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MEETING**

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Chairman: Mr. L. N. PALAR (Indonesia).

**AGENDA ITEMS 13 AND 39**

Report of the Trusteeship Council (A/4100, A/4262; A/C.4/L.606/Rev.1, 607-611, 613, 614; T/PET.3/95, 96 and Add.1, 97) (continued)

Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Trusteeship Council (A/4100, part I, chap. VII, sec. D) (continued)

**HEARING OF PETITIONERS (continued)**

At the invitation of the Chairman, Mr. Mauro Baradi (Philippines), Chairman of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, and Mr. Scek Yero Abdio, representative of the Somali Independent Constitutional Party, Mr. Mohamed Hussen Hamud, representative of the Great Somalia League, and Mr. Abubacar Hamoud Socoro, representative of the Somali National Union, took places at the Committee table.

1. Mr. HAMUD (Great Somalia League) said that he wished to thank the United Nations, on behalf of the United National Front, which was composed of all the opposition parties and represented the majority of the Somali people, for the assistance rendered to Somalia in its efforts to achieve independence. He and the other two petitioners had not come to complain of other Somalis, but of the Administering Authority which, however hard it might try to evade its responsibilities, would be responsible for the administration of Somalia until the time when the Territory became independent.

2. He had not been able to accompany the representatives of the three opposition parties who had appeared before the Trusteeship Council in August 1959, during the Council's twenty-fourth session, because he had then been in prison, together with several of his compatriots, as a result of very serious charges which had been brought against him and which had since been proved false. It was not the first time that he had been so accused, and on 10 February 1958 he had proved before the United Nations Advisory Council for the Trust Territory of

Somaliland under Italian Administration that the accusations made against him by the Administrator were unfounded. Nevertheless, a month later, the Administrator had written to the Prime Minister of Somalia asking him, firstly, to request the Central Committee of the Great Somalia League to expel Mr. Hamud from the party, and secondly, to request the Legislative Assembly to condemn his policy as President of that League, which the Assembly had subsequently done on 15 February 1959. It could hardly be said that colonialism did not exist in Somalia, if the Italian Government could thus impose its will on the Prime Minister and the political parties.

3. At its twenty-fourth session the Trusteeship Council had formulated certain recommendations concerning Somalia, which were set forth in part II, chapter III, of its report (A/4100) and which, though they represented a bare minimum, had been accepted by the opposition parties as being in accordance with the best interests of their country. Hajji Farah Ali Omar, the Minister of Industry and Commerce of the Government of Somalia, and Mr. Gasbarri, the special representative of the Administering Authority, had told the Council, on behalf of the Somali Government and the Administering Authority, that those recommendations would be implemented in a spirit of co-operation and harmony. Ignoring that promise, however, the Italian Administration had made all kinds of excuses for not acting on the recommendations.

4. The Council had stated, for instance, in its recommendation concerning constitutional development and the transfer of powers, that prior to the achievement of full independence on 2 December 1960 or sooner, should the Somali Government so request, the Italian Administration would be dissolved and the powers of the Italian Administrator would pass to the Head of the Somali State and to other Somali authorities. That meant that there should be a Somali State, and a Head of that State, some time before the date fixed for independence, and, consequently, that elections should be organized before that date to enable the population to have a say in the choice of the Government and the Head of State. The Administering Authority had done nothing to prepare for those eventualities. It had also adopted delaying tactics with regard to the Trusteeship Council's recommendations concerning the Political Committee and the constituent assembly which would frame the constitution of the new State of Somalia. The Administering Authority had done nothing to allow representation of the opposition parties in the Political Committee, the Legislative Assembly and the cultural and educational committees. Was it not justifiable, in the circumstances, to doubt the good faith of the Administering Authority?

5. In spite of obstacles placed in their way the opposition parties had always striven to achieve a true Somali brotherhood, and were prepared to co-operate with all who wished to work with them for the welfare of the country. They thought that the United

Nations should make sure that the inhabitants of Somalia would be free to rule their own destiny when the trusteeship was terminated. In their opinion the present Somali Government was neither constitutional nor representative. The people must be allowed to decide their own future. It was not merely party interests nor the interests of Somalia and its people which were at stake, but the success of the whole Trusteeship System.

6. The opposition parties of Somalia asked that the present electoral laws should be amended to ensure respect for freedom of the vote and democratic principles, and that elections should be organized under the supervision of the United Nations before the termination of the trusteeship. He wished to thank the Trusteeship Council for having recommended that the Government of Somalia should consider providing for popular confirmation of the constitution. He hoped that the plebiscite concerning the constitution would also take place under the supervision of the United Nations, so that the constitution adopted would be a democratic one in conformity with the aspirations of the Somali people.

7. The opposition parties wished to be given the assurance that, in accordance with article 25 of the Trusteeship Agreement, authority over the destiny of Somalia would be transferred to a duly constituted independent and democratic government. They supported whole-heartedly the request that Somalia should achieve its independence before the appointed date.

8. In conclusion, he said that the Somali people would never forget the great services which the United Nations had rendered to them, and he hoped that his present appeal would be heard by those who believed in democratic principles.

9. Mr. ABDIO (Somali Independent Constitutional Party) said that his party, which he had represented before the Trusteeship Council at its twenty-fourth session, had accepted the recommendations made at that session. Three months had now elapsed and Italy, despite the assurances it had given the Council, had not yet taken any steps to implement those recommendations: the composition of the Political Committee and the Legislative Assembly had not been broadened and the political parties and other important social organizations were not represented in those bodies.

10. The Somali Independent Constitutional Party considered it essential that political elections should be held in Somalia before the termination of the trusteeship, since the elections of March 1959 had been in every respect illegal. His party asked for a sound and democratic electoral law instead of the procedure followed at the first election, which had simply been an instrument for establishing a dictatorial and anarchic régime. The electoral law should be based on the Universal Declaration of Human Rights, and provide for direct elections by the entire people, and not merely single lists including only a few names, like those presented in March 1959. Lastly, elections should take place under the supervision of the United Nations, for international control was the only way of ensuring a free and honest vote in Somaliland under Italian administration.

11. He wished to inform the Committee that there was no freedom of expression or of the Press in Somalia, that all communications addressed to the

United Nations were being censored and that all messages containing complaints were being confiscated or delayed indefinitely.

12. The Somali Independent Constitutional Party appealed urgently to the United Nations, as their trustee, to help the Somali people to become a truly democratic nation, with a government and a parliament of their own choice. The Somali people had lost all confidence in the Administering Authority, and the United Nations should not hesitate to intervene in order to avoid bloody events such as had occurred in other parts of the world.

13. In conclusion, he said that his party endorsed unreservedly the statement just made by Mr. Hamud, the spokesman for the National Front.

14. Mr. SOCORO (Somali National Union) recalled that he had appeared before the Trusteeship Council in August 1959 to tell of the painful conditions prevailing in Somaliland because of the careless and irresponsible behaviour of the Administering Authority. None of the recommendations made by the Council at that time had as yet been put into effect despite the unanimous vote of the Council, including Italy, and despite the consent of Hajji Farah Ali Omar and his promise to carry out those recommendations in an amicable and co-operative spirit.

15. The Somali National Union wanted fresh elections to be organized under United Nations supervision before the end of the trusteeship; it undertook to accept the results and to co-operate with the winners, provided that they were willing to respect the law and the will of the people. There were at present two classes in Somaliland: the rulers and the ruled; those who were ruled felt that their wishes were not being taken into account. The Trusteeship System would have failed if the society which it produced was not free and independent and if it did not give the people a sense of security and the feeling that they were no longer oppressed.

16. Mr. ALWAN (Iraq) wished to know why the petitioners were asking for general elections before the end of the Trusteeship Agreement.

17. Mr. HAMUD (Great Somalia League), speaking on behalf of the three petitioners, said that the reason was that the elections which had taken place in March 1959 had not, generally speaking, reflected the wishes of the population and had been carried out on the sole responsibility of the Somali Government.

18. Mr. ALWAN (Iraq) asked what the petitioners thought of the present Government and its attitude towards the opposition parties.

19. Mr. HAMUD (Great Somalia League) said that the present Government did not represent the Somali people and had not been set up in accordance with constitutional requirements.

20. Mr. ALWAN (Iraq) asked whether the petitioners wanted the date on which the Trusteeship Agreement would expire to be advanced.

21. Mr. HAMUD (Great Somalia League) said that the whole Somali population would agree to the date's being advanced if the Italian Government offered to do it.

22. Mr. ADAM (Ghana) asked how legislation was enacted in Somaliland, since the petitioners had

referred to laws which they said had been illegally adopted.

23. Mr. HAMUD (Great Somalia League) explained that the laws were promulgated by the Administrator after being voted on by the Legislative Assembly; the Administrator was entitled to propose legislation and had a right of veto. The present electoral law was unfair, as it was based on the single-list system and authorized the imprisonment of the opposition leaders.

24. Mr. RASGOTRA (India) recalled that, according to the petitioners, no action had been taken on the recommendations of the Trusteeship Council, and in particular the recommendation that the composition of the Political Committee set up to draft the constitution should be broadened, and asked whether any steps had been taken in that direction, either by the Administrator or by the Government.

25. Mr. HAMUD (Great Somalia League) said that nothing had been done to put the Trusteeship Council's recommendation into effect. The Great Somalia League had asked for an audience with the Prime Minister and the Administrator in order to go over the question of broadening the composition of the Political Committee with them, but both of them had refused. After complaining to the Advisory Council, the leaders of the League had finally been received by the Administrator, who had simply told them that he was not in a position to give them a reply.

26. Mr. VITELLI (Italy) pointed out that, as noted on page 66, paragraph 39, of the Trusteeship Council's report, the Administrator's veto powers would not be exercised in respect of the proposals of the Political Committee and the constituent assembly for the constitution.

27. In reply to the Indian representative, who had inquired whether the Legislative Assembly was seized or would shortly be seized of any draft legislation or decrees intended to broaden the composition of the Political Committee, he said that he would give the Fourth Committee detailed information on the political situation in the Territory after the petitioners had been heard.

28. Mr. RASGOTRA (India) recalled the Trusteeship Council's recommendation that the claims of the ex-servicemen should be satisfied, and the Administering Authority's promise that all compensation due would be paid before the attainment of independence; he asked the petitioners to describe the present state of mind of the ex-servicemen and to say whether they thought that the matter would be settled before the attainment of independence, even if the date of independence was advanced.

29. Mr. HAMUD (Great Somalia League) said that that recommendation of the Trusteeship Council had also remained a dead-letter, and that following a recent demonstration by ex-servicemen in front of the Advisory Council building, a number of them had been arrested and the others dispersed.

30. Mr. RASGOTRA (India), noting that the petitioners had asked that general elections should be organized under United Nations supervision, inquired whether, in view of the fact that it was practically impossible now to hold fresh elections, the petitioners would object if the date of independence was advanced and was not preceded by elections under United Nations supervision.

31. Mr. HAMUD (Great Somalia League) reaffirmed that if the Italian Government decided to advance the date of independence, all the political parties in Somaliland would accept that decision. As to whether general elections should be organized before the attainment of independence, he pointed out that, if he had been a deputy, his attitude would be determined by the wishes of his constituents, for only the people could decide a question of that kind.

32. Mr. Itaat HUSAIN (Pakistan) asked whether the people of Somaliland would not be able, once their country was independent, to form a new government if the present Government was not satisfactory.

33. Mr. HAMUD (Great Somalia League) said that the opposition parties wanted elections to be held under United Nations supervision in order to guarantee their impartiality. There could be no doubt that in that case the people of Somaliland would choose a constitutional government which suited them.

34. Mr. Itaat HUSAIN (Pakistan) pointed out that there would be no guarantee that subsequent elections would be impartial and asked whether, in that case, the petitioners intended to ask the United Nations to supervise all future elections in Somaliland.

35. Mr. HAMUD (Great Somalia League) assured the representative of Pakistan that after the end of trusteeship, the people of Somaliland would manage their own affairs.

36. Mr. SIDI BABA (Morocco) asked Mr. Hamud in what circumstances and for what reasons he had been sent to prison.

37. Mr. HAMUD (Great Somalia League) explained that in January 1959, he had gone to the northern part of the Territory to present an electoral list; he had been arrested and sent back to Mogadiscio, where he had only been released after the League had announced the withdrawal of all its lists of candidates. Subsequently, he had been re-imprisoned, together with Mr. Socoro, for five months, under a law authorizing the Government to imprison anyone for six months without grounds.

38. Mr. SIDI BABA (Morocco) wished the petitioners to explain the points upon which the opposition parties and the party in power were in conflict.

39. Mr. HAMUD (Great Somalia League) assured the Committee that the opposition parties and the party in power differed only on the question of the elections and the electoral law. That difference of opinion resulted from the opposition's desire to provide a solid foundation for independence.

40. The CHAIRMAN thanked the petitioners and declared the hearing closed.

*Mr. Scek Yero Abdio, representative of the Somali Independent Constitutional Party, Mr. Mohamed Hussein Hamud, representative of the Great Somalia League, and Mr. Abubacar Hamoud Socoro, representative of the Somali National Union, withdrew.*

CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L. 606/REV.1, 607-611, 613, 614) (continued)

*Draft resolution on study of opportunities for international co-operation on behalf of the former Trust Territories which have become independent (A/C.4/L.606/Rev.1) (continued)*

41. The CHAIRMAN recalled that at its previous meeting the Committee had decided to close the debate



on the draft resolution (A/C.4/L.606/Rev.1) and on the amendments to it submitted by the delegation of Ceylon (A/C.4/L.616) and to proceed immediately to the vote at the present meeting.

42. Mr. RASGOTRA (India) said that his delegation, although in general agreement with the amendments of Ceylon, would have a number of sub-amendments to propose.

43. Mr. MATTOS (Uruguay) thought that before the vote was taken it would be useful for the Committee to know why the sponsors of the draft resolution did not think they should accept the amendments of Ceylon.

44. Mr. GRINBERG (Bulgaria) said that one of his reasons for proposing the adjournment of the previous meeting had been the fact that the composition of the proposed committee was not specified in the draft resolution. The omission remained in the revised text (A/C.4/L.606/Rev.1) and it should be remedied, because the votes of delegations might be decided by the composition of the committee.

45. Mr. RASGOTRA (India) said, in explanation of his delegation's position, that although the Economic and Social Council was of course the organ competent to deal with economic matters, the Fourth Committee and the General Assembly still had a moral obligation to continue themselves to watch over the welfare of the former Trust Territories. Moreover, the amendments of Ceylon did not take into account the case of the Non-Self-Governing Territories, which were also entitled to United Nations solicitude. If the Committee thought it was too late to introduce sub-amendments, the Indian delegation would be obliged to submit a similar draft resolution when the Committee took up the agenda item relating to information on Non-Self-Governing Territories.

46. The CHAIRMAN invited the sponsors of the draft resolution to furnish the explanations requested by the Bulgarian and Uruguayan representatives.

47. Mr. DORSINVILLE (Haiti) recalled that, in submitting the draft resolution at the 955th meeting, he had suggested that the membership of the proposed committee should be determined in the following way: the five members of the committee, representing the five continents of the world, would be chosen either by the Fourth Committee or directly by the General Assembly, on the proposal of the Chairman of the Fourth Committee after consultation with the different groups.

48. Mr. ZULOAGA (Venezuela) said that operative paragraph 5 of the revised text, which had been incorporated in the original text in order to take into account the point of view of the Canadian representative, met the desire of the Ceylonese delegation that the Economic and Social Council should be associated in the contemplated study because of its economic character. He wondered whether the ceylonese representative would not, therefore, agree to withdraw his amendments.

49. The fear that some Territories might be discriminated against should be dispelled by the simple fact that the six countries sponsoring the draft resolution had formerly themselves, in one way or another, been colonial dependencies and that there was hence no reason to suspect their motives.

50. Mr. KANAKARATNE (Ceylon) regretted that he was unable to comply with the Venezuelan representative's request, for the reasons which he had explained at length at the previous meeting.

51. He pointed out that paragraph 6 of his amendments (A/C.4/L.616) should read: "6. Delete operative paragraph 6".

52. Miss BROOKS (Liberia) said that she would vote against the amendments proposed, as her delegation had no doubts concerning the intentions of the draft resolution's sponsors. The draft resolution was designed solely to help the newly independent countries to overcome the difficulties which they would encounter during the first years. She was all the more in favour of it as she knew that it corresponded to the wishes of the leaders of the countries most directly concerned.

53. Mr. NINCIC (Yugoslavia) recalled the warm welcome which his delegation had given to the Haitian representative's generous idea during the general debate. However, the draft resolution embodying that idea had occasioned certain misgivings which the revised text had been unable to dispel. The amendments submitted by Ceylon constituted a considerable improvement, since they were based on the normal procedures provided for in the Charter and sanctioned by United Nations practice, and did not call for the establishment of a new body. Accordingly, his delegation, while commending the sponsors of the draft resolution for the very useful initiative which they had taken, could not vote for the draft resolution unless the amendments submitted by Ceylon were incorporated in it.

54. Mr. MATTOS (Uruguay), although appreciating the logic of the Ceylonese representative's arguments, felt that it was common practice to set up a subsidiary body when such action might assist the accomplishment of an urgent task. That was the case at present, and his delegation would therefore vote in favour of the draft resolution.

55. Mr. TOURE (Guinea), referring to the Venezuelan representative's statement, said that obviously there could be no fear of discrimination on the part of the draft resolution's sponsors or of the Fourth Committee itself. Discrimination might result, however, if the draft was not altered so as to apply to all countries acceding to independence, whether they were former Trust Territories or former Non-Self-Governing Territories. His delegation therefore awaited with interest the sub-amendments which the Indian representative had announced.

56. Mr. GOMES PEREIRA (Brazil) said that, without wishing to limit the right of delegations to submit counter-proposals, he must recall that the Committee had decided at its previous meeting to proceed to the vote without further discussion.

57. After an exchange of views in which Mr. CARPIO (Philippines), Mr. KANAKARATNE (Ceylon) and Mr. TOURE (Guinea) took part, Mr. RASGOTRA (India) said that, in order not to delay the vote, he would refrain from proposing modifications to the amendments submitted by Ceylon, but that he might submit a similar draft resolution in respect of Non-Self-Governing Territories.

58. Mr. ZIKRIA (Afghanistan) moved the adjournment of the meetings.

*That motion was rejected.*

59. Mr. GOMES PEREIRA (Brazil) proposed that the Committee should proceed immediately to a vote on the draft resolution and its amendments.

*It was so decided.*

60. The CHAIRMAN put to the vote the amendments submitted by Ceylon (A/C.4/L.616), as orally revised by the Ceylonese representative.

*At the request of the Indian representative, a separate vote was taken by roll-call on the first amendment (A/C.4/L.616, para.1).*

*Lebanon, having been drawn by lot by the Chairman, was called upon to vote first.*

In favour: Libya, Mexico, Nepal, Netherlands, New Zealand, Norway, Pakistan, Poland, Portugal, Romania, Saudi Arabia, Spain, Sudan, Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Yugoslavia, Albania, Australia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Chile, Czechoslovakia, Denmark, Federation of Malaya, Finland, Guinea, Hungary, India, Iraq, Ireland, Israel, Italy, Japan, Jordan.

Against: Tunisia, Uruguay, Venezuela, Argentina, Brazil, Cuba, France, Haiti, Iran.

Abstaining: Lebanon, Liberia, Morocco, Panama, Paraguay, Peru, Philippines, Turkey, United Arab Republic, United States of America, Afghanistan, Austria, Belgium, Canada, China, Colombia, Costa Rica, Ecuador, El Salvador, Ethiopia, Ghana, Greece, Guatemala, Honduras.

*The first amendment was approved by 41 votes to 9, with 24 abstentions.*

61. The CHAIRMAN, observing that the other amendments submitted by Ceylon in document A/C.4/L.616, as orally revised by the sponsor, followed logically from the amendment just adopted, declared that if there were no objections he would consider the remaining amendments adopted.

*It was so decided.*

62. The CHAIRMAN then put to the vote draft resolution A/C.4/L.606/Rev.1, as thus amended.

63. Mr. GRINBERG (Bulgaria) asked for a separate vote on the words "in the best possible circumstances", in the second preambular paragraph.

*Those words were approved by 42 votes to 3, with 19 abstentions.*

64. Mr. GRINBERG (Bulgaria) asked for a separate vote on the word "special", in the fourth preambular paragraph.

*That word was approved by 19 votes to 8, with 43 abstentions.*

65. Mr. Najmuddine RIFAI (United Arab Republic) asked for a separate vote on the words "and eminent persons", in operative paragraph 2.

*Those words were rejected by 19 votes to 15 with 34 abstentions.*

*At the request of the Liberian representative, supported by the Haitian representative, a vote was taken by roll-call on the whole of draft resolution A/C.4/L.606/Rev.1, as amended.*

*Sweden, having been drawn by lot by the Chairman, was called upon to vote first.*

In favour: Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, Uruguay, Yugoslavia, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, Czechoslovakia, Denmark, Federation of Malaya, France, Ghana, Greece, Guinea, Hungary, India, Iraq, Ireland, Israel, Italy, Japan, Jordan, Libya, Mexico, Morocco, Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Spain, Sudan.

Against: Tunisia, Haiti, Liberia.

Abstaining: Turkey, United States of America, Venezuela, Afghanistan, Argentina, Australia, Austria, Belgium, Brazil, China, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Ethiopia, Finland, Guatemala, Honduras, Iran, Lebanon, Nepal, Panama, Paraguay, Peru, Portugal.

*Draft resolution A/C.4/L.606/Rev.1, as a whole, as amended, was adopted by 45 votes to 3, with 26 abstentions.*

The meeting rose at 1.30 p.m.