions of the General Assembly, the Council maintains its opinion that it normally has the right to attend those sessions or to send representatives thereto. This right results logically from the fact that the Council was established by a decision of the General Assembly and that only another formal decision taken by the latter could deprive the Council of the faculty it should possess of reporting to and expressing its opinion before the Assembly.

9. During the period under review, the Advisory Council discharged its functions according to the Trusteeship Agreement and in the light of the recommendations of General Assembly resolution 755 (VIII) of 9 December 1953. In paragraph 2 of this resolution, the Assembly recommended that the Administering Authority, in consultation with the Advisory Council, should continue to take the necessary steps to prepare the Territory for the attainment of complete independence by 1960 ; in paragraph 4, it requested the Advisory Council, in its annual report, to give precise information on the implementation of the resolution in question, together with its observations, comments or suggestions as to the means of carrying out the recommendations made by the Assembly. It is in accordance with this resolution that the Advisory Council sent to the Administering Authority some comments and observations regarding certain questions it

considered important, or asked for complementary data and information of such nature as to enable it to engage in more detailed studies and, therefore, to give effect to the precise request it had received from the General Assembly.

10. The Advisory Council can give effect to the provisions of paragraph 4 of resolution 755 (VIII), dealing with its work, to the extent to which the Administering Authority itself gives effect to the recommendations contained in paragraph 2 of the same resolution ; prior to sending either advice or comments and observations to the Administering Authority, the Advisory Council has to wait until the measures concerned have been, if not already taken, at least contemplated and made known. As appears clearly from the advice given by the Council, the latter has seized all opportunities of implementing fully the recommendations made by the General Assembly.

11. The Advisory Council believes that, although each individual member of the Advisory Council is free to express the views of his own Government before the General Assembly or the Trusteeship Council, the Advisory Council as such cannot easily depart from the principles set out in the second paragraph of article 2 of the Trusteeship Agreement, according to which all its efforts must tend towards giving the Administering Authority the necessary help and advice. Consequently, it is obvious that the Advisory Council is bound, first, to communicate its observations and comments, and if need be, its motives for disagreement to the Administering Authority, and then report to the competent United Nations organs. It is difficult to conceive that the Administering Authority would take cognizance of the Advisory Council's advice only through the latter's annual report.

12. To summarize the preceding remarks, the Advisory Council is of the opinion that paragraph 4 of resolution 755 (VIII) is meant to urge the Council to keep in close touch with the situation and to give the greatest possible amount of advice based on thorough studies of the problems it has to deal with, and to suggest the ways and means that it may consider likely to facilitate the harmonious and swift evolution of the Territory towards independence, whether the steps to be taken in this respect fall within the field of competence of the Administering Authority or of the United Nations. Such was the course followed by the Council during the past year and the course upon which it feels bound to report with the details necessary to comprehend fully its activities.

Trusteeship Council

13. In general, the relations between the Trusteeship Council and the Advisory Council are defined by the provisions of article 11 of the Trusteeship Agreement. In accordance with these provisions, the Chairman of the Advisory Council expressed the latter's point of view at the fourteenth session of the Trusteeship Council, and the representatives of the Advisory Council expressed their own opinions each time they thought it necessary. Moreover, the members of the Advisory Council attended the meetings of the Standing Committee on Petitions during which questions concerning the Trust Territory of Somaliland were discussed and had the opportunity of presenting observations on the various problems raised by the development of the Territory.

14. In order that the Advisory Council might have a complete understanding of the formulation of the Trusteeship Council's recommendations on Somaliland matters, the Chairman of the Advisory Council attended the meetings of the Drafting Committee during the fourteenth session of the Trusteeship Council. The Advisory Council studied with the greatest care the problems which were the subject of special recommendations by the Trusteeship

Council. It made a point of calling the attention of the Administering Authority to the said recommendations in relation with the advice it rendered.

15. In the conclusions and recommendations adopted at its fourteenth session, the Trusteeship Council expressed the wish that the Visiting Mission which was to be sent to Somaliland and the Advisory Council would co-operate in studying questions of importance for the future of the Territory. The members of the Advisory Council made a point of meeting that wish and of being present in Mogadiscio during the Visiting Mission's stay in Somaliland. They furnished the members of the Mission with the information and advice requested.

C. RELATIONS WITH THE ADMINISTERING AUTHORITY

16. The Advisory Council's relations with the Administering Authority are based on the provisions of the General Assembly resolution 289 A (IV) and of the Trusteeship Agreement, according to which the Advisory Council was established to aid and advise the Administering Authority.

17. The Advisory Council, in the past, interpreted the provisions of article 8 of the Trusteeship Agreement as meaning that there is a general obligation on the part of the Administering Authority to keep the Council informed of its activities and to request its advice. With regard to the transmission of information to the Council, this obligation derives from the terms of the first paragraph of article 8 which reads in part :

"The Advisory Council shall be fully informed by the Administering Authority on all matters relating to the political, economic, social and education advancement of the inhabitants of the Territory, including legislations appertaining thereto ..."

18. The obligation on the part of the Administering Authority to request the Advisory Council's advice is contained in the second paragraph of article 8 :

"The Administering Authority shall seek the advice of the Advisory Council on all measures envisaged for the inauguration, development and subsequent establishment of full self-government for the Territory ; in particular, it shall consult the Advisory Council regarding plans for :

"(a) The establishment and development of organs of self-government ;

"(b) Economic and financial development ;

"(c) Educational advancement ;

"(d) Labour and social advancement ; and

"(e) The transfer of the functions of government to a duly constituted independent government of the Territory.

"The Administering Authority shall seek the advice of the Advisory Council on ordinances which, in accordance with article 5 of the annex to this Agreement, the Administrator of the Territory may make and promulgate in exceptional circumstances."

19. The use of the words "in particular" and the general spirit of article 8 clearly show that the matters mentioned therein as ones on which the Administering Authority should ask the Advisory Council's advice by no means constitute a restrictive list. Moreover, the terms of article 5 of the Declaration of Constitutional Principles annexed to the Trusteeship Agreement clearly indicate that :

"...the Administrator may, after consultation with the Advisory Council, make and promulgate such ordinances as in his opinion the circumstances demand.

"These ordinances shall be laid before the Territorial Council as soon as may be practicable..."

20. As during the preceding years, the Advisory Council believes that it has a right, on its own initiative, to make observations and recommendations to the Administering Authority regarding the questions covered by the first paragraph of article 8 of the Trusteeship Agreement, i.e., "such observations and recommendations as it may consider will be conducive to the attainment of the objectives" of the said Agreement.

21. During the period under review, the Administering Authority continued to transmit its communications to the Advisory Council "in accordance with article 8 of the Trusteeship Agreement". The Council has considered this procedure satisfactory. However, owing to the responsibilities delegated to the Advisory Council by the Trusteeship Agreement, and the terms of article 8 of that Agreement together with article 5 of the annex thereof, the Advisory Council believes that it should be consulted in time to enable it to give its advice prior to the Territorial Council's action thereon. Moreover, its advice should be requested, not only with regard to definite matters concerning draft measures, but also with respect to the general plans the Administering Authority intends to adopt in order to promote the Territory's development in the political, economic, social and educational fields, whether or not such plans have been made the subject of draft texts.

22. The Advisory Council believes that it is within its discretion to decide on which matters it is entitled to give advice ; its role cannot be limited to certain fields and, in view of the Council's special composition, the Trusteeship Agreement should not be interpreted as limiting its advice to matters purely political in nature.

23. With regard to the information required by the Advisory Council to discharge its functions, article 9 of the Trusteeship Agreement provides that : "The Advisory Council shall be accorded such facilities and shall have free access to such sources of information as it may require for the performance of its functions." Thus the Advisory Council may always approach all competent officials in order to obtain the data necessary for its work.

24. Comparison of the respective agenda of the various sessions of the Territorial Council, as reproduced in annex III to this report, with the list of communications addressed to the Advisory Council, shows that, as a general rule, both Councils have been consulted on the same matters by the Administering Authority.

25. The recommendations of the General Assembly requested the Advisory Council to formulate observations, comments and suggestions regarding the various activities in the Territory. The Trusteeship Council intended also to hear the opinion of the Advisory Council on pertinent questions. The Trusteeship Council, at its fourteenth session, urged the Administering Authority to implement the economic plans with the advice and co-operation of the Advisory Council ;¹ it expressed the hope that the Administering Authority would seek the advice of the Council on the mining law and on the terms of the oil agreements.²

26. The 121st meeting of the Advisory Council, held on 21 March 1955, was attended by the Acting Administrator of Somaliland, Minister Pier P. Spinelli, who made the following declaration :

In October of the year 1952, the Administering Authority had presented to the Council a plan for general development of the Territory. If some of the projects contained in this plan had not yet been implem

¹ See A/2680, p. 108.

² See A/2680, p. 112.

other important measures, which were not contemplated at that time, had been devised and implemented. The difficulties encountered had been innumerable, but the results achieved had been, as a whole, most encouraging. After the administrative elections which had taken place in the spring of 1954 two main problems had to be solved: the functions and powers of the municipal councils, and the preparation of a new electoral law for the general elections. The Administration had accepted the suggestion made by the Advisory Council that the powers of the municipal councils should be extended as soon as possible, but the preparation of the pertinent provisions had given rise to a number of difficulties. However, the Administration was happy to state that provisional unified legislation had just been drafted and would be forwarded to the Council in the very near future; this legislation aimed at solving the problems raised by the present situation and was therefore mainly of a temporary nature. On the basis of the experience thus acquired, a final law which would define the powers and the jurisdiction of the municipal councils would be prepared and given effect before 1960.

As for the general elections, the members of the Territorial Council had prepared and adopted a formula of their own, and that fact was a proof of the great interest shown by the Council in political matters and of the rapid evolution of the political conscience of the population. Most of the territorial councillors had objected to the first draft electoral law which provided for two types of representation, one for the municipalities, the other for the rural areas and nomad population. The new procedure will be as follows: the 60 councillors' seats would be distributed between the 36 districts on the basis, for each district, of the total number arrived at by adding the number of persons registered on the municipal electoral lists to the number of persons having actually voted in the rural areas. The *shirs* (tribal assemblies) would designate from one to five representatives who would elect the councillors from among the candidates presented by the various political parties. Furthermore, eight or ten municipalities would be instituted before the time of the elections and the territorial limit of other municipalities would be extended.

Although the opinion was held that the transfer of administrative functions to Somalis was too slow, no complaint in that respect had been made by the Somali people themselves. The Somalis were quite conscious of the fact that they had to learn and to gain experience before discharging responsible functions. When the 20 students who had graduated this year from the School of Political Administration and who were going to Italy for a training period returned towards the end of the year, they most probably would be nominated district commissioners. Then all districts would be in the hands of Somalis—a most important step towards creating an atmosphere of full confidence in the Territory. It is also contemplated to provide, after the next elections, for the complete "Somalization" of one region of the Territory, namely the Upper Uebi Scebeli region. Already the two districts of this region, Belet Uen and Bulo Burti, as well as the police force, are headed by Somalis. A Somali regional commissioner would be designated, and an Italian observer, whose sole functions would be to observe and to give advice only if requested to do so by the Commissioner, would be present. Should the experiment be successful, other regions would be "Somalized" in their turn. It is also contemplated to choose, after the political elections, a certain number of territorial councillors who would act as advisers to the Administrator. This group would be trained for the duties of a Cabinet entrusted with directly assisting the Administrator.

Mr. Corfitzen, of the United States Operations Mission to Italy, was expected shortly to visit Somaliland for study and implementation of the projects agreed upon by the two Governments. Concerning the other projects, and especially the digging of new wells, three new drilling machines were to be purchased so that, by the end of the year, each region would have one machine at its disposal. Regarding transport and communications, 12 new roads would be constructed by 1960. The present plan provides already for the construction of three all-weather roads: Afgoi-Chisimaio, Afgoi-Baidoa, Baidoa-Gelib. Work had already started on the first two roads. Moreover, in October of the current year, work would also be started on the bridge which would cross the Giuba river near Margherita. Technicians were studying the possibility of building a pier in the south of Chisimaio bay in order to provide harbour facilities for that region, the richest in Somaliland.

Concerning cotton cultivation, the Administration, owing to the very valuable assistance of the Egyptian expert now present in Somaliland, had prepared new legislation which would be submitted to the Council in the near future. When this legislation would be enforced at the end of the year, the Administration would need the help of technicians for the planning and construction of canals.

The Administration declared that by far the most difficult task was to ensure the economic independence of the country. In that field no miracles could be expected, but only slow and steady progress. Considerable efforts had been made to improve the budgetary system and to enlarge the basis of taxation. Although Somalis were still reluctant to pay taxes, a considerable improvement was noticeable with regard to the tax on *shambas*, especially in the districts headed by Somalis themselves. Other taxes had to be instituted before 1960, however, since it was important not to leave the entire burden of organizing taxation to the future Somali State. Regarding the budget, the Administration, in accordance with the recommendations made by the Advisory Council, had prepared new budget estimates for 1955 divided into three parts: administration budget, Somaliland budget and development plans. The Administration was preparing on the same basis a tentative budget for 1960, copies of which would be available within a few weeks.

With regard to the economic policy, the Administration had always aimed at balancing the various existing trends in foreign trade. The most urgent and delicate task was to find markets for Somali products since the Territory could no longer rely on the so-called "traditional markets". The Administration, of course, had made and was still making all possible efforts to promote such exports as local butter, charcoal and even live animals to the said traditional markets. But those exports were very limited in scope and, leaving aside the delicate question of foreign currency, a regular trade with direct export markets should be instituted before 1960. All the observations and recommendations which had been addressed to the Administration in this respect had been very useful and had clearly proved the importance everybody attached to this serious problem. More frequent contacts and friendly discussions between the Advisory Council and the Administering Authority would help to clarify the situation.

Concerning the development of education, the Administration concurred with the Advisory Council on the advisability of asking UNESCO to send an expert to the Territory to check on the progress made in the implementation of the Five-Year Plan for the Development of Education in Somaliland. Since, however, a UNESCO mission would be sent to Somaliland in 1956 to study the extension of this plan to 1960, it would be practicable to postpone this survey until then.

As far as the preparation of the judicial regulations was concerned, this problem was a very delicate one, since it required that two completely different types of law had to be co-ordinated and unified. The Administration agreed with the Advisory Council's suggestion to secure the assistance of a legal expert from an Islamic country. A number of Somalis were studying law in Italy and their participation would also be most valuable because of the particular social and legal situation prevailing in the Territory. The studies already begun were still in their first stage and the matter would take some time to be definitively settled.

The Administration agreed on the fact that the ordinance on the institution of land registers, as approved by the Territorial Council, does not solve the very problem confronting the Administration, i.e., the necessity of preparing a law concerning the various land rights. It appeared, however, from the numerous studies which had been made during the two preceding years that insuperable difficulties were encountered when the Administration tried to synthesize the two concepts of collective (tribal) and individual property. The basic principles varied from region to region, from tribe to tribe, and it appeared that this problem could be solved only through practical experience. This was the reason why it had been decided, as a first step, to institute the land registers. In that way, every individual decision taken by both the judge and the *cadi* regarding the property rights claimed would become, so to speak, a matter of jurisprudence and would help in establishing general principles on which the future land legislation would be based. In fact, the registration in the land books would create and would give a legal value to the property rights. This seemed to be the only sensible solution.

The Acting Administrator concluded by thanking the members of the Advisory Council for the opportunity they had offered him of expressing the Administering Authority's point of view on various problems of the greatest importance for the future of the Territory. He sincerely hoped that such cordial relations between the two bodies would continue without interruption until 1960 when Italy and the United Nations would have completed the task entrusted to them of bringing a new nation to independence.

D. RELATIONS WITH THE LOCAL POPULATION

27. The Advisory Council and the Secretariat have, during the period under review, maintained with the inhabitants of the Territory the close and friendly relations initiated during the preceding years. Direct contacts with various organizations, political groups and individuals constitute one of the means at the disposal of the Council for obtaining the information necessary to its work in accordance with article 9 of the Trusteeship Agreement. In Mogadiscio and elsewhere in the Territory, such contacts are believed useful in making the population conscious of the presence of the United Nations and in showing proof of its interest in the Territory's development. The members of the Advisory Council and the officials of the Secretariat invariably placed themselves at the disposal of all visitors.

28. Among the visitors are the petitioners who address themselves either to the Advisory Council or to other organs of the United Nations and whose requests are transmitted to the Trusteeship Council for consideration. They often wish to submit their requests directly to the members of the Council and to officials of the Secretariat and to supplement them orally. Such petitions constitute for the Advisory Council another means of obtaining information. Among the visitors are also representatives

of the various political parties with whom the members of the Council are always ready to exchange views regarding pertinent problems relating to the Territory's development and preparation for independence.

Communications

29. The Advisory Council continued to receive a number of communications, among which were numerous petitions. Those communications concerned either the conditions prevailing in the Territory or individual cases. During the period under review, the Advisory Council received 157 such communications. According to the usual procedure, the Advisory Council, after having studied the communications and sent copies to the Administering Authority, transmitted them to the Secretary-General of the United Nations for submission to the Trusteeship Council.

Field trips

30. The Advisory Council's members and the officials of the Secretariat kept in close contact with the Somali population, not only in the town of Mogadiscio itself, but also in other centres of the Territory. During those trips, they had the opportunity of studying in towns, villages and rural areas the problems encountered in the administration of the country and its preparation for independence. The local authorities fully co-operated in giving the information the Council needed to perform its task.

Official United Nations Day celebration

31. The Administration and the Advisory Council closely co-operated in celebrating United Nations Day with the solemnity it deserves. Various publications concerning the United Nations were distributed to schools and to organizations and political parties sufficiently in advance so as to reach the remotest parts of the Territory in due time. The representatives of Egypt and of the Philippines made appropriate speeches which were broadcast in Arabic, English and Somali by the Mogadiscio Broadcasting Station. The local newspaper *Il Corriere della Somalia* dedicated a whole page to the celebration, publishing the messages received from the President of the General Assembly and from the Secretary-General, which were also broadcast.

32. A reception was offered in Mogadiscio by the Advisory Council to which more than 300 persons were invited. A film show was organized in the United Nations compound where motion pictures depicting the activities of the United Nations and the specialized agencies were shown. The roads being impassable because of the rains, only two other towns could be visited by members of the Secretariat, who celebrated the event with the co-operation of the local authorities.

33. The sixth anniversary of the adoption of the Universal Declaration of Human Rights was also celebrated in the whole Territory, more particularly in schools. Articles were published in the local press and a radio broadcast was also given. The Advisory Council distributed written information about the United Nations to the political and cultural organizations.

Dissemination of information about the United Nations

34. One of the functions of the United Nations Advisory Council is to assist the Administering Authority in the task of helping the various elements of the population to appreciate the importance of the decision providing for the independence of Somaliland in 1960. The permanence of the Advisory Council in the Territory and its trips to the interior, the purchase by the United

Nations of the "compound" where the offices of the Council are situated and where certain members of the Secretariat staff are living, and the use of the United Nations flag are all factors which make the inhabitants aware of the interest the United Nations takes in them.

35. The Advisory Council took advantage of every opportunity to disseminate, in full agreement with the local authorities, all information regarding the United Nations, its organization and aims and, more particularly, the trusteeship system. Information in Arabic, English and Italian, supplied by the Headquarters and Cairo Services of the Department of Public Information, was distributed to schools and to political and cultural organizations. During the period under review, the United Nations cinema van made as many trips as possible. In close co-operation with the Administration, motion pictures dealing with various activities in Somaliland were shown to the population of the centres visited, for the purpose of promoting the formation of national unity indispensable to the country. Through their many contacts with the population, the members and the secretariat of the Advisory Council found that knowledge about the United Nations and the part it plays in shaping the future of the country is wide-spread.

36. The Council must point out that the publications available for distribution to the various elements of the population are clearly insufficient. The conditions in the Territory of Somaliland are somewhat special; in some other Trust Territories publications drafted in English or French may be understood by the population; but only a limited number of pamphlets in English can be distributed in Somaliland. The secretariat received some literature in Arabic and Italian. The Somali language, however, is spoken, not written, and no printed publication may be envisaged in this language. It is suggested that, as a solution, more publications prepared either in Italian or, preferably, in Arabic by the competent services of the United Nations be made available.

E. THE REPORT

37. Chapters II, III, IV, V of this report, dealing respectively with political, economic, social and educational matters, contain a summary of the advice given by the Council and, whenever possible, the Administering Authority's replies. Mention is also made of the extent to which the Council's recommendations have been given effect. A complete list of communications addressed to the Advisory Council by the Administering Authority and of the letters of reply sent by the Advisory Council has been annexed to this report. Another annex contains the respective agenda of the various sessions of the Territorial Council during the period under review.

CHAPTER II

POLITICAL ADVANCEMENT

A. THE POLITICAL SITUATION

General

38. In October 1952, the Administrator of Somaliland forwarded to the members of the Advisory Council the general lines of a plan for the political and social development of the Territory; this document was annexed to the Advisory Council's report covering the period from 1 April 1952 to 31 March 1953 (T/1048). This plan laid down, in general but rather clear terms, the lines along which the Administering Authority intended to proceed with the development of Somaliland. Among other things, it dealt

with reforms to be brought to the Territorial Council and the municipal councils, the "Somalization" of central services and the judicial organization.

39. During the course of interviews the Advisory Council had with high officials of the local Administration and, especially, with the Administrator, some of the intentions of the Administration were clearly mentioned with particular reference to the organization of general elections and the reform of the Territorial Council. It was therefore with satisfaction that the Advisory Council noted, in the report (T/1143) of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, which stayed three weeks in the Territory in September and October 1954, a new affirmation of the Administering Authority's firm intention of gradually organizing the governmental bodies of Somaliland in such a way that they might attain a sufficient degree of autonomy and "Somalization". Thus it would be possible to foresee the final structure to be given to the Government at the date provided for by the Trusteeship Agreement, i.e., 18 months prior to the transfer of all the functions of government which must conclude the Trusteeship period and coincide with the proclamation of the Territory's independence.

40. The Advisory Council has already made known the special interest it attaches to the plan forwarded by the Administration in October 1952. It is, in fact, convinced that it would be most advisable for the Administering Authority to prepare a plan establishing the various annual stages of political development until 1960 and to communicate this plan to the political parties; such a step might have a valuable psychological effect upon the people, who could, with full knowledge of the situation, constantly assist the Administering Authority in its task. The leaders of the political parties have shown political maturity and a sense of responsibility. It would therefore be most advisable to associate them by all possible means in the difficult task of establishing the various bodies of the central Government and of the regional Administration. Once the aims have been clearly defined, their full participation would certainly follow.

41. From a general point of view, the Advisory Council wishes to express its deep satisfaction at the fact that, in a short time, a spirit of co-operation has been achieved between the various political parties and the Administering Authority, as well as a climate of fruitful collaboration between the parties themselves, which augurs well for the political future of the country.

42. The Advisory Council attaches great importance to the political evolution of the Territory, especially to the way in which the future institutions are taking shape. However, the work ahead is considerable and the Council wishes to express the hope that during the forthcoming year it will be possible to carry into effect the projects which have been already contemplated, in particular, the holding of general elections, the reorganization of the Territorial Council into a body entrusted with powers of its own, the transformation of municipalities into real centres of regional administration, the reorganization of the judicial system so that it can be adapted to the actual needs of the country, and, finally, an ever-greater "Somalization" of the public services through the systematic training of the administrative and judicial staffs.

43. It should, in fact, be kept in mind that, since the plan for the transfer of the functions of government must be submitted to the Trusteeship Council 18 months prior to the end of the trusteeship period, the political institutions themselves should be established well before that date in order that an indispensable test period might be provided. A comparison, however, between the plan prepared in October 1952 for the political development of the Territory and the present situation shows that the

achievements fall somewhat short of the targets. Furthermore, the plan provided that, before 1958, a first experiment in direct administration would be held in a region of the Territory which would be entirely entrusted to Somalis. The Advisory Council hopes that this experiment may be put into effect in the near future.

44. It is obvious that the most elaborate plans and the establishment of carefully designed governmental bodies would actually represent nothing more than vain efforts should they fail to be accompanied by the systematic training of the elements which will be entrusted with the delicate task of filling the responsible posts. The value of the future Somali political institutions, whatever they may be, will be entirely dependent upon the ability of the persons entrusted with their functioning. The training and the sense of discipline that the future Somali citizens are acquiring through political activities and through their work within their respective political parties are undoubtedly indispensable to the smooth functioning of the institutions of the future Somali State; it cannot, however, compensate for the systematic preparation of the administrative, judicial and technical officials, nor for the training of a certain number of representatives of the people who, at the expiration of the trusteeship period, will be responsible for the public welfare in the smallest municipal council, as well as in the National Legislative Assembly. Since it is only a few years from now that Somaliland will meet its new destiny, the Advisory Council feels in duty bound to recall that, more than once, it stressed the necessity of giving very special attention to the training of administrative officials as well as to using the municipal councils as a training ground for the preparation of those who will later be entrusted with the management of local public affairs.

45. With regard to the various councils—municipal or regional councils and the Territorial Council—it would undoubtedly be advisable to follow procedures similar to those which have been adopted in other territories and which aim at improving the civic, administrative and legislative education of the members of such councils. Real courses of study could be organized before each session so as to familiarize the councillors with the problems they will have to study and the decisions they will have the responsibility of taking. Courses dealing with central and regional administrative procedures, the functioning of public services, the management of public funds, etc., would be most useful since they would speed up the civic education of the councillors by giving them a training which, otherwise, they could acquire only through experience, that is, after many years in office.

46. It is obvious that the necessity for Somaliland to rely, after 1960, on the help of a certain number of foreign technicians and experts, as was and still is the case with other territories under similar conditions, should be envisaged even now. However, the independence of the future Somali State would not really be manifested should the assemblies, either regional or national, be unable to reach policy decisions by themselves but be bound, in this field also, to request advice from abroad.

Question of the frontier between Somaliland and Ethiopia

47. By a letter dated 24 July 1954 addressed to the Advisory Council, the Secretary-General of the United Nations forwarded a copy of resolution 1000 (XIV) adopted by the Trusteeship Council at its 549th meeting on 6 July 1954 regarding the question of the frontier between the Trust Territory of Somaliland under Italian Administration and Ethiopia. Paragraphs 2 and 3 of the operative part of the resolution read as follows:

“The Trusteeship Council,

“...

“2. Requests the Secretary-General to request the Governments of Italy and Ethiopia to furnish all appropriate information as to the progress of the direct negotiations between the two Governments for submission to the General Assembly at its ninth regular session;

“2. Invites the Advisory Council to submit to the Secretary-General in the same period such information as it may obtain in the course of its regular functions as to the actual situation in the frontier area”.

48. In accordance with the request of the Trusteeship Council that the General Assembly receive, at its ninth session, a report on the question of the frontier between Somaliland and Ethiopia, the Secretary-General submitted a document (A/C.4/277) containing the communications received from the Governments of Italy and Ethiopia and a report prepared by the Advisory Council. From the date it initiated its activities, the Council's attention was called to the complex problems raised by the delimitation of the frontier between the Trust Territory of Somaliland and Ethiopia. On several occasions, the members of the Advisory Council had stressed before the Trusteeship Council the necessity for reaching a solution as soon as possible in order to put an end to a tense and unstable situation which might at any moment give rise to much more serious events. As a matter of fact, the intervention of the members of the Advisory Council, and more particularly that of the Colombian representative during the fourteenth session of the Trusteeship Council, certainly contributed to the adoption of resolution 1000 (XIV) of 6 July 1954.

49. In the course of the past years, many communications have been addressed to the Advisory Council with regard to the situation existing in the frontier area. The Council has been kept informed of the atmosphere of unrest among the people of these regions, either verbally in Mogadiscio or on the occasion of field trips, and through communications transmitted to United Nations Headquarters.

50. On 25 October 1954, after having taken cognizance of and studied the report prepared by the representative of Egypt on his trip through the border regions of Belet Uen, Mataban and Dusa-Mareb, the Advisory Council decided to forward it to the Secretary-General, together with an historical account of the problem of the frontier. Both documents have been included in the Secretary-General's report (A/C.4/277).

51. On 14 December 1954, at its 512th plenary meeting, the General Assembly, after a discussion in which representatives of the Italian and Ethiopian Governments and the representatives of Colombia, Egypt and the Philippines took part, adopted resolution 854 (IX). This resolution recommended that, should direct negotiations fail to achieve any results by July 1955, the Italian and Ethiopian Governments should resort to the procedure outlined in General Assembly resolution 392 (V), that is to agree, on the request of either party, to a procedure of mediation by a United Nations Mediator to be appointed by the Secretary-General, and, in the event of the inability of the parties to accept the recommendations of the Mediator, to a procedure of arbitration.

52. The news of the General Assembly resolution was received with satisfaction in the Territory; the people had the feeling that the United Nations was determined to put an end to the existing situation. At the beginning of 1955, however, the Somalis were seriously disturbed by the news that an agreement had been signed in Hargeisa between the Ethiopian and British Governments concerning the so-called “Reserved Areas”. This area includes large parts of the Ogaden, along the border of British Somaliland, and extends to a point at 48 degrees

east longitude and 8 degrees north latitude. In 1950 this point had been substituted for the one which, prior to 1935, had been considered as the frontier between former Italian Somaliland, British Somaliland and Ethiopia. The region of the Haud comprises the territories situated in the immediate southern part of the intersection 8 degrees north latitude and 48 degrees east longitude and extends on both sides of the 1935 frontier. The total area of the regions concerned would be some 25,000 square miles. The agreement signed on 5 January 1955 reaffirms the grazing and watering rights of British Somaliland nomad tribes in the Haud and the Reserved Areas; the Ethiopian Government has now supplemented these rights by granting certain administrative facilities and powers to the British authorities concerning, in particular, the right to maintain representatives in the Reserved Areas and the Haud and the acknowledgment of the fact that tribes from Somaliland, when they sojourn in these areas, are under the judicial and administrative authority of the Government of the Protectorate of British Somaliland. The medical, veterinary and educational facilities will, as before, be provided by the British authorities. Whereas the former agreement could be dissolved with three months' notice, the new one is binding for 15 years.

53. The news of that agreement, published in the local newspaper, provoked reaction among the people of the Territory. On 16 January, political parties organized manifestations in Mogadiscio and in all centres of the country. In Mogadiscio, a parade estimated at 20,000 persons walked for hours, calmly and orderly, through the streets to protest against the agreement signed in Hargeisa. The leaders of the main political parties who led the manifestation on their own responsibility, pledging order and decorum, called at the offices of the Administration, where they had an exchange of views with the Secretary-General, at the British and French consulates and, finally, at the offices of the Advisory Council, where they were received by the representatives of Egypt and the Philippines. In each of these places they left the text of a protest which was immediately forwarded to United Nations Headquarters. Similar manifestations were held in other sections of the country, according to the telegrams received by the Council soon thereafter.

54. In the above-mentioned communication, addressed through the Advisory Council to the Secretary-General and to the Presidents of the General Assembly and of the Trusteeship Council, the leaders of the political parties requested the immediate repeal of the agreement. The request was based on the opinion that the regions involved were Somali territories; that the Haud region was included in the contested frontier area, that no decision thereon should be taken prior to the settlement of the question of the border between Ethiopia and Somaliland; and, finally, that the inhabitants of those regions had never been consulted. When they handed this communication to the Advisory Council, the political leaders expressed the wish that this question be examined immediately by the Trusteeship Council.

55. The Advisory Council, believing that this new development in the question of the frontier came within the framework of the recommendation contained in Trusteeship Council resolution 1000 (XIV) of 6 July 1954, feels in duty bound to make the following observations:

In the first place, the Advisory Council believes that the conclusion of this agreement is in no way prejudicial to whatever decisions or dispositions might be taken on this vital question.

In the second place, it would undoubtedly be most interesting to know the opinion of the people affected, as this question calls for the exercise of the right of self-determination. The Advisory Council heard that, in

February 1955, a delegation of four notables, whose travel expenses were to be paid by public subscription, went to London to protest against the terms of the agreement. The Advisory Council believes that the opinion of the people so affected should be sought.

In the third place, the Council will not fail, during the months to come, to report all information it can gather which may be of aid or of interest to the Trusteeship Council.

The political parties

56. Political life in the Territory presents three main aspects, to wit: first, the deep interest shown by the urban elements and the rural population in contact with these elements; secondly, the structure and the respective strength of the political parties which as yet have not taken final form and may not yet represent all the different trends and aspirations existing in the Territory; and, thirdly, the fact that only a minority of the population has, up to now, taken an active part in the political life of the Territory.

57. The populations of the urban centres have shown at every opportunity the deep interest they take in the political life of the country. This enthusiasm has always been, in the past, accompanied by a remarkable sense of discipline. During the electoral campaign and the elections of March 1954, as well as during the manifestation of 16 January 1955, thousands of Somalis taking part either in political meetings or in other similar demonstrations, showed a respect for public order and peace which is undoubtedly a proof of their political maturity. This remark, of course, applies mainly to the population of urban centres and other areas having sufficiently direct interest in the solution of regional or territorial political problems. Most of the Somalis who have attained a certain level of instruction are active members of a political party. The political parties have played a very important part in the evolution of the country during the past years. The discipline they impose upon their members, the social activities they often undertake, the civic sense and responsibility shown by their leaders constitute a kind of training for future Somali citizens.

58. The municipal elections held on 28 March 1954 throughout the Territory were the first democratic elections to take place in Somaliland; they were based on universal male suffrage, and free, direct, and secret ballot. The electoral campaign and the balloting were marked by the interest, even the enthusiasm, of the people. The elections were held in 35 municipalities, the total population of which amounted to 236,000 persons. The number of registered electors was 50,740; and a total of 38,119 electors voted, i.e. a poll of 75.1 per cent.

59. The Somali Youth League participated in the elections in 34 municipalities out of 35 (the municipality of Itala, where it abstained from participation, is the traditional centre of the Abgals, who gained all the seats). The Hisbia Dighil Mirifle presented candidates in fifteen municipalities; this party is organized on a tribal basis and recruits chiefly among the population living in the agricultural regions extending between the Uebi Scebeli and the Giuba. The Unione Africana Somalia, the Lega Progressista Somala and the Unione Nazionale Somala, the most important among the parties which later merged with the new Democratico Somalo party, had presented candidates in 22, 13 and 7 municipalities respectively. The Somali Youth League obtained an absolute majority in 15 municipalities; the Hisbia Dighil Mirifle in six and the Lega Progressista Somala in one.

60. During the electoral campaign and the balloting, twenty-five petitions were sent to the Advisory Council and to the central Administration by the Somali Youth League, which complained that some local authorities were interfering with the electoral campaign. The central committee of the Party summarized its complaints in a general petition dated 30 April 1954. While recognizing the impartiality of the high officials of the Administration, it requested that, on the occasion of future elections, the methods reported by certain local branches of the party be avoided. Two petitions sent by the Lega Progressista Somala denied some of these accusations.

61. The elections held on 28 March 1954 show the political maturity of the urban body of electors and the remarkable sense of discipline of the political parties; the obvious success of the Somali Youth League as a party of territorial importance; and the regional influence of the Hisbia Dighil Mirifle.

62. It appears that during the period under review the trend already noticed last year among the political parties to co-operate with the Administering Authority has been accentuated. It seems that the political leaders have understood that, since Somaliland has been given a short period of time to prepare itself for independence, it was advisable to take advantage of every means at their disposal and to ensure the co-operation of all. The Advisory Council recommends that a plan be prepared by the Administration as soon as practicable indicating the different stages necessary for each successive year, until a fully developed political organization has been attained, and ensuring as much as possible the co-operation and participation of the different political parties.

63. On the other hand, it should be noted that important modifications occurred in the distribution of the political parties. In July 1954, six parties were authorized to merge into one organization under the name Partito Democratico Somalo. During the municipal elections held in March, those parties had obtained a total of 7,412 votes, representing 63 seats. According to the results of these elections, therefore, the Partito Democratico Somalo ranks third among the political parties of the Territory, after the Somali Youth League and the Hisbia Dighil Mirifle; the other parties have local influence and do not claim, so it seems, to represent any movement of national importance, as is the case with the first three.

64. The participation in political life of the major part of the Somali population, nomad or semi-nomad, which up to the present has not taken part in the political activities of the Territory makes the country's political future still unpredictable. According to the evaluation made by the Administering Authority in 1953, the number of Somalis having a permanent residence represent 24.5 per cent of the total population, to which should be added another proportion of 8 per cent representing the population having semi-permanent residence, thus totalling 32.5 per cent. Only a part of this population participated in the political activities of the preceding years, and it was only on the occasion of the municipal elections held in March 1954 that a great number of Somalis belonging to this group were called upon to vote. From a total Somali population of 1,270,000 persons, of whom 236,417 live in what was considered urban districts, 50,740 electors registered. The results of the March 1954 elections represented, therefore, the opinion of less than 20 per cent of the population.

65. It is said that the nomad and semi-nomad population will not find any difficulty in expressing their opinion when consulted; this is based on the contention that the *shirs* and the elections of chiefs have already made them

familiar with voting. There are those who believe, however, that the participation of this major part of the population in modern democratic elections necessitates a certain preparation. In any case, the introduction into the political life of the country of a body of new electors much larger than the previous electorate is likely to result in an intensification of political activities and may bring about changes in the respective importance and strength of the political parties, although the three principal ones now existing appear to represent the main trends of opinion. Doubtless the future general elections will show the way in which the political forces of the country will be distributed in 1960, when the government and the administration of this Territory will be handed over to the Somalis.

District councils

66. In order to give the population of the rural areas some organs of political evolution and of expression comparable to those already established in a certain number of municipal centres, the Administering Authority had planned to enlarge the powers of the regional councils and to modify their organization in the sense of a better and more active participation of the population. A first attempt along those lines was made in 1953, tending to make the meetings of the traditional *shirs* more frequent and more effective; however, the Territorial Council thought that such a reform was premature.

67. In order to ensure a better representation of the rural population and a better functioning of the regional assemblies, as recommended by the General Assembly at its eighth session and by the Trusteeship Council at its twelfth session, the Administering Authority prepared the draft ordinance which was transmitted to the Advisory Council by letter of 27 January 1955. The project provided for the abolition of the existing regional councils and the creation of new assemblies—the district councils—better adapted to the political needs of the rural population. The district council would consist of chiefs elected on a territorial basis by tribal as well as by other groups through traditional *shirs* held in accordance with local customs. Certain traditional chiefs, however, whose clans or families enjoy special religious or political rights and who have a large following may be designated by decree as councillors.

68. The district commissioner, responsible for the organization and the holding of the *shir*, would be assisted by a supervisory committee, consisting mainly of representatives of the interested group, to ensure adherence to the local customs. Records of the meetings would be forwarded to the competent regional judge, against whose decision appeals could be lodged with the Judge of Somaliland, whose decision would be final. Should a regularly convened *shir* fail to meet or should the number of persons attending it be considered legally inadequate, that group would have no representative in the district council and its chiefs would be relieved of their functions.

69. The council, presided over by the district commissioner, would express its opinion on all subjects referred to it by the district commissioner and would reach decisions by an absolute majority. Although its advice would not be binding, the council would normally be consulted on matters pertaining to agriculture, trade, industry, public works, education, health, labour, etc., provided that none of these fell within the competence of municipalities. The Council could, however, take binding decisions on such matters as those relating to the ascertainment of local customs (*destur*, *diah*, *arifato*, etc.) followed in the settlement of tribal disputes and could introduce modifications thereto. Should the prescribed quorum not be reached or should the Council be unable

to formulate advice in the course of two successive meetings convened within an interval of more than fifteen days, the district commissioner may dispense with the Council's advice in all cases in which such advice is not binding.

70. The Territorial Council debated the draft ordinance between 9 and 21 March 1955 and during animated discussions introduced a number of modifications. The final text of the ordinance provides that, in addition to the elected chiefs, the following may be designated by decree as district councillors without the necessity of convening a *shir*: those hereditary chiefs whose importance and prestige are widely recognized in the Territory and whose clans and families enjoy both authority and a large following among the tribes; the representatives of political parties which have at least one branch in the district; the representatives of the main economy interests in the district; the representatives of religious and cultural groups.

71. Appeals against the lists published by district commissioners regarding the groups entitled to hold *shirs* for the election of district councillors in their areas may be lodged with a special commission set up in each district and composed of the district commissioner, acting as president, and ten to fifteen members designated by him from among the chiefs and notables, etc. The district commissioner appoints, for each *shir* to be held within his area, a supervisory committee consisting of either five, seven or nine members, of which three, four and five respectively represent the groups convened in *shir*. The other two members will be designated from among other tribal groups residing in the same district. This committee will elect its president from among its members and will decide by a majority vote on the validity of the *shir*. Each political party which has at least one branch in the area where the *shir* is to take place may send one observer to witness the latter's functioning. Such observers may request the supervisory committee to include their observations in the records of the *shir*.

72. Should a regularly convened *shir* fail to meet or should the number of people taking part in it be less than that considered sufficient for the validity of the *shir*, the district commissioner shall fix another date for the holding of the second *shir*. In case a second *shir* is held in any district, the members of the supervisory committee serving in that district shall be changed.

73. Each district councillor elected in a *shir* shall be appointed by decree chief of his group. Should a councillor systematically fail to perform his duties, he would, on the recommendation of the Regional Commissioner, be relieved of his functions by decree. The district commissioner would, within four months of the decree, convene a *shir* to elect a new councillor.

74. Each district council will be convened and presided over by the district commissioner, who prepares its agenda. The Council will elect a Vice-President. It will be convened at least once every three months and its meetings in order to be legal, should be attended by at least half of the councillors. These meetings will be public, and decisions will be taken by an absolute majority. The council will generally assist the district commissioner in the administration of the district and shall express its views on all questions referred to it by the commissioner, particularly on questions pertaining to the application of local customs (*destur*) regarding the payment of the traditional *diah* and to controversies among groups on grazing and watering rights, as well as on territorial boundaries. This matter is still pending before the Advisory Council.

B. ADVICE GIVEN BY THE ADVISORY COUNCIL

Adoption of the national flag of Somaliland

75. By letter dated 4 September 1954, the Administering Authority forwarded to the Advisory Council a draft ordinance concerning the Territory's national flag; it was stressed that the question of the adoption of a Somali flag had already been discussed several times, but that no agreement had been reached on the principal characteristics of the flag. It was added that an agreement had spontaneously been reached and that the Territorial Council had unanimously adopted the new national emblem during a meeting held on 1 July 1954. The flag is light-blue in colour with a white five-pointed star emblazoned in its centre.

76. The Advisory Council examined this communication at its meeting on 30 September 1954 and informed the Administering Authority by letter dated 1 October of its great satisfaction at this initiative, which meets the legitimate desire of the Somali people to possess their own national emblem. The Council also recalled how it had been impressed by the moving ceremony it had attended on 6 September, on which occasion the Territorial Council had enthusiastically endorsed the characteristics of the new flag of Somaliland.

77. During another ceremony, held on 12 October 1954 before an impressive and enthusiastic but disciplined public and in the presence of the members of both the Visiting Mission and the Advisory Council, the Somali flag was hoisted for the first time on top of the Trusteeship Administration building in Mogadiscio alongside the respective emblems of the United Nations and of Italy.

Changes in the names of territorial divisions and in the titles of certain officials

78. By letter dated 2 September 1953, the Administering Authority informed the Advisory Council that the denominations "Province", "Provincial Commissioner", "District" and "District Commissioner" would henceforth respectively replace the former denominations "Regional Commissariat", "Regional Commissioner", "Residence" and "Resident". By letter dated 9 November 1953, the Advisory Council received, in accordance with article 8 of the Trusteeship Agreement, a copy of a draft ordinance designed to give effect to these modifications. In its letter of 28 September 1954, the Advisory Council informed the Administering Authority that it had studied these communications at its meeting held on 25 September and had taken due note of them.

79. By letter dated 4 September 1953, the Administering Authority forwarded to the Advisory Council the text of a decree dated 31 July 1954 whose aim is to reorganize the central offices and services of the central administration in Mogadiscio, and to obtain a reduction of personnel and of general expenses. By its letter of 28 September 1954, the Council informed the Administering Authority that, at its meeting of 25 September, it had examined and taken due note of this measure.

Election of members to the Territorial Council

80. At its fourteenth session, the Trusteeship Council recommended to the Administering Authority that the system of direct elections be extended to the entire population on the occasion of the elections to the Territorial Council to be held in 1955; it recommended, moreover, that careful consideration be given to the future composition and the functioning of the Territorial Council.³ The General Assembly, in its resolution 755 (VIII) of 9 December 1953, had already recommended

³ See A/2680, p. 100.

that the Administering Authority, in consultation with the Advisory Council, should continue to take the necessary steps to prepare the Somali people progressively for the attainment of complete independence and, in particular, that wider powers be granted to the Territorial Council and that its members should be elected by the people on the basis of universal adult suffrage.

81. By letter dated 30 September 1954, the Advisory Council informed the Administering Authority that, at its meeting on 25 September, it had examined the important question of the future general elections to the Territorial Council; it referred to the text of the Trusteeship Council's recommendation and expressed its particular interest in the preparation for these elections, as well as in receiving all information the Administration could forward to it concerning the progress made in this respect and the approximate date on which the elections were to be held.

82. Later, on the occasion of an interview between the Advisory Council and the Administrator of the Territory, the latter informed the members of the Council that the elections would take place in 1955 and that the procedure to be adopted would probably be based on primary and secondary elections, as far as the rural population was concerned, whereas the urban population would vote as in the preceding elections, *i.e.*, by direct ballot. First degree elections would enable the members of the tribes to choose their electoral representatives who, in their turn, would designate the members of the Territorial Council. The Administrator added that he hoped the political parties would understand the wisdom and advisability of going through this transitional stage; the succeeding elections, which would probably take place in 1958, could be held on the basis of direct male suffrage throughout the Territory.

83. Under cover of a letter dated 27 January 1955, the Administering Authority forwarded to the Advisory Council a draft ordinance regulating the elections to be held with a view to designating the new members of the Territorial Council. It was stated that these elections would take place during the third term of the year 1955. The draft ordinance contained more than 120 articles which, in more than 40 pages, regulated the electoral mechanism. The main lines of the draft ordinance were as follows:

The Territorial Council would be elected without the participation of women. The rural population would choose their councillors by means of primary and secondary elections; during the *shirs* they would designate their electoral representatives, who would then meet to elect the territorial councillors. The urban population would vote by means of direct and secret ballot.

The number of territorial councillors to be elected would be in the proportion of one per 25,000 inhabitants and per fraction of not less than 12,500; as far as the urban population was concerned, each municipality would be assigned a minimum of one seat, unless its population was less than 5,000 inhabitants.

The ethnic minority groups would, as before, be represented respectively by four Italians, two Arabs and one representative of the Indian and Pakistani community. These councillors would be elected according to special provisions to be issued by decree of the Administrator. The councillors thus elected would stay in office for a period of four years.

84. The assessments made for the distribution of seats were annexed to the draft ordinance. They showed that, as a result of the system which would be adopted, municipalities would send 23 councillors to the Territorial Council whereas the rural population would have 36 representatives therein.

85. After having taken cognizance of the main lines of the draft and having come to the conclusion that the problems involved were of major importance, the Advisory Council decided, at its meeting on 12 February 1955, that it needed some supplementary information from the Administering Authority for a thorough study of the regulations, but that it should not wait to be in a position to give final advice concerning the regulations as a whole before formulating certain observations. Therefore, the Council thought that preliminary advice should be formulated in order to inform the Administering Authority of some doubts the Council entertained with regard to a certain number of points.

86. By letter dated 15 February 1955, the Advisory Council informed the Administrator that, in view of the importance of the matter, it had immediately undertaken the examination of the draft ordinance, reserving, however, its right to give final advice after a more detailed study and after having received supplementary information regarding the following points:

The reasons for adopting the figure of 25,000 inhabitants as a basis for the attribution of seats;

The basis on which the figures relating to the rural and nomad population had been established, since no census had been taken;

The intentions of the Administration concerning the definition of Somali citizenship;

The reasons for the Administration's attributing 36 seats to rural representation as against only 23 to urban representation, considering that the stage of political development of the urban population would seem to justify at least an equal number of seats for both.

87. The Advisory Council, moreover, noted that the future councillors would be elected for a period of four years, which meant that the next Assembly would stay in office until the end of 1959. Since article 25 of the Trusteeship Agreement provides that the plan for the transfer of all the functions of government must be submitted to the Trusteeship Council eighteen months before the expiration of the Agreement, the Advisory Council made a point of expressing to the Administering Authority the serious doubts it entertained about whether an assembly elected and composed as provided for in the draft ordinance could function as a constituent assembly charged with the duty of discussing and adopting a constitution which had to be put into force at that time.

88. By letter dated 10 March 1955, the Administering Authority forwarded to the Advisory Council the desired information stating that:

(a) The figure of 25,000 inhabitants had been set as a basis for the attribution of seats because it had been thought that an assembly of some 70 members could proportionally represent the total population of the Territory;

(b) The figures relating to the rural and nomad population had been established on the basis of data obtained by the census of 1931, of those furnished by the British Administration, and of the various estimates made by the Trusteeship Administration especially in connexion with the preparation of its annual report;

(c) In accordance with declarations previously made, in particular before the Trusteeship Council, the legislation concerning Somali citizenship could not, in the Administering Authority's opinion, be promulgated without the co-operation of an elective assembly representing the whole population;

(d) The Administering Authority concurred with the Advisory Council that it was necessary to take due account of the stage of political development reached by

the urban population. It was not opposed, therefore, to the creation of new municipalities in order to ensure to the urban population in a *de facto* manner a fair quota of seats as compared with that assigned to the rural, the numerical factor tending to favour the latter;

(e) Finally, the Administering Authority agreed with the Council regarding the term of office of the future territorial councillors. Consequently the Territorial Council would stay in office only until 1958.

89. Between 24 and 30 March 1955, the Territorial Council examined the draft ordinance on elections to the Territorial Council and, by an overwhelming majority, adopted the following main points:

Sixty seats would be allocated to Somalis, and nine to representatives of ethnic minorities;

Elections would be held by male suffrage (although some councillors pressed for female suffrage as well, they were a slim minority);

The term of office of the councillors would be until 30 June 1958;

Among the rural population, primary and secondary elections would take place; the people would hold their traditional *shirs* to designate their electoral representatives who, in turn would vote for Territorial Councillors; in municipalities, direct elections would be carried out by secret ballot.

90. During the period preceding the election date fixed by decree, *shirs* will be held in all rural areas for the election of electoral representatives. On election day and at the designated municipal polling place, each representative will be entitled to cast, by secret ballot, his own vote as well as a number of votes equivalent to those he had obtained at the *shir*. Accordingly, the total number of electors in the Territory will comprise the registered urban voters in all municipalities, plus all the electoral representatives for rural areas, plus the number of votes each such representative will be entitled to cast on account of the votes he had won at the *shir*. Non-attendance of rural voters at the *shir* will mean that their votes will be left out of the ballot. On the basis of such procedure, the 60 seats in the Territorial Council will be allocated between the 30 districts of the Territory; and on the basis of polling on election day, the 60 seats will be distributed among the lists of candidates presented by the political parties in accordance with the principles of proportional representation. Provision will be made for the following ethnic representation: four seats for the Italian community, four seats for the Arab community, one seat for the Indian community and one seat for the Pakistani community. No individual may function simultaneously as territorial councillor and municipal councillor.

Powers of the Territorial Council

91. Article 4 of the Declaration of Constitutional Principles attached to the Trusteeship Agreement provides that "the legislative authority shall normally be exercised by the Administrator, after consultation with the Territorial Council, until such time as an elective legislature has been established". The necessity for electing a legislative assembly, also mentioned in more general terms in article 3 of the Trusteeship Agreement, was recalled by resolution 755 (VIII) of the General Assembly, which recommended that the Territorial Council should be granted the powers of a legislative organ. This was also stressed by the Trusteeship Council, which, following the resolution adopted at its twelfth session, again recommended at its fourteenth session that careful consideration be given to the future composition of the Territorial Council with a view to ensuring that the functioning of the legislative branch of government would be in con-

formity with the objectives set out in the Charter and in the Declaration of Constitutional Principles annexed to the Trusteeship Agreement.⁴

92. The Advisory Council based itself on such recommendations when, on several occasions, it called the attention of the Administering Authority to the necessity for increasing the powers of the Territorial Council in order to transform it into a legislative assembly. The Advisory Council, when studying certain economic questions, thought it advisable to mention in its advice the urgency of increasing the powers of the Territorial Council in the financial field, especially with regard to the customs tariffs (letter dated 30 September 1954 referring to the contents of letter of 22 January 1954), import and export controls (letter of 26 November 1954), and the examination of the Somaliland budget, as well as control over municipal budgets (letter of 26 November 1954). On the occasion of an exchange of views he had with the members of the Advisory Council, the Administrator informed them of his Administration's intention to enlarge the powers of the Territorial Council, especially with regard to financial matters.

93. As the Advisory Council stressed in its letter of 22 January 1954 concerning the customs tariffs, the Council is perfectly aware of the complexity of the work to be carried out in order to give the Territorial Council the legislative powers normally exercised by such assemblies. However, the Advisory Council is of the opinion that, after the elections to be held at the end of 1955, it would be most advisable and urgent to provide for the transfer of such powers and to complete this transfer with courses meant to familiarize the councillors with the complex and delicate problems they will be called upon to solve.

Municipal councils

94. Since an ordinance passed on 24 February 1953 was given effect, a registry and civil status office has functioned in every municipal centre. At the beginning of 1954, 35 municipalities existed in the Territory. The other municipalities were established in Dugiuma and Tiqieglo by a decree dated 30 October 1954; the elections to the two new municipal councils will be held on 20 April 1955.

95. As has already been mentioned in this report, the first elections for the designation of the municipal councillors by universal male suffrage were held on 28 March 1954. At that time, therefore, new councillors replaced those previously in office who had been designated in accordance with the rules contained in the ordinance of 6 June 1951. These ordinances, however, are still governing the procedure for designation of the heads of the municipal services; for Mogadiscio, the head is the commissioner nominated by the Administrator; and for the other centres of the Territory, they are either the district commissioners or the deputy commissioner.

(a) *Advice of 25 October 1954*

96. By letter dated 15 June 1954, the Administering Authority forwarded to the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, a draft ordinance concerning infringements of municipal regulations. The maximum penalties provided for were a fine of 400 somalos⁵ and imprisonment for one year; the ordinance however gave the offender the option of immediate payment of the fine. Another letter from the Administering Authority, dated 19 June 1954, transmitted to the Advisory Council a draft ordinance empowering the heads of municipal services to take emergency measures in the field of town planning, local police and hygiene.

⁴ See A/2680, p. 100.

⁵ 7.14 somalos = US \$1.00.

97. The Advisory Council examined these two draft ordinances at its meeting on 25 October 1954, and addressed its observations to the Administering Authority by letter dated 5 November 1954. The Council, as a preliminary remark, observed that, for the municipal elections held on 28 March 1954 to have had their full significance, they should have been accompanied by the extension of the powers of the municipal councils which, however, still had only advisory functions. Moreover, although the members of those councils were elected, the heads of municipal administrations were still officials with wide powers, and not mayors or the equivalent, selected by the councils. The Advisory Council added that, under these circumstances, it felt there might be a danger that the contemplated ordinances might be interpreted as measures tending to confirm the present situation. It recalled the terms of the recommendation adopted by the Trusteeship Council at its fourteenth session regarding the pledge of the Administering Authority to enhance the powers of municipal councils in 1954.⁶ The Advisory Council wished to be enlightened regarding certain points and wondered more particularly which authorities were to ascertain the infringements and decide upon the punishments and what procedure would be followed in order that arbitrary decisions might not occur. As far as the emergency measures were concerned, the Council noted that it was not clear whether the ordinance aimed at giving extended and new powers to the heads of municipal administrations who, according to Ordinance No. 10 of 6 June 1951, already had wide powers of an undefined nature, or whether the ordinance was meant to cover special cases only.

(b) *Advice of 26 November 1954*

98. As explained in more detail in chapter III, dealing with economic questions, the Advisory Council, in a letter sent on 26 November 1954, brought to the attention of the Administering Authority the necessity for preparing, as soon as possible, the municipal administrations to discharge the responsibilities normally incumbent on local administrations, more particularly with regard to the preparation and execution of budgets. The Advisory Council advised the Administration that in its opinion a reform of the procedure adopted regarding local finances was urgently needed.

(c) *Advice of 7 February 1955*

99. By letter dated 18 December 1954, the Administering Authority forwarded to the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, a draft ordinance which, following the municipal elections of 28 March 1954, aimed at granting to the municipal councils the powers to take decisions and to see them implemented. It was stressed that, through the promulgation of this ordinance, the Administration was complying with the recommendation adopted by the Trusteeship Council regarding the powers of the municipal councils; further contemplated was the co-ordination, at a later date, of the various measures already taken concerning the field of competence of the municipalities and the enhancing of the powers of the municipal councils.

100. The main changes brought by the draft ordinance to the previous provisions as contained in the ordinances of 6 June 1951 regulating the functioning of municipalities and municipal councils were as follows: the municipal councils would be convened every three months, they would be granted the power to take decisions and to see them implemented in the more important fields of municipal administration, with special regard to budgetary matters, regulations concerning municipal services and institutions, sale concessions and administration of muni-

cipal properties, investments of municipal funds, raising of loans, plans of works, projects of contracts for supplies and works, direct execution of works, concession of public premises, and town planning; the head of the municipality would be bound to implement the decisions thus taken; he would, however, be allowed to take a decision should the Council be unable to reach one after two successive meetings.

101. The Advisory Council studied this draft ordinance at its meeting on 5 February 1955 and forwarded its advice to the Administering Authority by letter dated 7 February. The Advisory Council expressed its satisfaction at the fact that the Administering Authority was contemplating taking steps with a view to increasing the powers of the municipal councils through the draft ordinance in question and also through more general measures to be taken later. The Council expressed the hope that these measures would be taken in the near future as well as its conviction that they would greatly contribute to the political development of the country. The Advisory Council, moreover, referring to the advice contained in its letter of 26 November 1954, made the following observations:

(i) The Council was of the opinion that the next ordinance should define the respective fields of competence of the central and municipal authorities with regard to the establishment and the collection of duties and taxes;

(ii) It was also of the opinion that this ordinance could set the main lines of municipal regulations concerning the preparation, examination and administration of the budget, the establishment of final accounts, etc.;

(iii) The Council wondered whether, instead of setting fixed amounts valid for each municipality for the determination of the municipal council's competence regarding works, contracts, etc., it would not be more advisable to provide for variable amounts to be set for each single municipality, on the basis of the actual possibilities offered by the latter's budget;

(iv) The Council insisted more particularly on the suggestions contained in the letter of 26 November 1954 concerning the training of municipal staffs. It pointed out that it is at the municipal level that the Somalis could the more easily acquire practical experience regarding public finance procedure, as well as legislative and administrative functions; consequently, the Council suggested that special efforts be made with a view to training Somalis to assume the functions of municipal employees and to represent the population in the municipal councils. It was of the opinion that, whenever necessary, courses should be organized by officials of the Trusteeship Administration, for the purpose of accustoming the Somalis to their future responsibilities and duties as citizens;

(v) Finally, the Advisory Council expressed the wish that the Administering Authority, when revising the municipal regulations, would avail itself of the opportunity of systematically entrusting to Somali district commissioners or deputy district commissioners the functions of chairmen of municipal councils or heads of municipal services.

"Somalization" of governmental and administrative bodies

102. The necessity for associating the Somalis ever more closely with all the activities undertaken in the Territory and, more particularly, with governmental and administrative responsibilities, appears to be of a specially urgent nature in view of the short period of time during which the Administration has to prepare the Territory for its independence. The two principal means at its disposal for preparing the greatest possible number of Somalis to be able to discharge important governmental respon-

⁶ See A/2680, p. 101.

sibilities are, on the one hand, the educational facilities provided by certain high schools, and on the other, the training of officials through the daily practice of these responsibilities.

103. Apart from a certain number of scholarships granted for higher studies abroad, the future administrative staffs are trained, at various levels, in the Territory itself by the Preparatory School of Political Administration, the Higher Institute of Legal, Economic and Social Studies, established towards the end of 1954, and by the School of Islamic Sciences, which functions under the supervision and with the assistance of the University of El-Azhar in Cairo. Without formulating any opinion regarding the respective importance of these three educational establishments, the Advisory Council expresses the wish that they be furnished with the most effective means necessary for the rapid training of the greatest number of young Somalis for the discharge of administrative and other functions as well as of the responsibilities which will be incumbent upon them a few years hence (see chapter V, Educational advancement).

104. The necessity for actually entrusting Somalis with responsibilities of this kind, which they would share with the Italian officials of the Trusteeship Administration, was underlined on several occasions by the Advisory Council. At the same time, the Council followed with the greatest attention the efforts made by the Administering Authority in this direction: by March 1955, 6 posts of district commissioner and 16 posts of deputy district commissioner had been entrusted to Somali officials; furthermore, Somalis are in charge of nearly all the main offices of the customs and postal services.

(a) *Advice of 2 November 1954*

105. A decree, dated 20 March 1953, defined the functions and powers of the Administrative Committee as an advisory body to the Administrator. The Advisory Council examined the text of this decree at its meeting on 1 November 1954. By letter dated 2 November, it informed the Administering Authority that, although it did not intend to make detailed observations regarding this measure, which was of a purely internal and administrative nature, it wished nevertheless to draw attention to the specific recommendation made by the Trusteeship Council at its fourteenth session, requesting the Administering Authority to examine the possibility of associating Somalis with the work of the Administrative Committee;⁷ consequently, the Advisory Council stressed the advisability of a closer association of Somalis with the work of the various administrative organs. Later on, the Advisory Council was informed that Somalis were frequently invited to participate as observers in the work of the Administrative Committee.

(b) *Advice of 26 November 1954*

106. In view of the recommendations made by the Trusteeship Council, at its eleventh, twelfth and fourteenth sessions, and of General Assembly resolution 755 (VIII) concerning budgetary questions, the Council studied very attentively such questions and addressed its observations to the Administering Authority, more especially by a letter dated 26 November 1954. The Advisory Council wished, among other things, to suggest that the degree of training of Somali personnel would be greatly improved by 1960 if, as from now, this personnel was entrusted, under the guidance of the Administration, with the care of public finance, especially at the municipal level. In this connexion, the Advisory Council stressed that the municipal councils functioning in the Territory would be, until 1960, the only complete practical training ground

offered to Somalis with regard to the administrative and legislative responsibilities involved in local public finance procedure.

(c) *Advice of 7 February 1955*

107. By letter dated 18 December 1954, the Administering Authority forwarded to the Advisory Council a draft ordinance aiming at increasing the powers of the municipal councils (see paras. 99 *et seq.*, above). The Advisory Council, in its letter dated 7 February 1955, referred, in particular, to the terms of its letter of 26 November 1954 concerning the training of the municipal staffs in local public finance procedure. In this respect the Council wrote:

"In view of the fundamental role played by the municipalities in the administration or the protection of the most varied interests, whether public or private, and since it is at the level of the municipality that the Somalis will be able to acquire an immediate practical experience in public finance procedure as well as in local administrative and legislative matters—provided that these municipalities are granted a sufficient autonomy and entrusted with increasingly large financial and administrative responsibilities—the Council would like to suggest that special efforts be made with a view to training Somalis to assume the functions of municipal employees and to represent the population in the municipal councils, and that, whenever necessary, practical courses should be held by officials of the Trusteeship Administration. As a matter of fact, it appears that the most appropriate way for your Administration to assist the Somalis in being prepared to assume their future responsibilities as citizens is, in particular, to train them to prepare, adopt and administer the budget, which must give a precise and living picture of the financial position and of the possibilities of the municipality, and to help them to a consciousness of the responsibilities inherent in the public functions they will have to discharge as representatives of the people or as civil servants".

108. Finally, the Advisory Council recommended to the Administering Authority that the functions of chairmen of municipal councils or of heads of the municipal services be systematically entrusted to Somalis, since the presence of Somalis in these posts would undoubtedly encourage the inhabitants of the municipalities to take interest in the administration of the public welfare and would develop among them a sense of their responsibilities.

Judicial organization

109. By letter of 31 December 1951, the Administering Authority asked the advice of the Advisory Council on the proposed new judicial regulations. However, after having heard some explanations given by the Legal Adviser of the Administration, the Council, at the Administrator's request, contained in letter dated 19 February 1955, withheld the comments it had already prepared, since it was intended to revise and improve the draft regulations submitted to the Advisory Council. In January 1954, the Advisory Council was informed that a new draft ordinance on the judicial organization of the Territory was being prepared and would be submitted to it in the near future. The Council was also informed that it was intended to wait for the institution of the Supreme Court of Justice so that the new judicial system might be set up in the light of the latter's advice.

110. On 20 March 1954, when the drafting of the report presented by the Colombian representative for the year 1953-1954 (T/1116) was already completed, the Administering Authority forwarded to the Council a letter advising it that the work of the Commission entrusted with the

⁷ See A/2680, p. 99.

drafting of the new judicial regulations would have to be prolonged for a few months, because of the complexity of the problems which had to be solved. However, while waiting for the Commission's work to be completed, the Administering Authority forwarded to the Council the text of three draft ordinances of a very urgent nature. The first draft ordinance provided for the institution of the Court of Justice mentioned in the Decree of the President of the Italian Republic of 9 December 1952; this court would combine the functions of supreme court, audit office and administrative tribunal. The letter of transmittal emphasized that it had been deemed necessary to establish the Court immediately in order to appoint its Chairman. Thus, on the one hand, this high magistrate would be able to participate in the preparation of the rules of procedure of the Court and, on the other hand, the Court itself, as soon as it was constituted, would actively co-operate in the drafting of the new judicial regulations.

111. The Advisory Council studied the draft ordinances at its meetings on 7 and 18 October 1954 and forwarded two letters concerning them to the Administering Authority. In the first letter, dated 11 October 1954, the Council stated that it had taken note of the delay in completing the work of the Commission and, recalling the recommendations made by the Trusteeship Council at its twelfth and fourteenth sessions, the Advisory Council added that it had acknowledged with satisfaction the assurances given to its Chairman that the work of the Commission would soon be terminated. Moreover, the Council suggested that, in view of the fact that the Somalis are of the Moslem religion, the Commission should obtain the collaboration of one or several Moslem jurists. The Council finally proposed that, in accordance with the provisions of the Trusteeship Agreement, the Commission should visit the Territory in order to become more acquainted on the spot with prevailing local conditions.

112. By its letter of 26 October 1954, sent after the meeting it held on 18 October, the Council forwarded its advice regarding the draft ordinances submitted to it which had been put into effect through their publication in the *Bolletino ufficiale* of 18 August 1954. Regarding the decision to suspend the application of collective fines for a trial period of two years, the Council expressed its full agreement, since this measure gave satisfaction to the advocates of the abolition of these fines and, at the same time, left the door open for new action in the future should the circumstances warrant it. Concerning the substitution of provincial commissioners by regional judges in the functions of president of regional tribunals, the Council also expressed its full agreement. The Council concurred also with the Administering Authority regarding the ordinance making it possible to substitute fines for imprisonment sentences in certain cases. It noted, however, that the amount of 4 somalos per day, provided for by the ordinance, represented a large sum of money to most Somalis.

113. Finally, and on a more general plan, the Advisory Council suggested that the Administering Authority, while proceeding with the reorganization of the judicial system, should distinguish clearly between the two series of problems raised by such reorganization: on the one hand, the study of the very structure of the judicial system with the respective jurisdiction of the various tribunals; on the other hand, the examination of the various codes or laws, account being taken of the necessary unification of the various systems of legislation presently in force.

The text concerning the institution of the Court of Justice has not yet been issued; nor have the results obtained by the Commission entrusted with the preparation of the new judicial regulations yet been communicated to the Advisory Council.

CHAPTER III

ECONOMIC ADVANCEMENT

A. ECONOMIC SITUATION

114. In October 1952 the Administrator of Somaliland forwarded to the Advisory Council an outline of the general principles which would govern the planning for the economic advancement of the Territory; this document was annexed to the report of the Advisory Council covering the period 1 April 1952 to 31 March 1953 (T/1048). The Council concurred with these principles and, in a letter to the Administration dated 4 May 1953, it requested that it be kept informed of the progress made in implementing the plan. The Advisory Council has to a great extent taken that statement into consideration in formulating its advice to the Administration on economic questions, especially in view of the confirmation given to such principles by the recommendations of the Trusteeship Council and the General Assembly.

115. In broad outline, the principles enumerated by the Administering Authority in 1952 covered the formulation of an economic development plan, provisions for an economic and financial programme, and principles of taxation and financial policy. It was stated that the economic programme would have to provide for a survey of the economy of Somaliland and an analysis of development possibilities, and would merge into the financial programme by way of the assessment which would need to be made of the monies, both public and private, which could be made available for development from local, Italian and international sources. The fundamental principles to be followed in regard to taxation were that taxation should be discussed and approved by Somalis—that being one of the first legislative activities to be given over to the Territorial Council—and that tax legislation should be simplified and codified. Financial policy was to aim at revising the budget procedures and the presentation of the public budget, experimentally as from 1953 and definitively as from 1954, in order to show the expenses of the real and proper Somaliland budget separately from those expenses which are peculiar to the Italian administrative superstructure and which would cease after the trusteeship. Financial policy was also to aim at eventually bringing into balance the expenses of the Somaliland budget and the revenues of the Territory; and at planning the apportionment of the Italian State contribution between Somaliland's budget, the direct expenditure of the Italian State for its own Administration, and loans, investments or special financial operations connected with economic development.

116. If, to some extent, the policies of the Administration in the economic field during the past two years seem to have departed from those fundamental principles, a new element has arisen in the fact of the co-operation of the United States Foreign Operations Administration (FOA) in the economic development of the Territory. The Council has only recently been informed of the Italo-American agreement for a technical co-operation programme; accordingly, its observations, conclusions and advice to the Administration during the period under review had to be formulated at the time without the benefit of that information. The Council nevertheless felt conscious of the very great importance which the Administration attached to that co-operation. This has been confirmed, at the time of writing of this report, by the speech given by the Administrator at the opening meeting, on 8 March, of the 1955 session of the Territorial Council.

117. The Advisory Council wishes to place on record its appreciation of the assistance given by the United States of America, which assistance will materially

facilitate the task of the Administering Authority in economic development. The Council has not yet had the occasion to express its profound satisfaction at this evidence of foresight on the part of the Administering Authority and the goodwill shown to the people of Somaliland by the United States. The Council believes that if the Administering Authority could see its way clear to integrating this co-operative programme into the wider economic and financial programme for the Territory as outlined in 1952, and to associating the people more actively in the programme, considerable economic advancement may be achieved by the time the independent State will be established.

Formulation of an economic development plan

118. In accordance with the policy laid down in 1952, the Italian Foreign Office sent to Somaliland the economist Mr. Malagodi, who made a survey of the Territory's economy and analysed economic development possibilities in his "Outline Programme for the Economic and Social Development of Somaliland".⁸

119. The Advisory Council's report for 1953-1954, presented by the Colombian representative, told of the Advisory Council's information at that time on the well-drilling programme, already launched in 1952 with the assistance of 1,500,000 somalos from the United States FOA, and also on some technical projects elaborated in co-operation with officials and experts of the operating branch of FOA in Italy, the United States Operations Mission to Italy (USOM). These related to the construction of some irrigation systems and the Fanole Canal on the Giuba River, the creation of irrigation consortia on the lower Uebi Scebeli River and of agricultural co-operatives along the rivers, the development of dry farming in the Upper Giuba District, the construction of a network of grain storage facilities, and the extension of the well-construction programme. These, the Council was informed by the Administering Authority, were under tentative consideration for recommendation to FOA and, if endorsed, the funds granted by USOM from the appropriations authorized for overseas territories during 1953-1954 would cover 50 per cent of the financing; the remainder would be allocated from the public budget of the Territory. In May 1954 the Council received copies of two technical reports by USOM experts on roads and on ports. The Administering Authority had told the Council on 11 March that it had not yet been informed whether these reports had been made the subject of recommendations for financing from USOM funds, but that such recommendations might be financed from the United States overseas territories allocations for the fiscal year 1954-1955.

120. On 16 February 1955, while this report was being prepared, the Council received the text of the agreement for a technical co-operation programme which had been signed on 28 June 1954 between the Governments of Italy and the United States of America.

121. A month prior to the signing of that agreement, under cover of letter dated 24 May 1954, the Administering Authority had transmitted to the Advisory Council copies of its plans for the economic development of Somaliland 1954-1960.⁹ The Advisory Council noted that the major projects embodied in the *plans* were the same as those elaborated in co-operation with USOM. Furthermore, it was mentioned in the introduction to the brochure that

financial support and equipment had been received from FOA in the amount of 2,100,000 somalos or half the total cost for the current well-drilling programme, and that further financial and technical contributions were expected which would "enable the Administration to carry into effect the various projects with less worry as to the obtaining of the necessary funds and even with a broader extension of the works of economic development". Thus, the amount and the nature of United States financial and technical assistance not only form an integral part of the economic development programme for the Territory, but may even directly affect the extent of the works undertaken. Therefore, an appraisal of the projects for economic development and the means for executing them cannot be made except in the light of the Italo-American programme of co-operation.

122. The Advisory Council understands that a series of subsequent project agreements is in the process of being signed in implementation of the Italo-American accord. On 25 March 1955, while this report was being prepared, the Advisory Council received from the Administering Authority copies of the first three project agreements, signed on 19 January 1955, for the execution of the first stages of works on the *descek* irrigation along the Giuba River, the creation of irrigation consortia and co-operatives along the rivers, and the creation of model farm units in the dry farming area between the rivers. It is, of course, only after studying the series of project agreements that the Advisory Council will be in a position to appreciate all their implications on the economic development of the Territory.

123. The Advisory Council has observed from the text of the Italo-American agreement that the signatory Governments and the Administration of Somaliland had recognized it to be in their mutual interest that full publicity should be given to the objectives, progress and actions taken in furtherance of the co-operative programme, and had agreed on a means for encouraging the dissemination of such information through the media of public information. From time to time in the course of the past few months, statements have appeared in the local daily newspaper concerning the sums of money to be spent on various items of economic or social development projects. In the past, the sources of information available to the people concerning the economy of the Territory, mainly the local press, may not be considered as sufficient for the people themselves to show any great initiative in assisting the Administration with its task of economic development. Accordingly, the Advisory Council heartily welcomed the speech delivered by the Administrator at the opening of the 1955 session of the Territorial Council as being an excellent way to inform the population of the achievements of the Administration and its plans for the future.

Economic and financial programme

124. The Council observed that the Administering Authority's plans for economic development were concerned chiefly with public works projects within the framework of the existing economy. It may also be noted that no assessment was made of resources to finance the plans, but that the cost of the seven-year programme was estimated at some 70 million somalos of public funds, of which 17 million somalos was estimated for works to be completed in 1954; and that the Administration proposed that funds would be made available out of savings of about 10 million somalos a year in administrative, police and military expenditures and as a result of "Somalization" of services. It is believed that there has been a certain modification of these plans as a result of Italo-American co-operation. As the Administrator explained

⁸ G. F. Malagodi, *Linee programmatiche per lo sviluppo economico e sociale della Somalia*, Rome, Marues, 1953.

⁹ *Plans de développement économique de la Somalie, années 1954-1960*, Italian Trusteeship Administration in Somaliland, Rome, Istituto Poligrafico dello Stato, 1954.

to the Philippine representative at a conference at the beginning of October 1954, the Administrative Committee was in the process of approving various works, within the framework of the co-operative programme, which would be due for commencement only towards the end of 1954. Chief of these were the agricultural systems along the two rivers and the dry farming area between the rivers. Changes in the various budget allotments for the financial period 1953-1954, made by administrative decrees up to the end of 1954, indicate savings of just over 1 million somalos in military expenditures and half that amount as a result of the "Somalization" of educational services, and an increase of about 2 million somalos in the allotments for land reclamation and economic development, and the construction of river-works and wells.

125. The Italo-American agreement signed in June 1954 had established a Somaliland Development Fund in which it had been agreed that the United States of America would deposit \$300,000 directly and an equal amount in lira indirectly through the sale by Italy of commodities made available by the United States under the Mutual Security Act; that the Italian Government would deposit the unexpended balances remaining from approved and completed technical assistance projects for Somaliland; and that the Administration would immediately review the budget of Somaliland with a view to making such changes as would be required to making the somalo equivalent of \$600,000 (that is, 4,285,714 somalos) available for deposit in the Fund. In the press of 27 October 1954 it was stated that the amount of the Fund was 8,570,000 somalos. Financing of the first three project agreements, which have just been concluded and are estimated to cost 4,710,000 somalos, is to be made from this Development Fund.

126. As far as the Advisory Council has been able to learn from press reports, lately from the outline of the objectives of the programme of co-operation contained in the Italo-American agreement and from the first three project agreements entered into, the programme is almost exclusively concerned with assistance to the indigenous sector of the economy. Since the co-operation agreement provides for additional contributions to be made to the Development Fund in future years, it is to be hoped that the Administration will associate the Territorial Council in whatever contributions may thus be made from the public budget.

127. The Council cannot but commend the Administration for procuring funds for economic development, and it wishes to emphasize that its doubts concern only the method. Reference was made last year to two administratively imposed taxes—the voluntary contribution on banana exports and the special levy on sugar imports—which had concerned the Advisory Council in this regard. It was with deep satisfaction that the Council learned from the Administration's letters of 27 January and 1 February 1955 that the special accounts had been abolished and that therefore all equivalent revenues from banana exports and sugar imports would appear, in future, in the ordinary central budget which is laid before the Territorial Council, thus enabling that body to be associated in the economic development expenditures and policy concerned.

128. With concern for strengthening the Somali Credit Institute's borrowing powers and for integrating the Institute's activities with those of the Administration and of private enterprise in the economic field, the Advisory Council, as reported last year, had recommended that application be made to the International Bank for Reconstruction and Development for assistance in planning the Credit Institute's role in the Territory's economic development. It was with interest, therefore, that it was observed

from the plans for economic development that the Administration was entertaining the idea that the Credit Institute might be absorbed into a new and larger Finance Institute designed also to make medium- and long-term loans to agriculture and to both factory and handicraft industry, and that the Italian Treasury and United States FOA were being approached for assistance in subscribing to the Finance Institute's capital out of the overseas territories' allocations for 1955.

129. The private investment opportunities in the industrial sector are enumerated in the Administration's plans for economic development. First importance was given to the need for rebuilding the carburants bulk storage tanks at Mogadiscio at an estimated cost of 2 million somalos, a need felt by the Administration to be of such concern to the entire economy of Somaliland that public funds would be used for the project in the event that interested private initiatives failed to commence the work of rebuilding during 1954. The Advisory Council, at the time of writing of this report, was happy to learn from the speech of the Administrator before the Territorial Council that the storage tanks would be rebuilt with private capital. The Advisory Council does not have any special information on the progress during the period under review of the oil exploration by Sinclair Somal Corporation and Società Mineraria Somala. Other industries, which were enumerated in the development plans as being for development by private capital, have received the special attention of the Administration in the amendments to the customs tariffs which were put into effect on 1 January 1955. Import tariff protection of the industrial product has been combined in most cases with a reduction in tariff on the industry's raw material imports, as well as the abolition of export duties on all manufactures.

130. The Council, at the time of compiling of this report, had not yet completed its study of the new customs tariffs forwarded to it under cover of the Administration's letter of 16 December 1954. The Council is, however, guided by the same economic principles that underlay its advice to the Administering Authority in respect of licence control of external trade—namely to increase foreign exchange earnings through the encouragement of the export of the Territory's domestic production, and to assist such production to achieve lower costs by keeping down the price of imported requirements and the consumers' cost of living.

131. Some of the Territory's exports are still subject to licence control and nine-tenths are still subject to export taxes. Considering the policy embodied in the Administration's plans for economic development of increasing production in agriculture and animal husbandry, the removal of licence control and export taxes on such products would greatly assist their competitive marketing abroad. The Council hopes, therefore, that the Administration will persist in its endeavours to liberalize trade and will extend such encouragements to the products of agriculture and animal husbandry as have been extended to the products of industry and have, as a matter of fact, even been extended to re-exported manufactures *pari passu* with the Territory's domestic manufactures.

132. The field of competition for import trade has been restricted by the application of the new trade regulations, adopted administratively with effect from 1 January 1954, whereby imported commodities, if available from Italy, are as a rule restricted from sources other than Italy by means of licence control. These commodities include capital equipment and tools as well as raw materials and many essential consumer requirements. That question is dealt with in the second part of the present chapter.

133. Under the new customs tariffs, revenue losses from exemptions or lowered tariffs are to be compensated by

means of increased import tariffs, not only on the protected products of the Territory's industries, but also on most consumer items, including food. However, the Council recognizes that the revenues from high protective tariffs will decline as imports are replaced by local production and that excise duties would need to be imposed on the equivalent local product in order to maintain the Territory's revenues. Tariffs of 35 per cent *ad valorem* protecting the textile factory, the soap and leather footwear industries, all of which are expected eventually to produce most of the Territory's requirements, at present yield nearly half the customs revenues on imports; and total customs revenues on imports together with excise taxes on sugar and alcohol in turn yield half the total fiscal revenues of the Territory.

134. This revenue problem has already been encountered in connexion with the very high protection afforded to sugar production by means of the sliding-scale levy on sugar imports during 1953 and 1954. Under the new customs tariffs, the protection has been reduced to 10 somalos per quintal from about 54 somalos per quintal in 1954, and the losses in revenue resulting from the cessation of imports in future are to be made good only by means of the generally increased tariffs on most other consumer imports. The Advisory Council received recently with great satisfaction the information that the Società Agricola Italo-Somala would henceforth meet the Territory's total requirements for sugar; it remains nevertheless conscious of the prevailing problem of reducing costs of production. Since the excise tax on local sugar remains unchanged from previous years at 48.50 somalos per quintal, it seems to the Council that it is only by reducing production costs that the retail price of sugar may be lowered in accordance with the recommendation of the Trusteeship Council at its fourteenth session.¹⁰

135. The Advisory Council is also concerned with the problem of production costs in respect of bananas. It is understood that the 1955 contract price for the purchases of the Italian Banana Monopoly from the Somaliland producers' societies is still in dispute and, furthermore, that there is some question whether the Monopoly will continue to function next year. Dr. Malagodi, in his report on the Territory's economy in 1953, had particularly emphasized the threat to economic stability which was latent in the dependence upon contract sales to the Banana Monopoly. The Council inquired last year about the evaluation given to bananas in the trade statistics and the taxes paid into the Somaliland Treasury on bananas sold to the Monopoly. It has evidently not been part of the Administration's policy to tax sales of bananas to the Monopoly in order to establish any sort of price stabilization fund. Thus, the only relief which could be directly afforded by the Administration towards meeting a considerable reduction in the contract price of sale to the Monopoly or towards lowering the price of bananas to a more economic level in a free market is in the amount of 6 somalos per quintal, representing the export tariff. This, however, would mean a reduction of over 2,500,000 somalos from the 1954 level of the Territory's ordinary revenue receipts. Until last year, bananas had been so under-valued for customs purposes as to reflect a greatly depreciated conventional evaluation in the trade statistics; at the present conventional evaluation, exports of bananas in 1953 were some 15 million somalos higher than recorded, and thus represented over half the Territory's total export values. Although the Council does not have the external trade statistics for 1954, it heard the Administrator announce in his recent speech that exports of bananas in 1954 had been increased by 131,000 quintals, compared with 1953; in value, this

is an increase of 12 million somalos which would mean that bananas represented some two-thirds of the Territory's total exports last year.

136. The Advisory Council knows that this is cause for concern for the Administration, and it is to be hoped that efforts will be successful, not only to reduce costs of banana production and marketing, but also to replace marginal production by the production of alternative cash crops, in order that the Territory will not be precipitately faced with the potential unmarketability of so high a proportion as two-thirds of its production for export. Greater diversification of the Territory's economy is most urgently needed to avert this danger.

137. The need for accelerated effort to increase the Territory's production of commodities other than bananas and to encourage their export appears from the evidently disappointing achievements in that line during the year under review. Although the Administrator, in his speech, told of export volumes totalling 57,000 tons in 1954, compared with 46,000 tons in 1953, the fact that bananas alone increased by 13,000 tons means a reduction of 2,000 tons in all other exports. Similarly in values, the Administrator spoke of 1954 exports totalling 62 million somalos, an increase of 28 million somalos over 1953. However, comparative under-evaluation of bananas in 1953 by 15 million somalos and increased banana exports in 1954 representing 12 million somalos account for nearly all the apparent improvement in export values, so that exports of all products other than bananas appear to have barely increased at all.

138. A most heartening step in the direction of improving the production and marketing of cotton in the Territory has been taken on the initiative of the Somaliland Chamber of Commerce, Industry and Agriculture and with the assistance of the Egyptian representative on the Advisory Council. A technical expert on cotton, Mr. Marashly, whose services had been loaned by the Egyptian Government, has spent the past three months in the Territory examining the state of cotton cultivation in all regions, advising producers on techniques and holding classes of instruction. His report to the Chamber of Commerce, Industry and Agriculture will include advice, not only on techniques of cultivation and classification, but also on legislation needed for the scientific regulation of production and marketing. It is with great satisfaction that the Council learned that the Administration intends to make every effort to assist the promotion of cotton production.

139. In view of the very special importance of land questions in Somaliland, as everywhere else in Africa—an importance which supersedes most other problems—it has long been hoped that complete and well studied land legislation may be issued and applied in the Territory. In its October 1952 outline of principles for economic development, the Administration had specifically mentioned that the problem of land tenure required careful legislation, and proposed to set up a mixed Italian and Somali Commission to tackle the problem. An ordinance relating to the registration of private land rights was approved by the Territorial Council at the end of the 1954 session of 24 February 1955. The Advisory Council has not yet been able, at the time of writing of this report, to formulate its advice on the ordinance.

Taxation and financial policy

140. In so far as consolidation of tax measures is concerned, the Administration, in June 1954, indicated before the Territorial Council that the Tax Commission was in the process of studying four groups of taxes covering all fiscal revenues of the Central Treasury. The first group to be consolidated was that relating to customs and excise,

¹⁰ See A/2680, p. 110.

from which about two-thirds of the Territory's fiscal revenues are derived. The codifying measure was passed by decree, with effect from 1 January 1955. This is dealt with in the second part of the present chapter. The next set of regulations which are scheduled for consolidation are those relating to the fiscal monopoly for sale of tobacco and matches in the Territory; this step is becoming increasingly needful because of the monopoly's position *vis-à-vis* the local cultivation of tobacco in the Territory. Codified regulations on direct taxes would include income contribution, *shamba* tax, and dwellings tax. The need for bringing up to date the laws relating to income contribution and for consolidating them in a single measure on income tax was evidenced during the period under review by the passing of an ordinance which was required as an interim measure to clarify an uncertain *de jure* situation; this question is dealt with in the second part of the present chapter. As far as dwellings contribution is concerned, review of the regulations is needed in order to establish the applicability of the dwellings tax as compared with the payment of municipal rates on dwellings under the Municipal Revenue Proclamation. Finally, the necessity for consolidating taxes on business affairs, which are many and various, was particularly emphasized during the budget discussion in the Territorial Council last June.

141. The financial implications of international or United States assistance for economic and social development or such assistance as from the East African High Commission for Locust Control are not known, since they are not shown in the published budget estimates, nor at the time of writing of this report have any statements of accounts yet been issued. Monies have been made available under the United Nations Expanded Programme for Technical Assistance, in connexion with the Food and Agriculture Organization fisheries project, the UNESCO fundamental education programme, the World Health Organization mission, etc. The Advisory Council has no information on these financial grants for technical assistance beyond the statement by the Administrator before the Trusteeship Council at its fourteenth session that the total amount of \$75,000 had just been granted.

B. ADVICE GIVEN BY THE ADVISORY COUNCIL

Public finance

(a) Budget estimates and accounts

142. As reported last year, the Advisory Council studied closely the problems raised by the preparation of the territorial budget estimates, having in mind the need for establishing an annual budget which would clearly show revenues and expenditures and which could be used as a basis for studying the financial situation in the Territory.

143. Having decided that no analysis of the financial situation was possible without detailed statements of the public accounts for preceding years, the Council had requested that it be furnished with those statements, and had been informed by the Administration on 10 March 1954 that the accounts were still in the process of being compiled, but could be expected shortly and would be forwarded to the Council as soon as ready. By letter dated 30 September 1954, the Council expressed the wish to receive, in the meantime, some preliminary statements on the special accounts regarding which no budget estimates had been communicated to the Council, namely the cash budget (*bilancio cassa*). The reply of the Administration, dated 1 February 1955, informed the Council that the accounts for the first two financial years, 1949-1950 and 1950-1951, had been compiled but that the

corresponding administrative deeds provided by decree of the President of the Italian Republic had yet to be completed; that, while the competent financial bodies were compiling the data in respect of succeeding years, the liquidation of the special accounts relating to the banana exports contribution was being proceeded with; and that the other special accounts regarding the cereals stockpiling operations were being settled.

144. The draft budget estimates for 1953-1954 (the *bilancio di competenza*) had been transmitted to the Advisory Council and had been approved by Ordinance No. 17 of 29 November 1953. Revision of the estimates, involving a transfer of one million somalos between expenditure allotments, had been made by Administrative Decree No. 192 of 24 December 1953; further revisions of the estimates were made by Decree No. 41 of 9 May, No. 155 of 16 November, No. 156 of 24 November and No. 177 of 31 December 1954, involving transfers between various expenditure allotments aggregating 8,220,143 somalos.

145. Under cover of letter dated 11 June 1954, the Administering Authority transmitted to the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, the draft budget estimates for 1955. In its letter, it informed the Council that, according to the provisions of the decree of the President of the Italian Republic, the draft estimates had been transmitted for examination and advice to the Territorial Council, which would discuss it at its next session; and that, since the draft provided for a financial grant by the Italian State, the draft would then be submitted for approval to the competent Italian organs. The Territorial Council concluded its discussion of the estimates on 29 June 1954. The budget was approved by Ordinance No. 21 of 27 November 1954.

146. At its meeting on 25 October 1954, the Advisory Council concluded its consideration of the budget estimates for the financial periods 1952-1953, 1953-1954 and 1955 and decided to address to the Administering Authority its advice on the question of public finance in the Territory, having in mind the recommendations of the Trusteeship Council on public finance and the recommendations contained in General Assembly resolution 755 (VIII) of 9 December 1953. Accordingly, by letter dated 26 November 1954, the Council gave its observations to the Administering Authority, suggesting that a thorough reappraisal and, if necessary, a complete revision of the public finance system might be undertaken by obtaining, if the Administration so desired, technical assistance from the United Nations or specialized agencies in order to have the benefit of international experience.

147. The Council observed that the prevailing system, having been designed specifically for the Italian State's Administration of Somaliland, did not seem suitable, without revision, for the needs of the Territory itself nor for the United Nations' comprehension of the actual financial situation in the Territory. The over-all finances were divided into the *bilancio di competenza*, on which the Italian State grant was approved, the unpublished *bilancio cassa*, and apparently separate budgets or accounts in connexion with any international or United States FOA assistance. The Council further observed that, of all these finances, only part of the *bilancio di competenza*, exclusive of military expenditures, was given in the annual reports of the Administering Authority to the General Assembly and that this was what had come to be regarded as the budget of the Territory. The Council was of the opinion, however, that a more specific statement of the finances would show that that budget included expenses exclusive to the superstructure of the Italian Administration as well as partial developmental expenses in furtherance of the Trusteeship mandate.

148. Accordingly, the Council suggested that, for a study of the financial situation in the Territory, a full statement of all finances was needed, including international assistance, the *bilancio cassa* and the complete *bilancio di competenza*, inclusive of military expenses. The Council was of the opinion that this complete statement might nevertheless be divided up into three distinct parts, which would have the advantage of clarifying spheres of interest:

(i) The budget covering the expenses of the Italian Administration, which would be the financial concern solely of the Administering Authority;

(ii) A budget for development schemes covering extraordinary expenses for economic and social development, which would be the field in which Italian, United States or other national or international financial assistance to the Territory could be planned for various specific development projects;

(iii) The Somaliland budget, the shadow budget of the future State, covering all ordinary expenses of operation and the emoluments of local personnel of the civil administration and military forces, which would be the chief concern of locally recruited staff in the Administration, the Territorial Council and the taxpayers of the Territory.

It was suggested that the Somaliland budget should be credited with all fiscal revenues and departmental earnings, and that this was the budget for the balancing of which endeavours should be made, in accordance with Trusteeship Council and General Assembly recommendations.

149. The Council further observed that, in the wider context of the public finance system in the Territory and in the interests of practical training in public finance procedure, local administrations such as municipalities and public bodies such as the Somali Credit Institute and Somaliland Fair, might be required to function now, under the guidance of the Trusteeship Administration, with the same authority and responsibility as will be required of them after 1960. In that case they should prepare, approve and publish full budget estimates, audited accounts and financial reports, which should be reviewed by the Territorial Council specifically in relation to any subsidies granted to them from the Somaliland budget. Finally, the Council suggested that responsibility might be delegated to municipal governments in order to raise revenues and to vote funds for expenditures at the local level.

150. The Administering Authority in its letter of reply dated 2 March 1955 expressed its appreciation of the considerable contribution that the study of the public finance system made by the Advisory Council had brought to the matter. It gave its assurance that the Council's observations were already the subject of detailed examination by the offices concerned, and reserved its right, in view of the complexity of the question, to reply more fully at a later date.

(b) Municipal finance

151. The suggestions of 26 November 1954, concerning reform in the public finance procedure of local government, were enlarged upon in the course of the Advisory Council's consideration at its meeting on 5 February 1955 of the draft ordinance on the powers of municipal councils, as discussed in chapter II of the present report. In its letter of 7 February to the Administering Authority the Council gave its opinion that the ordinance might:

(i) Include a definition of the scope of the respective taxation powers of municipal authorities and the central authority, reserving to municipalities those fields more

suitable for local taxes, such as taxes on dwellings, public entertainments, etc.;

(ii) Include the general lines for rules and regulations which municipalities could adopt concerning the preparation, approval, control, etc. of budget estimates, accounts and financial reports;

(iii) Allow the municipal councils to control various expenditures on new works, maintenance works and supplies, not in cases exceeding certain fixed sums, as provided in the draft ordinance, but in cases exceeding fixed proportions of the total budgets, in recognition of the differences in the respective sizes of municipal budgets and possibly the different rates of future growth of municipalities.

(c) Customs tariffs

152. The Administrator had been empowered, by Ordinance No. 20 of 1953, to take action by administrative decree to codify the customs regulations, and also to change the rates of customs tariffs by decree. As reported last year (T/1116), the observations of the Advisory Council, contained in letter of 22 January 1954, had concerned the entrusting of control of the public revenue to the legislative power and the maintenance of year-to-year tariff stability for foreign trade operations. By letter dated 30 September 1954, the Council inquired about the progress being made with respect to co-ordinating the customs tariffs and the economic policy which would be followed with regard to any changes in tariffs. In the same letter, inquiry was made about the supplementary tax on sugar imports and the policy to be followed in taxing banana exports within the framework of the general customs tariff measure. As also reported last year in connexion with the exemption of industrial and agricultural machinery and equipment from import duty, the Council, in a letter of 26 January 1954, had brought up the policy matter of access to cheapest markets rather than customs tariff reduction, because of the desirability of maintaining customs revenue receipts. The Council inquired again about this matter in its letter of 30 September 1954.

153. Under cover of letter dated 16 December 1954, the Administering Authority transmitted to the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, the draft of the new consolidated customs regulations, to which was attached the new schedules of import and export tariffs, together with an explanatory memorandum. By letter dated 24 December, the Administering Authority informed the Council that the new tariffs would probably be given effect on 1 January 1955, but affirmed that even thereafter any observations and suggestions of the Council regarding the tariffs themselves as well as the pertinent regulations would be given careful consideration. By letter dated 27 January 1955, the Administering Authority gave information concerning the levying of the supplementary tax on sugar imports during 1954, and in its letter of 1 February 1955 referred to taxation on banana exports. The new customs regulations and tariffs were approved, with effect from 1 January 1955, by Decree No. 158 of 24 December 1954.

154. According to the Administering Authority's letter of 16 December 1954, the new tariffs had been based not only on fiscal principles but also on economic principles, having taken into account the necessity for ensuring a certain initial protection to some new industrial activities undertaken in the Territory. Care had been taken to reduce export taxes as far as possible in order to encourage to the greatest extent the exportation of local products and especially manufactured goods. Considerations of a fiscal nature had prompted the increase or decrease of tariff rates for various products in such

a way as not to reduce the total customs revenue. The Administering Authority made no special observation with regard to the recommendations of the Advisory Council concerning the entrusting of control of public revenue to the legislative power and the maintenance of tariff rate stability. It is to be noted, however, that article 8 of the new customs regulations provides that changes in customs tariffs may be made by notice in the *Bollettino ufficiale* or by being posted at the customs office, and that goods lying in customs at the time shall be subject to the changed tariff.

This matter is still pending before the Advisory Council.

Economic development and policy

(a) *Plans for economic development*

155. Under cover of letter dated 24 May 1954, there was transmitted to the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, the booklet on the plans for the economic development of Somaliland, 1954-1960 prepared and published by the Italian Administration. In his covering letter, the Administrator stated that he himself would present the development plan officially to the Trusteeship Council at its fourteenth session, in connexion with the numerous recommendations which had been made by the General Assembly and the Trusteeship Council. At its meeting in New York on 4 June 1954, the Advisory Council agreed that the careful study which the plans merited would mean that advice on the subject would probably not be possible until after the Council had returned to Somaliland; accordingly, by letter dated 14 June 1954, it addressed the Administering Authority to that effect. At its meeting on 1 November 1954, the Council concluded its preliminary discussion on the Plans, and a letter containing the observations was addressed to the Administering Authority on 2 December.

156. The Council took the opportunity of congratulating the Administration on the extensive work involved in preparing the various public works projects which were planned for execution during the remaining period of Trusteeship. The Council remarked particularly on the usefulness of the various projects for developing the use of water resources, namely, river irrigation, conservation of water in *uars* in the dry farming area, and the construction of wells and piping of potable water. The Council observed that these together were estimated to cost some 40 per cent of the total expenditure from public funds on the development works, and felt that the implementation of these plans should be pursued with all possible vigour and by all possible means. The Council was of the opinion that the works planned for communications, for which half the remaining public expenditure was estimated, were rather in the nature of heavy maintenance programmes on existing installations, but observed that roads and ports, at least, were fundamental to the Territory's economy.

157. In the absence of information on the extent to which United States or international technical or financial assistance was being given or planned for the various projects, the Council felt that it was not in a position at that time to assess the financial implications of the planned development, nor to give the advice which the Trusteeship Council had recommended on the financial means for executing the projects.

158. The Council expressed the opinion that the plans did not constitute in themselves a comprehensive plan for the economic development of the Territory, but were concerned chiefly with a programme of public works in water development, communications, construction of grain silos and housing projects. The Council observed that detailed planning of requirements, scope and aim seemed

to be lacking in connexion with the items of wider economic import, such as the plans for distribution of tools, centres of mechanized ploughing, an experimental animal farm, collection centres for domestic animal products, extended veterinary services, subsidized coastal shipping, handicrafts, industry, commerce and the Credit Institute. The Council felt that, in addition to works aiming at increasing the volume of existing production, a comprehensive plan for economic development would be essentially a plan for the creation of new activities, selected according to carefully established proportions and revised constantly with a view to determining, in terms of the financial means available and the aims sought, not only the first effects of the measures envisaged, but also the possible incidence of the activities one upon the other.

159. It was remarked that the Administering Authority had early envisaged, in its preliminary outline for economic development drawn up in 1952,¹¹ the need for assessing the financial resources available for development as well as the need for planning, co-ordinated legislation and the establishment of policy in the fields of taxation and the public budget. The Council expressed the opinion that planning, co-ordinated legislation and the establishment of policy might also be needed in such fields as external trade; commodities stockpiling; transportation; marketing; producer, consumer and credit co-operatives; profit-sharing or co-participation in agricultural or industrial production; home or cottage industries; technical and artisan training; credit and savings facilities; land registration and leasing; protection and guarantees to foreign private capital investment; subsidies to private enterprise; and the operation of monopolies.

160. Finally, the Advisory Council suggested that, under the technical assistance facilities provided by the United Nations and the specialized agencies, the services of a qualified developmental economist might be sought in order to assist the Administration in co-ordinating all these economic questions with the already formulated programme for public works projects, and in drawing up a comprehensive plan for economic development and adjusting it continually as required.

161. In his letter of reply dated 9 March 1955, the Administrator assured the Advisory Council that, taking into account the importance of the subject, the various interested services of the Administration were under precise instructions to study attentively the Council's observations. Remarking that all the central offices of the Administration were at present particularly busy preparing the annual report to the General Assembly, it was suggested that an exhaustive study of the measures proposed could be more mutually profitable when the heavy burden of drafting annual reports, both for the Advisory Council and the Administration, would be less pressing.

(b) *Coastal shipping*

162. The Advisory Council had been informed by a letter from the Administering Authority dated 14 December 1953 of a measure which was at that time already under discussion in the Territorial Council to reduce to a token fee the former 2 per cent *ad valorem* registration tax on the purchase abroad of ships. The draft ordinance had not been attached to the Administration's communication, but the measure had been explained as coming within the framework of the economic development of the Territory and aiming at facilitating the creation of a nucleus of local merchant ships and a flotilla of Somali dhows.

¹¹ See T/1048, annex V.

163. The discussion which took place in the Territorial Council showed opposition to the measure, on the points of losses in public revenues and of the measure's retroactivity to vessels already purchased but not yet registered. The Advisory Council considered the question at its meeting on 1 November 1954, taking note of the provisions for subsidized coastal shipping as a project in the Administration's plans for economic development. By a letter to the Administering Authority dated 24 November 1954 the Council mentioned these points and expressed the wish to receive supplementary information on the public services rendered by subsidized shipping, on the effect of the measure on public revenue receipts, and on the number of vessels since added to the Somaliland ships registry. The Council also drew attention to the advisability of enacting maritime regulations as a prerequisite to the orderly growth of a Somaliland ships registry.

(c) *The Somali Credit Institute*

164. Last year's report told of the particular care with which the Advisory Council had considered the creation of the Somali Credit Institute, that being the first major step designed to assist the economic development of the Territory. The Council had requested that it be kept informed of the Institute's activities, and reiterated the request in its letter of 30 September 1954. However, no information has been received from the Administering Authority concerning either the Institute's short-term loan operations or its investment in commodities stockpiling or industrial or commercial enterprises.

(d) *External trade*

165. At its meeting on 13 November 1954, the Advisory Council examined the question of control over external trade in the light of the Trusteeship Council's recommendation at its fourteenth session.¹² As reported last year, the Advisory Council had noted the administrative circular letter No. 227748, dated 5 December 1953, which issued new regulations, with effect from 1 January 1954, relating to goods which could be imported or exported on open general licence, and scheduling such goods. The text of that circular letter and subsequent amendments to the schedules of goods on open general licence have been published from time to time in the Bulletin of the Chamber of Commerce.

166. By letter to the Administering Authority dated 26 November 1954, the Advisory Council, observing that external trade policy was one of the most vital factors influencing the structure of the Territory's economy, expressed its regret at not having been informed of the measure in question, and gave as its opinion that such a regulation should have been effected in legislation rather than in a departmental administrative letter, in order that the Territorial Council might be associated with major changes in external trade policy. The Advisory Council also expressed its regret at the cessation during 1954 of the publication of quarterly external trade statistics and remarked that up-to-date statistics as published quarterly during 1953 were of inestimable value to all concerned in studying the progress of the Territory's economy. The Council expressed the wish to receive up-to-date statistics as soon as possible in order to assist it in its duty under General Assembly resolution 755 (VIII) of including in its annual report observations on the economic situation.

167. In the absence of statistical information, the Council observed that it was not enlightened on the actual effect

of the new trade regulations put into effect on 1 January 1954, but wished nevertheless to draw attention to some implications of the measure, in the light of the Trusteeship Council's recommendation about liberalization of trade channels and its observations on the disadvantages of developing external trade in one direction only.

168. The Advisory Council expressed its satisfaction that a beginning had been made, under the new regulations, in liberalizing export trade. It gave as its opinion that, while the exercise of licence control was wise for conserving essential foodstuffs, such as cereals, the liberalization of domestic production for export, such as hides and skins and bananas, might increase the foreign exchange earnings of the Territory; and that currency considerations might also suggest a policy of controlling re-exports for earning no less desirable foreign currency than had been spent on their import.

169. The Advisory Council noted that the new regulations concerning import trade had scheduled nearly all goods from Italy as on open general licence, while from sources other than dollar areas, only a very limited schedule of goods had been freed, and from dollar sources all goods remained subject to control. The Council was of the opinion that there might be disadvantages to narrowing the field of competition for import trade from the point of view of increase in the cost structure and deterioration of the Territory's terms of trade. In the light of article 15 of the Trusteeship Agreement, the Council also felt duty bound to express its concern over the inequality of treatment which seemed to be inherent in the different schedules of goods. Therefore, it was suggested that an alternative solution to the sterling exchange problem might be sought with the assistance of the International Monetary Fund.

170. On 25 January 1955, the Administering Authority sent to the Advisory Council amendments made, with effect from 1 February, to the schedules of goods on open general licence. By letter dated 8 March 1955 the Administering Authority replied to the Council's observations, agreeing in principle that the external trade policy was one of the most vital factors influencing the structure of the Territory's economy, but suggesting that the regulations under consideration had not brought any substantial change to the external trade structure, having practically sanctioned a previously existing *de facto* situation. The measure had aimed at facilitating procedures both for traders and the recently "somalized" customs services. Practical considerations of adapting rapidly to prevailing conditions on the internal and external markets, avoiding public discussion in order not to develop artificial market trends, meeting sudden contingencies for imports of consumer goods, and allocating foreign exchange resources, required that administrative and not legislative action should be taken in this regard. The suspension of publication of quarterly external trade statistics was explained as arising from the "somalization" of the Department of Statistics; the training of the new staff had, however, now reached a level where it was confidently expected that the publication of quarterly trade statistics could be resumed in the near future.

171. The Administering Authority assured the Advisory Council that its observations on the implications of the licence control system had been attentively studied. As far as the liberalization of export trade was concerned, the Administering Authority informed the Council that no export licence had ever been refused except in order to conserve consumer supplies, such as cereals; that hides and skins had recently been freed from control; and that control on banana exports was retained with a view to limiting their production and also to exercising the policy of encouraging export of bananas to currency areas

¹² See A/2680, p. 110.

other than Italy, for which the Administration offered special customs duties facilities and for which no request for a licence had been rejected during 1954.

172. In regard to import control, the Administering Authority informed the Council that the goods scheduled on open general licence from sterling areas now represented nearly two-thirds of the value of sterling imports and that sterling imports were nearly half the Territory's total. Control of dollar imports had been necessitated by the Territory's limited earnings of that currency; moreover, although the Administration had indicated to merchants a readiness to grant licences for dollar imports of equipment for agricultural and industrial development, few requests had been made. Finally, the Administering Authority explained its policy of bilateral trade in the light of the sterling exchange problem, which was of particular concern to the Territory's future when, after 1960, it could not rely on the supply of sterling presently furnished by the Italian State.

173. In the light of such considerations, the Administering Authority observed that, once admitted that foreign trade must be maintained within the limitations of foreign exchange resources, it was difficult to understand how the trade policy could be considered as incompatible with the provisions of article 15 of the Trusteeship Agreement. However, the Administration expressed its appreciation of the Advisory Council's suggestion that the International Monetary Fund be approached for assistance on the balance of payments problem, which suggestion would be submitted to the Italian Government. The Administration added that it would be grateful if the Council would furnish it with all possible information in this respect and would give all the support needed for obtaining the desired help from the Fund.

(e) *The Economic Council of Somaliland*

174. By letter dated 3 April 1954, the Administering Authority transmitted to the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, a draft ordinance to amend Ordinance No. 28 of 1951 which had established the Economic Council of Somaliland. The amending ordinance was passed as Ordinance No. 11 of 28 May 1954. At its meeting on 1 November 1954, the Advisory Council examined the measure.

175. The Administering Authority, in its letter of transmittal, had explained that the measure aimed at making the Economic Council more supple by reducing its membership—which, after two year's experience, had appeared excessive—and at facilitating the Council's work by creating a special co-ordinating committee. In a letter to the Administering Authority dated 23 November 1954, the Advisory Council expressed its complete accord with the objectives of the amending Ordinance. The Advisory Council remarked, however, that there seemed to be some doubt as to whether the usefulness of the Economic Council as a consultative body had measured up to the expectations which had attended its establishment two years ago. Accordingly, the Advisory Council expressed the wish to suggest some lines along which improvement of the effectiveness of the Economic Council's functioning might be sought, such as a clearer definition of its role and functions so as not to overlap the scope of the Chamber of Commerce, Industry and Agriculture as an organ for consultation; determination by the Administration of which interests it wished to consult for its economic and labour policies and of a procedure for direct representation of such interests on the Council; and the holding of regular meetings together with giving greater publicity to the Council's deliberations in order to increase public awareness. The Advisory Council also expressed a wish to be furnished with agendas and

minutes of Economic Council meetings, in order that it might follow more closely the economic problems deliberated by that body.

176. By letter dated 7 March 1955, the Administering Authority replied to the Advisory Council's observations and transmitted the minutes of Economic Council meetings for the period January 1953-January 1954, four plenary meetings of the Economic Council and two meetings of its Agriculture, Commerce and Industry Sections; no meetings had been held since January 1954. The Administering Authority concurred with all the Advisory Council's proposals for improving the effectiveness of the Economic Council's functioning and suggested that their implementation would be possible following a thorough reorganization of the Chamber of Commerce, Industry and Agriculture itself, which was presently being made, and when the Economic Council was reconstituted under its amended membership.

(f) *Contracts with petroleum companies*

177. As reported last year, the Advisory Council had had under discussion the question of the contracts which had been signed in 1952 between the Administering Authority and the Sinclair Somal Corporation and Società Mineraria Somala respectively, in regard to prospecting for and exploiting petroleum and natural gases in the Territory. At its fourteenth session the Trusteeship Council had expressed the hope that the Administering Authority would seek the advice of the Advisory Council on this matter, as well as on the mining law in general.¹³ Accordingly, the Advisory Council, at its meetings on 27 January and 2 February 1955, drafted a letter embodying its observations on the oil contracts, which was sent to the Administering Authority on 7 February.

178. The Advisory Council expressed its awareness of the fact that the Administering Authority may have encountered certain difficulties in finding companies which might be interested in prospecting for petroleum in Somaliland, and of the fundamental importance which the discovery and commercial exploitation of petroleum could have for the Territory. Faced, however, with the heavy responsibility of giving its advice on the agreements, the Council could only base its advice on the comparative conditions in the Middle East region. The Council expressed the opinion that, should the Administering Authority find it difficult to obtain the revision of the agreements as recommended, such a situation, resulting from conditions beyond the control of the interested parties, might be clearly explained to the United Nations.

179. The Council felt it necessary to express its observations on the agreements from both the legal and economic points of view. From the legal point of view, since the petroleum concessions pertained to the exploitation of exhaustible underground resources, the Council was of the opinion that they could not be considered as a simple administrative measure but as a measure coming within the competence of the legislative authority, and also that, owing to their extremely important economic and financial implications, they belonged to the category of plans for economic and financial development, on which, in accordance with article 8 of the Trusteeship Agreement, the Advisory Council's advice should have been requested. The Council was further of the opinion that the fact that its advice had been sought and given, and that the Territorial Council had been consulted prior to the enactment of the Mining Ordinance of 15 August 1951, had had no influence on the above conclusion; and that, moreover, the Advisory Council, when replying to the request for advice on the

¹³ See A/2680, p. 112.

points specifically raised by the Administrator in connexion with the proposed mining regulations, had inferred that it expected to be consulted whenever concession contracts are drawn up, having stated that it would then be in a position to give more detailed advice "on each concrete case". Thus, the Council was of the opinion that the agreements concerning petroleum had not been given the publicity generally accorded to contracts of such importance. It was of the opinion, moreover, that on certain important points the terms of the petroleum agreements had largely superseded the mining regulations. Its final observation, from the legal point of view, concerned the definition in the preambles to the agreements of "the Government" as referring to the Italian Government in its capacity as Administering Authority, which the Council observed was difficult to reconcile with the use of the term in certain clauses of the agreements which clearly refer, after 1960, to the Somali Government.

180. On the provisions in the agreements from the economic point of view, the Advisory Council expressed its opinion concerning the insufficiency of guarantees given to ensure reasonably sufficient production of oil, once it had been discovered; the comparatively lower share of the Government in the profits of the petroleum companies than is generally set in similar agreements in force in countries of the Middle East; and the question of the limitation on the right of the Government to terminate the agreements before their expiration.

181. In the light of these considerations, the Council expressed as its opinion:

(i) That the right of the Government to terminate the agreements without payment of compensation might be reserved in the event of petroleum not being discovered within a reasonable period or if, after discovery, production was not being maintained in commercial quantities;

(ii) That provision might be made, once petroleum had been discovered and as soon as production had started, for a Government share in profits more comparable with the practice normally adopted in similar agreements in countries of the Middle East—guaranteeing a minimum percentage on net production as well as royalties; perhaps allowing the special tax by which the Governments of the Middle East ensure their participation in the companies' profits; and providing for a certain proportion of the payments made by the companies to be in hard currencies;

(iii) That a clause might be inserted in the agreements to ensure that the provisions contained in the mining law should regulate any ceding by the companies of their privileges and rights granted by the agreements.

Mercantile law

(a) Mining law

182. In its letter of 2 July 1951, the Advisory Council had expressed preliminary advice and general comments on the two points particularly raised by the Administering Authority in its letter relative to the mining regulations proposed at that time. The Council had observed that, when the regulations themselves were drafted, it would be in a position to express more precise advice. However, on 15 August 1951, Ordinance No. 13 approved the new Mining Regulations, without the advice of the Council having been requested. Further to the wish expressed by the Trusteeship Council at its fourteenth session, however, the Advisory Council, by letter dated 7 February 1955, tendered to the Administering Authority its observations and advice on the mining law.

183. The Advisory Council was of the opinion that the regulations might tend to discourage small prospectors,

not only foreigners but the Somalis themselves, owing to the requirements for proving economic and financial means sufficient to permit a cash deposit before prospecting, and again sufficient for a production permit. The Council observed that in a number of countries the discovery of mineral deposits, while not giving to the prospector an absolute right to a concession, enabled him to benefit at least from preferential treatment. The Council was of the opinion that, compared with the treatment given to prospectors and concessionaires having large means, the treatment given to small prospectors and producers was relatively not very encouraging.

184. The Advisory Council observed further that the regulations vested in the Administration very wide powers of discretion which the Council would rather see vested in the legislative power or established by regulation in the law itself. The Council was of the opinion that the advice of the Assembly, which is representative of the Territory, should be consulted regarding concessions of a certain magnitude, and that in this regard the Mining Regulations might be inspired by the provisions of article 14 of the Trusteeship Agreement. The Council suggested, furthermore, that research permits granted for three years might be renewable only twice, instead of three times as provided, and for only two years each time. Finally the Council expressed as its opinion that the procedure generally followed in other countries should be given effect in enacting separate legislation pertaining respectively to solid minerals and quarries, to liquid and gaseous hydrocarbons, bitumen, asphalt, etc. and additionally to other natural resources prospected for, such as phosphates, or substances pertaining to atomic energy.

(b) Appeals on income contribution

185. The Administering Authority, in a letter of 23 September 1954, informed the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, that the Territorial Council would examine a draft ordinance governing the procedures for appealing to the judicial authorities against administrative decisions regarding income contribution. On 26 September the measure was approved by the Territorial Council and was published the following day as Ordinance No. 16. The Advisory Council examined the measure at its meeting on 13 November in the light of the contents of the Administering Authority's letter and also in the light of the explanation given to the public through the local press. By letter dated 22 November 1954, the Council addressed to the Administering Authority its observations on the two main provisions of the ordinance. The administration's reply to the Council's observations was made by a letter dated 19 January 1955, which pointed out, in the first place, that the ordinance was only an elucidating measure and that it did not add any new element to the legislation already in force in Somaliland, but had been dictated by the need for ending false interpretation.

186. Regarding the provision of the ordinance that "no appeal may be lodged with the judicial authorities regarding questions connected with assessments of income", the Council in its letter confessed that it had felt obliged to conclude that such provision deprived the taxpayers of their right to approach the courts in order to challenge the legality of any assessment of income made over and above or outside that permitted by law. Accordingly, the Council felt that it might be better to leave it to the preference of the courts themselves to determine whether or not a case involved a legal dispute falling under their jurisdiction. The Administering Authority, in its letter of reply, explained a certain rather equivocal distinction which is recognized under Italian

jurisprudence concerning the respective competence of the administrative and the judicial authorities, and stated that it had been deemed advisable not to include such distinction in the Somaliland Ordinance, but to adopt instead the solution by which the judicial authorities were always competent each time breaches of law had occurred but were not competent, on the other hand, when the assessment had been made on the basis of factual data, without any infringement of the law having occurred. The Administering Authority gave its assurance, however, that everyone has always the possibility of appealing to the judicial authorities, whose role it was to decide whether or not there had been a breach of law.

187. The Administering Authority explained in its letter of 23 September that the second provision of the ordinance, concerning payment of contribution prior to lodgement of appeal, was drafted in order that the payment of the contribution would not be indefinitely postponed through the lodging of appeals, and was made in accordance with the principle sanctioned by the legislative provisions governing tax levies presently in force in Italy. The provision, as enacted in the ordinance, states that "no appeals shall be made to the judicial authorities unless accompanied by a certificate delivered to the effect that the contested contribution has been paid". The Advisory Council, in its letter of 22 November, fully agreed with the necessity for prior payment of contribution to preclude exaction through appeals, but noted the existence in the Italian law of 1865 as well as in the Judicial Regulations of the important exceptions in the case of demands for supplement, in which case the principle referred to did not seem to apply. Under those circumstances, it was the opinion of the Council that the provision of the ordinance requiring prior payment of "contested contributions" was so worded as to seem to be at variance with, and not in accordance with, the principle of making exceptions of such supplementary contributions. The Council recommended, therefore, that that provision of the ordinance be clarified in order to remove any doubt about the fact that it is in accordance with the principles referred to and with which the Council was happy to be in complete agreement. In its reply of 19 January 1955, the Administering Authority gave its assurance that the ordinance did not add any new element or abrogate any provision in the legislation already in force in Somaliland, and that the principle according to which payment is not required prior to judicial appeals concerning demands for supplement is still valid. It was explained that the concept of supplement applies not to assessments of income but to reassessments made when the Administration has discovered that the original assessment was wrong.

(c) *Patents and trade marks*

188. The intention of enacting for the Territory consolidated laws on patents for industrial inventions and for industrial models and ornamental designs was laid down in Administrative Decrees No. 22 of 22 February 1952 and No. 198 of 31 December 1952. As reported last year, an ordinance was passed extending to 31 December 1954 the period of interim operation in Somaliland of the pre-war legislative provisions. Finally, during the year under review, three consolidating laws were drafted pertaining respectively to industrial inventions, to industrial models and ornamental designs, and to trade marks. These measures were discussed in the Territorial Council during its third session in September 1954. The respective draft ordinances were transmitted to the Advisory Council in accordance with article 8 of the Trusteeship Agreement, under cover of the Administering Authority's letters all dated 4 September 1954.

189. The Advisory Council discussed the measures at its meeting on 9 February 1955. By letter dated 16 February, it informed the Administering Authority that it did not find itself in a position to give immediate advice on so technical a matter before having made a more detailed study of it. At the same time the Council expressed the desire to be enlightened on the reasons for the exclusion of medicines from patent rights. By letter of 2 March the Administering Authority gave the desired information.

(d) *Private insurance businesses*

190. At its meeting on 9 February 1955, the Advisory Council examined Ordinance No. 14 of 10 July 1953, regulating the conduct of private insurance businesses in Somaliland, on a draft outline of which the Administering Authority had requested the advice of the Council in 1951.

191. By letter to the Administering Authority dated 15 February 1955, the Council expressed the opinion that, generally, it would be advisable for Somaliland to be given regulations less directly based on the provisions of Italian laws and which would take into account the much more simple requirements of the Territory. The Council, furthermore, expressed the desire to be informed of the reasons for which the Bank of Italy was not required to pay interest on the reserves deposited with the bank by insurance companies.

192. The Administering Authority replied by letter dated 7 March 1955, and confirmed that it agreed in principle regarding the opportunity of giving the Territory the simplest possible regulations, taking into account the Territory's immediate needs, rather than regulations based on the provisions of Italian law, but observed that this would be possible only on the basis of experience gained from local insurance operations. The Administering Authority explained that payment of interest on cash reserves deposited in the Bank of Italy could not be required because the deposits were earmarked in favour of policy holders.

CHAPTER IV

SOCIAL ADVANCEMENT

A. PUBLIC HEALTH

Situation

193. The central administration of the public health services remained unchanged during the period under review, being governed by Decree No. 112 of 31 July 1953, article 1 of which includes, among the central offices of the Administration, the Department for Social Development, which comprises the former Offices of Public Education and Public Health. The Inspectorate of Secondary Education and the Health and the Veterinary Inspectorates are integral parts of this Department.

194. The estimated expenditure on public health services has remained relatively constant during the past three years, declining slightly in amount but increasing slightly relative to the total estimated civil expenditure, respectively 9,587,000 somalos in 1953; 8,610,000 in 1954; 8,632,000 in 1955; or 13.1 per cent in 1954, and 13.7 per cent in 1955. The proportion of over-all expenditure estimated for personnel declined slightly, but the proportion for indigenous personnel was increased from 39 per cent in 1953-1954 to 48 per cent in 1955, indicating anticipated increasing "somalization", but this was mainly intended to result from the replacement of locally recruited non-indigenous personnel by indigenous personnel. There is no Somali medical officer.

Technical assistance

195. An event of outstanding importance in the public health field was the visit in November 1954 of representatives of the World Health Organization and the United Nations Children's Fund, and of the UNESCO Social Welfare Advisor for the Middle East. The purpose of the visit was to consult with the Administering Authority regarding applications for technical assistance which had been submitted in respect of Somaliland and to formulate such additional proposals as were considered necessary.

196. Dr. W. H. Crichton, Public Health Administrator of the World Health Organization Regional Office for the Eastern Mediterranean (EMRO), the WHO representative of the team, commented on and made recommendations respecting certain aspects of public health in Somaliland as hereunder :

(a) Malaria

In 1952, Dr. H. G. S. Morin, the Medical Adviser of EMRO, stated that malaria must be regarded as a major problem in Somaliland. He particularly stressed the deceptive latent character of the disease which may suddenly flare up into an epidemic such as that which occurred in 1951. The *Centre d'études* at Mogadiscio has accumulated a wealth of information on the disease in all its aspects and these studies still continue. Within the limits of its resources the Administration has carried out, and is still carrying out, a programme of control by means of DDT spraying and larval control. In addition to these measures, use has been made of prophylactic (suppressive) drugs. It is the earnest wish of the Administration to extend its programme of control to the many areas which have not hitherto benefited therefrom, and it is in this particular respect that the assistance of WHO and UNICEF has been sought. However, it is considered advisable that a preliminary phase of special study should be undertaken in an area or areas which are characteristic of the conditions obtaining in the settled districts of the zones principally affected. It was recommended that the Administration's request for WHO and UNICEF assistance should be implemented.

(b) Venereal disease

It would be probably safe to assume that syphilitic infection was high in the principal towns and provincial centres but that the infection is very much lower in the interior than is believed to be the case. As a result of discussions held with the Administration officials and with the UNICEF representative, it was agreed that : a survey in sample communities of the incidence of the disease was essential and that the WHO consultant, on the basis of his findings, should prepare in collaboration with the Administration officials a plan for a nation-wide campaign extending over a period of years for the control of the disease with WHO/UNICEF assistance, making full use of existing health units.

(c) Tuberculosis

The cost of the existing tuberculosis services is stated to absorb 10 per cent of the total health budget, i.e. some 958,700 somalos in 1953. The technical assistance asked for in the official request to WHO has been based on a programme of expansion of hospital accommodation, by the construction of a 40-bed sanatorium at Gardo, the setting up of tuberculosis sections at regional hospitals and the purchase of a mobile X-ray unit for the detection of cases requiring isolation in hospitals. This programme was very thoroughly discussed with the officials of the Administration since it was considered advisable to suggest a different approach to the problem, based on prevention rather than cure alone, on the possibilities of providing facilities for isolation in *tughuls* set aside for the purpose

in villages, and home rather than institutional treatment. The next most immediate need is for improvement in the training facilities for social assistants. The recommendations for assistance in the field of tuberculosis include a mass BCG campaign, to be preceded by an assessment team to carry out an initial survey and prepare a plan of operations in collaboration with the Administration, and various other forms of assistance.

*Advice given by Advisory Council**Anti-tuberculosis campaign*

197. By letter dated 16 August 1954, the Administering Authority informed the Advisory Council that the second anti-tuberculosis campaign had been carried out in the Territory during the week 25 July to 1 August 1954, and that it had met with great success. The Council, at its meeting on 26 September 1954, decided to commend the Administering Authority for organizing three anti-tuberculosis campaigns and to express the wish that such valuable efforts be continued.

B. LABOUR AND SOCIAL SECURITY

Situation

198. The central administration of the labour services of the Territory continued to function as part of the Department of Economic Development, in accordance with the provisions of Decree No. 112 of 31 July 1953. A senior member of this Department is assigned the duties connected with labour administration and the Inspectorate of Labour. The cost-of-living indices compiled by the Bureau of Statistics are based on particular samples of the Mogadiscio population and, consequently, apply to some sectors of this population only. During the period under review, Ordinance No. 9 of 5 April 1954 was promulgated, regarding the general organization of the Somali civil personnel of the Administration; the Advisory Council had given its advice on that legislation during the previous period. A number of decrees were also promulgated, the provisions of which concerned the protection of maternity, working conditions of women and young persons, and other matters; these provisions conform partly with international labour conventions, and the advice of the Advisory Council had been given thereon.

*Advice given by the Advisory Council**(a) Workmen's compensation*

199. By letter dated 7 March 1955, the Administering Authority forwarded to the Advisory Council a draft ordinance relating to workmen's compensation. It concerned : (a) an increase from 50 per cent to two-thirds of the daily wages, that is, 33 per cent of the compensation paid for temporary incapacity due to industrial accident ; (b) the possibility of substituting for the monthly pension paid in case of permanent incapacity, ranging from 16 per cent to 30 per cent, a lump sum equal to the capitalized value of the said pension ; and (c) the promulgation by decree of provisions regulating the implementation of the various measures already taken in that field. This draft ordinance was examined by the Territorial Council at its first session during the year 1955. This matter is still pending before the Advisory Council.

(b) Grade system in the merchant navy

200. Under cover of a letter dated 14 December 1953, the Administering Authority forwarded to the Advisory Council a draft ordinance bringing up to date the part of the existing Merchant Marine Code which deals with the grades of seamen on deck duty. This measure was similar to the provisions adopted by other countries for

this purpose. The draft legislation has subsequently been published in its final form as Ordinance No. 6 of 6 March 1954. The Council considered this matter at its meeting on 25 September 1954, and decided to inform the Administering Authority that it had taken note with satisfaction of the provisions, which aim at regularizing the status of seamen.

(c) *Employment of women and protection of maternity*

201. The Administering Authority forwarded to the Advisory Council, under cover of a letter dated 19 December 1953, the draft of an ordinance for regulating the employment of women and the protection of maternity. The legislation had been prepared in close collaboration with the International Labour Office. The proposed legislation was subsequently promulgated as Ordinance No. 4 of 27 February 1954, entitled "Regulation of the Employment of Women". The Council, at its meeting on 30 September 1954, decided to inform the Administration that it endorsed the legislation and noted with satisfaction that the provisions therein were in accordance with the general principles approved by the International Labour Organisation.

C. HOUSING AND SANITATION

Situation

202. In the plans for the economic development of Somaliland, 1954-1960, estimate is made of expenditure totalling 6 million somalos; it includes the estimate for the improvement of sanitation in the Hamaruin village of Mogadiscio, with the establishment of gardens, the installation of water and electrical facilities, etc.; and also the construction of 100 dwellings and shops. The estimate for housing and sanitation in other centres is one million somalos.

Advice given by Advisory Council

203. The Administering Authority, by letter dated 28 August 1953, had informed the Advisory Council of its intention to publish shortly provision for the abrogation of existing legislation restricting contractual liberty in respect of leases on urban real estate. This was being done in accordance with the advice given by the Territorial Council at its meeting on 10 August 1953 and the recommendation of the Advisory Council in its letter of 9 August 1952. Taking into consideration, however, the continuing shortage of housing in urban centres, the objection expressed by the Economic Council to the removal of control and the doubts expressed by certain territorial councillors, even though they had agreed in principle to the proposed change, the Administration had deemed it advisable to make the restoration of contractual liberty subject to certain safeguards designed to protect the lessors and the rent market, thereby cushioning the transition from a controlled to a free market. Subsequently, Ordinance No. 16 of 1953 abrogated the provisions of Ordinance No. 31 of 9 June 1950 and its amendments relative to the extension of leases, evictions and rents, and substituted new provisions in respect of eviction procedure.

204. The Council considered this question at its meeting on 9 February 1955. By letter of 15 February, it informed the Administering Authority that it was in accord with the measures taken. In this connexion it desired, however, to draw the Administering Authority's attention to the seriousness of the problems raised by the housing shortage and to the advisability of making a thorough study of the housing problem in urban areas of the Territory and of giving consideration to measures for the

encouragement of new building construction, and also of exempting from import duties building materials not available locally. The Advisory Council also expressed the opinion that in urban areas housing and sanitation constitute not only a social problem but also a political one, since there is a relationship which cannot be ignored between the living conditions of the people and the sense they acquire of their dignity.

205. By letter of 9 March 1955, the Administering Authority acknowledged receipt of the advice of the Council and assured it that it had taken note of the observations contained therein and would give them the greatest possible attention when the housing question was re-examined.

D. PENAL LEGISLATION

Situation

206. General procedures for the organization and administration of prisons have been formulated in a draft ordinance transmitted by the Administering Authority to the Advisory Council. This draft ordinance provides, *inter alia*, that prisons would be classified into three categories: establishments of preventive custody, common prisons, and special prisons. It provides also that the central judicial prisons and the district judicial prisons would be considered as establishments of preventive custody. Persons pending trial or persons sentenced to imprisonment for a maximum of six months may also be kept in establishments of preventive custody. Incarceration establishments would be considered common prisons, and establishments where young persons up to eighteen years of age are detained and prisons without walls would be considered special prisons. Prisons for young persons would be entrusted with re-educating juvenile delinquents. Female prisoners would be kept in separate sections. In all prisons, sentenced persons and persons in preventive custody would be subject to compulsory work, but the work performed in establishments for young persons up to eighteen years of age would be chiefly of an educational nature. Prisoners may be compelled to attend courses organized in prison schools.

Advice expressed by the Advisory Council

207. Under cover of its letter of 4 September 1954, the Administering Authority transmitted to the Advisory Council a draft of an ordinance dealing with general disciplinary rules for the prisons of the Territory. This measure, together with its complementary rules, was designed to endow the future Somali State with an autonomous, rational and complete legislation regarding this important sector and would supersede the provisions dealing with this subject contained in Proclamation No. 16 of 1941. It would also eliminate all necessity for having recourse to similar Italian regulations so as to fill in the gaps in the legislation in force. The provisions were patterned on the principle of re-education of the delinquent in the interest both of himself and of society.

208. The Council considered the draft legislation at its meeting on 26 October 1954. By its letter of 1 November it informed the Administering Authority that it had noted with satisfaction the proposals for comprehensive prison legislation based on modern principles and congratulated the Administering Authority for this enlightened policy. It drew attention to the need for including in the proposed rules measures for the prevention of overcrowding and the maintenance of hygienic standards in the cells, the provision of separate buildings for women and for juvenile delinquents, the organizing of rehabilitation activities by means of vocational training and paid labour, and the

reduction or remission of sentences for good conduct. It wished to draw the Administering Authority's attention to the provisions in article 11 that persons in preventive custody should be subject to compulsory labour; it expressed the opinion that it seems undesirable that they should be compelled to work while awaiting trial.

209. The Administering Authority in its reply of 19 January 1955 assured the Advisory Council that the measures suggested above would be provided for in the new regulations, and that the draft ordinance would be amended to provide that a person in preventive custody may be given work only at his own request.

210. The ordinance was promulgated as No. 22 on 1 February 1955. The draft ordinance was modified in article 7 by the addition of a paragraph providing that: "The establishments for young persons may be supervised by a commission comprising a chief or notable, and a father or a mother of whom the Public Prosecutor shall ascertain the reliability and morality"; and of another paragraph in article 9, reading as follows: "Should the offence committed be minor, the Public Prosecutor, having taken into due consideration the motives underlying the offence, the conduct, and the individual and familial way of living of the culprit, may order the latter's transfer from a common prison to a district judicial prison situated near the convicted person's home". Finally the ordinance was modified in order to provide that "prisoners in preventive custody may, at their own request, be given work".

CHAPTER V

EDUCATIONAL ADVANCEMENT

A. SITUATION

211. The development of the educational system continued, generally in accordance with the programme laid down in the revised Five-Year Plan for the Development of Education in Somaliland¹⁴ established in April 1953. Progress was made according to the Plan, even if all the goals and targets scheduled for 1954/1955 were not achieved; expenditure estimated for the public education services continued to increase also, both absolutely and relatively. Estimated expenditure on education for 1955 amounted to 7,930,000 somalos, or 11.72 per cent of the total estimated civil expenditure, as compared with 6,119,000 somalos or 9.38 per cent, in 1951—the first full year of the Trusteeship Administration.

212. In the field of primary education the number of Somali elementary and nursery schools increased to a total of 110, compared with the estimate of 105 in the Plan for 1954/55 (excluding 12 Italian primary schools). On the other hand, the number of pupils enrolled in those schools in 1954/55 fell short of the estimate and, in fact, enrolment has fallen short throughout the period of operation of the Plan; the target was 13,600 pupils and the actual figure is 8,782. Enrolment of girls increased from 335 in 1950/51 to 1,615 in 1954/55; the proportion of girls in the total increased from 10 per cent to more than 18 per cent in the period under review.

213. A number of developments took place in the field of secondary education during the period under review. In accordance with the provisions of Ordinance No. 10 of 6 April 1954, the schools of secondary education of Somaliland were organized into two grades as follows: first grade—vocational schools of all types, the lower

middle schools, the schools of Islamic sciences; second grade—the Teachers' Training Institute and the Upper Middle School. Five Italian-type secondary schools are to be added. A number of decrees were promulgated providing the necessary regulations for the new organization and functioning of schools, such as the decree relating to the curriculum of the Lower Middle School (18 June 1954), the organization of the Upper Middle School (18 June 1954), the organization of the School of Islamic Sciences (8 July 1954) and the organization of the Teachers' Training Institute of Mogadiscio (29 July 1954).

214. Another important event in the field of education was the establishment of the Higher Institute of Legal, Economic and Social Studies, intended to be a first university faculty specially conceived for the preparation of executives in the fields of administration and economics. It was created under the provisions of Ordinance No. 18 of 10 September 1954, and will confer diplomas in two specializations—law and economics—at the end of a four-year course of study. The curricula of the three first years will be the same for both diplomas; in the fourth year the curriculum will cover the subjects necessary for the specializations. Entrance requirements include the possession of a matriculation certificate in classical, scientific or technical (accountancy) studies, or the matriculation certificate of the Upper Middle School of Mogadiscio, or the taking of a competitive entrance examination. Twenty-nine students were enrolled at the Institute, 14 Somalis and 15 Italians.

215. With the establishment of the Higher Institute, the intention of the Administration was to close the Preparatory School of Political Administration. It does not seem, however, that, so far, it has been found practicable to do so. The Advisory Council has been informed that about half of the students enrolled in the Institute did not pursue their studies; the Council is also aware of the interest shown by students in the Preparatory School; twenty of them graduated in March 1955 and are to be sent to Italy for special courses, at the end of which they will be given administrative posts in Somaliland. Under the circumstances the Advisory Council would be inclined to recommend that the situation be thoroughly investigated before any decision is taken tending to close the Preparatory School.

216. As far as fundamental education is concerned, the pilot project undertaken by the Administration and UNESCO at Dinsor, which was inaugurated in January 1954, gained valuable experience and made good progress during the period under review, even if that progress was handicapped by lack of water, buildings, transportation and trained staff and by conservative social and cultural customs and traditions. The confidence of the people, however, is being gained and results are being achieved. The establishment of a second centre is contemplated. The project is under the general direction of a fundamental education specialist furnished by UNESCO and an education expert furnished by the Administration, which has also provided a working team for training in the technique of fundamental education. The general aim of the project is two-fold: to train Somali personnel in fundamental education and to undertake community development. The activities initiated cover a broad and diversified field: health, agriculture, building construction, handicrafts, teaching of literature, sports, etc.

217. It is also to be noted that 150 Somali students have been given scholarships by the Egyptian Government and are studying in Egypt either in schools or universities; in Mogadiscio, the Egyptian Government provided the assistance of five teachers from El-Azhar University who are in charge of the Institute of Islamic Studies.

¹⁴ *Plan quinquennal pour le développement de l'instruction publique en Somalie, 1952/1953-1956/67*, Italian Trusteeship Administration of Somaliland.

B. ADVICE GIVEN BY THE ADVISORY COUNCIL

Vocational course for veterinary assistants

218. Under cover of letter dated 17 February 1954, the Administering Authority transmitted to the Advisory Council a draft decree relating to the institution of a vocational course for veterinary assistants at the Veterinary Institute at Merca. The course was of two years' duration and aimed at training a group of competent Somali staff to assist veterinaries in the care of livestock. The regulations were subsequently published as Decree No. 12 of 12 February 1954.

219. The Council examined the regulations at its meeting on 25 September 1954, and by letter of 27 September, advised the Administering Authority that it had taken note of the institution of the course and commended the action designed to improve livestock, both qualitatively and quantitatively.

Organization of secondary education

220. The text of the draft general provisions for the organization and functioning of the secondary schools of Somaliland were forwarded to the Advisory Council under cover of the Administering Authority's letter of 21 March 1954. The draft provisions were considered by the Territorial Council at its meeting on 3 April 1954 and, subject to certain amendments, were approved unanimously. The approved provisions were published as an annex to Ordinance No. 10 of 6 April 1954. The legislation provides in chapter I for the classification of the secondary schools of Somaliland into two grades: first grade including all vocational schools, the Lower Middle School and the School of Islamic Sciences; second grade including the Teachers Training Institute and the Upper Middle School. The school year and terms are dealt with in chapter II; chapter III outlines the procedure for registration; chapter IV, classification and promotion; chapter V, absenteeism; chapter VI, discipline; chapter VII, school records; and chapter VIII, headmasters and masters.

221. The Council considered this legislation at its meeting on 25 October 1954, and by its letter of 1 November requested the Administering Authority to supply information regarding the reasons for departing from the classification of secondary schools adopted in the Five-Year Plan, in particular, for omitting secondary schools of the Italian type from the classification and grading of all vocational schools and the School of Islamic Sciences as first-grade secondary schools. The Council considered that, in order to achieve the objective of producing the skilled craftsmen and well-qualified technicians needed in Somaliland, instruction in vocational schools should be based on schooling up to and including the higher middle school standard; it appreciated however that, as a temporary measure and at the present stage of educational development, it might be necessary to accept lower minimum qualifications. Under these circumstances it could be preferable to accept the separate classification of vocational schools in the Five-Year Plan. The Council also suggested that a provision might be included for exemption in exceptional or meritorious cases from the provisions of certain articles and for the right of appeal by the pupils to the Central Education Council against the more severe disciplinary measures, and that the standard of conduct required for promotion should not be higher than that of scholastic achievement. Finally, the Council suggested that consideration might be given to the possibility of permitting Moslem teachers to hold classes on Sunday in view of the two school holidays per week at present, namely Fridays and Sundays.

222. The Administering Authority, in its reply of 27 January 1955, informed the Council that there was no intention to modify substantially the system of classification of secondary schools embodied in the revised Five-Year Plan, since the Plan contained a distinction based on entrance qualifications between the two levels of secondary schools; this has been applied to the classification of the School of Islamic Sciences and the vocational schools. It noted with satisfaction that the Council realized that, at the present stage of educational development, it was doubtful whether the requirements for admission to these latter schools could be made more severe. With regard to the omission of the Italian-type secondary schools, the Administering Authority considered that the ordinance could not include such schools, which differed so widely in their organization from the other schools of the Territory. In connexion with the other points raised by the Council, the Administering Authority considered the prohibition of change of school during the school year essential to correct the tendency shown by pupils in Somaliland of rapidly changing from one type of secondary school to another. Similarly, certain of the other provisions to which objection was made have a special importance in Somaliland. It was pointed out that the Central Education Council is a purely advisory body of a technical nature and is therefore not competent to deal with matters concerning the internal discipline of schools. Finally, the weekly schedules had been drawn up so as to compensate for the two holidays per week.

Higher Institute of Legal, Economic and Social Studies

223. The Administering Authority in its letter of 4 September 1954 informed the Advisory Council of its intention to realize a long-contemplated project, namely, the establishment of the Higher Institute of Legal, Economic and Social Studies; it transmitted a draft of an ordinance relating to the establishment of the Institute. The legislation was published as Ordinance No. 189 of 10 September 1954. The object of the Institute is to enable the more gifted students who have pursued secondary education courses in Somaliland to continue and to complete their education in their own country and thus to constitute the indispensable leadership to which will shortly be entrusted the most responsible positions in the Territory. The Institute offers courses in two specializations, namely law and economics, the duration in either case being four years. All students in possession of a matriculation certificate in classical, scientific or technical (accounting) studies or the matriculation certificate of the Higher Middle School of Mogadiscio may be admitted.

224. The Council considered the draft legislation at its meeting on 8 October 1954. By its letter of 11 October, it informed the Administering Authority that it fully realized the interest of this measure and consequently it desired to be kept informed of the additional provisions contemplated in the draft ordinance, provisions which would enable it to have a better understanding of the organization and functioning of the Institute.

225. The regulations governing the organization and functioning of the Institute have since been published as Decree No. 152 of 26 November 1954. This decree covers the curricula of the courses and the internal organization of the Institute. These were considered by the Council at its meeting on 19 February 1955. The Council wondered whether local students were prepared for such high studies and whether the programme of the Institute was not somewhat ambitious. The Council, in its letter of 25 February 1955 to the Administering Authority, renewed the expression of its interest in the

creation of the Institute but expressed also its desire to postpone its final advice on that creation until a certain period of time had given a better opportunity to reach an opinion based on the results achieved by the Institute.

Five-Year Plan for the Development of Education in Somaliland

226. The revised Five-Year Plan for the Development of Education in Somaliland, together with the comments of UNESCO thereon, was considered by the Council at its meeting on 19 February 1955. The original Plan transmitted by the Administration to the Council in November 1951 had been completely revised in collaboration with UNESCO in 1953, and the revised Plan had been transmitted to the Trusteeship Council at its twelfth session by a note of the Secretary-General (T/1064). The Advisory Council, therefore, taking note of the endorsement of the Plan by UNESCO, decided to commend the Administering Authority for its initiative in preparing the Plan and for its efforts to ensure that the Plan was both technically satisfactory and within the financial capacity of the Territory.

227. However, even if the Council had always paid the closest attention to the development of educational facilities in the Territory, especially since the implementation of the Five-Year Plan has started, it did not feel that it was qualified to judge the value of the efforts undertaken by the Administration or to decide on the implementation of the Plan, which has been established with the help of the international agency specializing in educational questions. Accordingly, the Council, in its letter of 25 February 1955 to the Administering Authority,

expressed its satisfaction with the establishment of the Plan but did not enter into the details of its implementation which would require special studies and the help of experts. The Advisory Council, however, thought that it would be advisable to invite UNESCO to formulate its opinion on the results already obtained, and, in order to have an opinion based on actual facts, that the visit of an expert appointed by UNESCO should be arranged by the Administering Authority.

ADOPTION OF THE REPORT

228. The present report was approved and signed by the representatives of Colombia, Egypt and the Philippines at the United Nations Advisory Council's Headquarters at Mogadiscio on 26 April 1955.

229. The representatives of Colombia, Egypt and the Philippines reserve their right under the second paragraph of article 11 of the Trusteeship Agreement to make to the Trusteeship Council such oral statements or submit such written reports or memoranda as they may deem necessary for the Council's consideration of any question specifically relating to the Trust Territory of Somaliland under Italian Administration.

(Signed) Edmundo de HOLTE CASTELLO
(Colombia)

Kamal Eddine SALAH
(Egypt)

Cosme P. GARCIA
(Philippines)

ANNEXES

Annex I

LIST OF COMMUNICATIONS RECEIVED BY THE ADVISORY COUNCIL FROM THE ADMINISTERING AUTHORITY

Date	Subject	Advisory Council Document
21 March 1954	Draft ordinance concerning the general organization of secondary education	A/AC.33/AA.166
3 April 1954	Draft ordinance concerning the modification of the Economic Council	A/AC.33/AA.158
24 May 1954	Transmittal of brochure on plans for the economic development of Somaliland, 1954-1960	A/AC.33/AA.160
11 June 1954	Transmittal of draft budget estimates for the financial year 1955	A/AC.33/AA.162 and Add.1
15 June 1954	Draft ordinance concerning infringements of municipal regulations	A/AC.33/AA.163
19 June 1954	Draft ordinance concerning the empowering of heads of municipalities to take emergency measures	A/AC.33/AA.164
16 August 1954	Results of the second anti-tuberculosis campaign	A/AC.33/AA.167
4 September 1954	Draft ordinance concerning the national flag of Somaliland	A/AC.33/AA.168
4 September 1954	Draft ordinance concerning the establishment of the Higher Institute of Legal, Economic and Social Studies	A/AC.33/AA.170
4 September 1954	Draft ordinance concerning general disciplinary measures in prisons	A/AC.33/AA.171
4 September 1954	Draft ordinance concerning the granting and protection of patents for industrial inventions	A/AC.33/AA.172
4 September 1954	Draft ordinance concerning the granting and protection of patents on industrial models	A/AC.33/AA.172
4 September 1954	Draft ordinance concerning the granting and protection of patents on trade marks	A/AC.33/AA.172
23 September 1954	Draft ordinance concerning appeals against administrative decisions on income contributions	A/AC.33/AA.173
16 December 1954	Draft co-ordinated customs regulations and new customs tariffs	A/AC.33/AA.175
18 December 1954	Draft ordinance concerning the granting of powers to municipal councils	A/AC.33/AA.174
24 December 1954	Effective date of the new customs tariffs	A/AC.33/AA.175
19 January 1955	Reply to observations of the Advisory Council on a draft ordinance concerning general disciplinary measures in prisons	A/AC.33/AA.171/Add.2
19 January 1955	Reply to the observations of the Advisory Council on an ordinance concerning appeals against administrative decisions on income contributions	A/AC.33/AA.173/Add.2

<i>Date</i>	<i>Subject</i>	<i>Advisory Council Document</i>
27 January 1955	Reply to the observations of the Advisory Council on the tax on sugar imports	A/AC.33/AA.152/Add.7
27 January 1955	Reply to the observations of the Advisory Council on a draft ordinance concerning the general organization of secondary education	A/AC.33/AA.166/Add.2
27 January 1955	Draft ordinances on the establishment of the office of District Councillor and elections to the Territorial Council	A/AC.33/AA.177
27 January 1955	Draft ordinance concerning title to properties and other land rights	A/AC.33/AA.123/EC/Add.4
1 February 1955	Reply to the observations of the Advisory Council on the budget estimates and public accounts for the Territory	A/AC.33/AA.131/Add.3
1 February 1955	Reply to the observations of the Advisory Council on draft ordinances concerning infringements of municipal regulations and the empowering of heads of municipalities to take emergency measures	A/AC.33/AA.163/Add.2 and A/AC.33/AA.164/Add.2
2 March 1955	Reply to the observations of the Advisory Council on budget estimates and the question of public finance	A/AC.33/AA.162/Add.3
2 March 1955	Reply to the observations of the Advisory Council on draft ordinances concerning the granting and protection of patents on industrial inventions, models and trade marks	A/AC.33/AA.172/Add.2
7 March 1955	Reply to the observations of the Advisory Council on the control of private insurance companies	A/AC.33/AA.183
7 March 1955	Reply to the observations of the Advisory Council on a draft ordinance modifying the composition of the Economic Council and transmittal of minutes of the Economic Council	A/AC.33/AA.158/Add.2
7 March 1955	Draft ordinance concerning the increase of compensation for industrial accidents	A/AC.33/AA.182
8 March 1955	Reply to the observations of the Advisory Council on the external trade policy (import and export control)	A/AC.33/AA.181
9 March 1955	Reply to the observations of the Advisory Council on the Plans for the Economic Development of Somaliland	A/AC.33/AA.160/Add.3
10 March 1955	Reply to the observations of the Advisory Council on a draft ordinance concerning the organization of elections to the Territorial Council	A/AC.33/AA.177/Add.2
25 March 1955	Transmittal of copy of three project agreements under the Italo-American FOA Programme for technical co-operation in Somaliland	A/AC.33/AA.160/Add.4

Annex II

LIST OF LETTERS OF ADVICE TRANSMITTED TO THE ADMINISTERING AUTHORITY

<i>Date</i>	<i>Subject</i>	<i>Advisory Council Document</i>
14 June 1954	Plans for the Economic Development of Somaliland, 1954-1960	A/AC.33/AA.160/Add.1
27 September 1954	Draft ordinance concerning the establishment of a grade system in the merchant marine	A/AC.33/AA.155/Add.1
27 September 1954	Draft ordinance concerning the establishment of a vocational course for veterinary assistants	A/AC.33/AA.156/Add.1
28 September 1954	Draft ordinance concerning modification in the names of territorial divisions	A/AC.33/AA.135/Add.2
28 September 1954	Draft decree concerning the reorganization of the central offices and services of the Administration	A/AC.33/AA.136/Add.1
28 September 1954	Results of the second anti-tuberculosis campaign	A/AC.33/AA.167/Add.1
30 September 1954	Future general elections to the Territorial Council	A/AC.33/MISC.59
30 September 1954	Certain economic questions previously studied	A/AC.33/MISC.60
1 October 1954	Work of the commission entrusted with the study of land legislation	A/AC.33/AA.123/EC/Add.3
1 October 1954	Draft ordinance concerning the employment of women and the protection of maternity	A/AC.33/AA.150/Add.1
1 October 1954	Draft ordinance concerning the national flag of Somaliland	A/AC.33/AA.168/Add.1
11 October 1954	Draft ordinances concerning the organization of courts, tribunals and the penal legislation of the Territory (amendments to the judicial regulations)	A/AC.33/AA.165/Add.1
11 October 1954	Draft ordinance concerning the establishment of the Higher Institute of Legal, Economic and Social Studies	A/AC.33/AA.170/Add.1
26 October 1954	Draft ordinances concerning amendments to judicial regulations	A/AC.33/AA.165/Add.2
1 November 1954	Draft ordinance concerning the general organization of secondary education	A/AC.33/AA.166/Add.1
1 November 1954	Draft ordinance concerning general disciplinary measures in prison	A/AC.33/AA.171/Add.1
2 November 1954	Decree of 20 March 1954 defining the functions and powers of the Administrative Committee	A/AC.33/LEG.53/Add.1
5 November 1954	Draft ordinances concerning infringements of municipal regulations and the empowering of heads of municipalities to take emergency measures	A/AC.33/AA.163/Add.1 and A/AC.33/AA.164/Add.1
22 November 1954	Ordinance concerning appeals against administrative decisions on income contributions	A/AC.33/AA.173/Add.1
23 November 1954	The Economic Council of Somaliland	A/AC.33/AA.158/Add.1
24 November 1954	Ordinance concerning reduction in the registration tax on the purchase abroad of ships	A/AC.33/AA.149/Add.1

Date	Subject	Advisory Council Document
26 November 1954	External trade policy : import and export control regulations	A/AC.33/MISC.56/Add.3
26 November 1954	Budget estimates and the question of public finance	A/AC.33/AA.162/Add.2
2 December 1954	Plans for the economic development of Somaliland, 1954-1960	A/AC.33/AA.160/Add.2
7 February 1955	Contracts between the Administering Authority and petroleum companies	A/AC.33/AA.91/Add.2-3/AC.33/AA.116/EC/Add.1
7 February 1955	Mining regulations	A/AC.33/R.30/Add.1
7 February 1955	Draft ordinance concerning the granting of powers to municipal councils	A/AC.33/AA.174/Add.1
15 February 1955	Draft ordinance concerning the organization of election to the Territorial Council	A/AC.33/AA.177/Add.1
15 February 1955	Control of private insurance businesses	A/AC.33/RA.39/Add.1
15 February 1955	Control of rents	A/C.33/AA.101/SOC/Add.4
16 February 1955	Draft ordinances concerning the protection of patents on industrial inventions, models and trade marks	A/AC.33/AA.172/Add.1
25 February 1955	Five-year plan for development of education (third revision)	A/AC.33/AA.178
25 February 1955	Decree No. 152 on the organization and functioning of the Higher Institute of Legal, Economic and Social Studies	A/AC.33/AA.170/Add.2

Annex III

AGENDAS OF THE TERRITORIAL COUNCIL

1954	Legislative provisions concerning patents for industrial models.
<i>First session, 1-13 April 1954 (A/AC.33/AA.157)</i>	Legislative provisions concerning trade marks.
Opening of the session and speech by the Administrator.	
General regulations concerning the functioning of secondary schools in Somaliland.	
Modifications to the judicial regulations.	
<i>Second session, 21 June-3 July 1954 (A/AC.33/AA.161)</i>	
Opening of the session and speech by the Secretary-General.	
Draft budget estimates of the Italian Administration's revenues and expenditures for the financial year 1955.	
Draft ordinance on infractions of municipal regulations.	
Miscellaneous.	
<i>Third session, 6-27 September 1954 (A/AC.33/AA.169)</i>	
National flag of Somaliland.	
Establishment of the Higher Institute of Legal, Economic and Social Studies.	
Provisions concerning prison organization.	
Legislative provisions concerning the patents for industrial inventions.	
	1955
	<i>Resumed third session, 14-24 February 1955 (A/AC.33/AA.176)</i>
	Draft provisions concerning the granting of deliberative powers to municipal councils.
	Draft land law.
	Miscellaneous.
	<i>First session, 8 March-5 April 1955 (A/AC.33/AA.179)</i>
	Opening of the session and speech by the Administrator.
	Ordinance concerning the institution of district councils.
	Political elections.
	Ordinance concerning the increase of daily compensation for temporary incapacity resulting from industrial accident or occupational disease.
	Miscellaneous.

CHECK LIST OF DOCUMENTS ¹⁵

Document No.	Title	Page	Observations and references
A/AC.33/...			Documents in this series are mimeographed only.
T/1043	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under French administration		<i>Official Records of the Trusteeship Council, Thirteenth Session, Supplement No. 5.</i>
T/1048	Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration covering the period 1 April 1952 to 31 March 1953		<i>Ibid., Twelfth Session, Annexes, agenda item 4 (a).</i>
T/1064	Note by the Secretary-General transmitting the third draft of the five-year plan for education in Somaliland		Mimeographed document only.
T/1116	Report of the delegation of Colombia on the activities of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration covering the period 1 April 1953 to 31 March 1954		<i>Official Records of the Trusteeship Council, Fourteenth Session, Annexes, agenda item 4 (a).</i>
T/1172	Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration covering the period from 1 April 1954 to 31 March 1955	1	

¹⁵ See also the check list of documents for agenda item 4.

**TRUSTEESHIP COUNCIL**

OFFICIAL RECORDS

ANNEXES

SIXTEENTH SESSION

NEW YORK, 1955

Agenda item 18: Adoption of the report of the Trusteeship Council to the Security Council

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
T/L.601	Draft report of the Trusteeship Council to the Security Council on the Trust Territory of the Pacific Islands for the period from 17 July 1954 to 22 July 1955	Adopted without change at the Council's 642nd meeting. See S/3416.