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Item 5 of the agenda

EXAMINATION OF PETITIONS

Draft Second Report of the Ad hoc Committee on Petitions

Chairman: Prince Wan Waithayakon (Thailand)

1. The ad hoc Committee on Petitions, established by the Trusteeship Council at the first meeting of its ninth session, and composed of the representatives of Argentina, Belgium, New Zealand, Thailand, the Union of Soviet Socialist Republics and the United States of America examined during its third, fifth sixth meetings on 8, 13, 14 June 1951, the following petitions concerning Somaliland under Italian administration referred to it by the Council:

- (I) Petition from Chiefs and Notables of Galcaio District and five residents of Ethiopia (T/PET.11/3)
- (II) Petition from Chiefs, Notables and Leaders of the Somali Youth League, Branch of Kismayu (T/PET.11/7)
- (III) Petition from the Somali Youth League, Branch of Bender Kassim (T/PET.11/9)
- (IV) Petition from Messrs. Abshir Hassan, Yusuf Mussa Abuker, Abduraham Yusuf, Mohamud Omar, Mohamud Abdi Nur, Omar Abdule, Farah Jibril and Hussein Warsama (T/PET.11/10)
- (V) Petition from the Somali Youth League, Local Committee of Dolo (T/PET.11/13)
- (VI) Petition from the Somali Youth League, Mogadiscio (T/PET.11/14)
- (VII) Petition from the Somali Youth League, Branch of Bardera (T/PET.11/16)
- (VIII) Petition from the Somali Youth League, Branch of Lugh Ferrandi (T/PET.11/17)
- (IX) Petition from the Somali Youth League, Branch of Gardo (T/PET.11/18)
- (X) Petition from Mr. Tom Groves (T/PET.11/20)

/(XI) Petition

- (XI) Petition from the Somali Youth League, Branch of Alula (T/PET.11/22)
- (XII) Petition from the International Ethiopian Council for Study and Report (T/PET.11/23)
- (XIII) Petition from the Somali Youth League, Branch of Afmadu (T/PET.11/25)
- (XIV) Petition from Mr. Mohamed Ali Yusuf and others (T/PET.11/26)
- (XV) Petition from the Somali Youth League, Branch of Schushuban (T/PET.11/27)
- (XVI) Petition from the Somali Youth League, Branch of Hordio (T/PET.11/28)
- (XVII) Petition from the Somali Youth League, Branch of Tarbeh (or Torba) (T/PET.11/29)
- (XVIII) Petition from Mr. Yusuf Gula, Somali Youth League, Branch of Hafun (T/PET.11/30)
- (XIX) Petition from the Somali Youth League, Branch of Bargal (T/PET.11/31)

2. Mr. G. Fornari participated in the examination as the special representative of the Administering Authority.

3. The ad hoc Committee submits herewith to the Council its report on these petitions.

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I Petition from Chiefs and Notables of Galcaio District (T/PET.11/3,
Part I, page 2) dated 2 May 1950
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

A communication from the Chiefs and Notables of Galcaio District protests against the action of the Italian officials involved in incidents that occurred in Baidoa and contends that they organized and created disturbances and were really responsible for the incident. The petitioners request justice.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated that the incidents which occurred in April, 1950, at Baidoa were caused by the general exasperation of the Dighil and Mirifle peoples against members of the Somali Youth League. These incidents were promptly checked by the action of the Italian Authorities, and the 500 persons who had fled from Baidoa after the incidents had long since^{1/} returned to their normal activities with the assistance of the Administration. It was stressed in various statements of the special representative to the Committee and to the Trusteeship Council^{2/} that these incidents occurred shortly after Italy had taken over the administration of Somaliland, at a time when the situation in the Territory was rather tense. Since then, the Administration had endeavoured by means of discussion with the parties concerned to persuade the population to cease further violence. At the end of the Ramadan, in July 1950, the Administration had liberated the persons arrested as a result of the Baidoa incidents. As a result, an atmosphere of calm, liberty, cooperation and peace had been restored in Somaliland.

Those who claimed to have suffered damages in connexion with the Baidoa incidents had been told that they could present their claims to the courts; however, subsidies had been granted by the Administration to those people, and the special representative of the Administering Authority quoted the report of the United Nations Advisory Council, where it was stated^{3/} that the President of the Somali Youth League, on 27 January 1951, signed a declaration stating that he considered settled the question of indemnities for the Baidoa victims.

^{1/} T/908, pp. 3 and 14.

^{2/} T/AC.41/SR.4 and 5 - T/PV 349, pp. 3-15
T/PV 350, pp. 2-7 and 23-24.

^{3/} T/923, p. 22.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, fifth, and eighth meetings of the Ad Hoc Committee on 8, 13, and 19 June, 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.5, and SR.8.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council recommend that the Administering Authority cease its anti-democratic policy with regard to the local population and that it not permit in the future infringements of the rights and interests of the indigenous population; that the Council furthermore instruct the Visiting Mission to investigate on the spot this petition together with all petitions relating to the Baidoa incidents. As a result of the rejection of this paragraph by the Committee he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by ...
the draft resolution which is reproduced below
as resolution I.

(II) Petition from five residents of Ethiopia (T/PET.11/3, part II, page 3).
Dated 5 May 1950
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

In a letter addressed to the Advisory Council five residents of Ethiopia state that while travelling within the Trust Territory they were fired upon without reason by Italian white police or troops and four of them were injured. Stating that they have been unable to obtain redress for their wrongs from the Italian Commissario of Baidoa, they appeal to the Advisory Council.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

With regard to the complaint of the five residents of Ethiopia, the Administering Authority explained^{1/} that a shot was fired because the lorry did not stop when ordered to do so at the control station. The six wounded were immediately taken to the Baidoa Hospital. As to the alleged theft of 3,000 shillings, investigations by the Administering Authority showed that no declaration of foreign currency was made to the customs of Dolo and that the Police authorities had not searched the passengers.

The Administering Authority further stated that the petitioner who had complained of the theft had no witnesses, and had not brought his case to the competent courts.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, fifth and eighth meetings of the ad hoc Committee on 8, 13 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.5 and SR.8.

At its eighth meeting, the Committee adopted by
the draft resolution which is reproduced below
as resolution II.

(III) Petition from the Chiefs, Notables and Leaders of the Somali Youth League, Branch of Kismayu (T/PET.11/7)

Dated 15 April 1950

Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners claim that certain Italian officials have shown favouritism to inhabitants of the district. Claiming that this discrimination has favoured the Arabs at the expense of the Somalis, they cite four incidents involving Somalis and Arabs in which the former were arbitrarily arrested while the latter were allowed to go free. They charge that the Italians who were living in the Territory before the arrival of the present Administration are responsible for the present policy and request the new Administration to remove those who are opposed to the welfare of the Somalis and Somalia. They bring these facts to the attention of the Advisory Council and request it to take "adequate steps."

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated^{1/} that the incidents referred to in the petition related to the political unrest at Kismayu and Margherita after the transfer of power to the Italian Administration April 1950. The Police forces had restored order without having to adopt unusual measures, and the situation was back to normal at the end of April 1950.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, fifth and eighth meetings of the ad hoc Committee on 8, 13 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.5 and SR 8.

The representative of the Union of the Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council recommend to the Administering Authority that it put an end to its policy of racial discrimination in the Trust Territory. As a result of the rejection of this paragraph by the Committee by he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution III.

- (IV) Petition from the Somali Youth League, Branch of Bender Kassim
(T/PET.11/9)
Dated 7 July 1950
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

In a letter addressed to the Advisory Council, the petitioners charge that the Italian administration of the Migiurtinia Province is attempting to organize and to promote a small and weak "pro-Italia" political party in order to weaken the Somali Youth League and its branches and to Italianize the Territory. Alleging that the Italian Commissario has appointed five men of the Administration party as chiefs with salaries in Bender Kassim and presuming that these men will also be appointed members of the Territorial Council, the petitioners charge the Administration with attempting to obtain a majority of pro-Italians in the Council and contend that its policy does not comply with the Trusteeship agreement, the United Nations Charter, or with Italy's promises to the General Assembly of the United Nations. They protest against the Administration's policy, and, in particular, against the appointment as chiefs in their area of the five men of the Administration's party.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated^{1/} that if the "pro-Italia" political party referred to was the Somali Progressist League, the allegations of the petition were without foundation, and that the visit of the Commissario of Migiurtinia to Bender Baila when the headquarters of the Somali Progressist League had been inaugurated was entirely coincidental.

It was further stated^{2/} that the candidates for the Territorial Council were selected as representatives of tribal organizations and not as representatives of political parties by a Regional Assembly, to which each Residency Council had sent five representatives. Other provisions did exist for the representation of political parties in the Territorial and Residency Councils; the representation of the political parties would be broader in the future Municipal Councils.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, fifth and eighth

^{1/} T/908, page 9.
^{2/} T/AC.41/SR.5.

meetings of the ad hoc Committee on 8, 13 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.5 and SR.8.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council request its Visiting Mission to investigate this petition on the spot. As a result of the rejection of this paragraph by the Committee by he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution IV.

- (V) Petition from Messrs. Abshir Hassan, Yusuf Mussa Abuker, Abduraham Yusuf, Mohamud Omar, Mohamud Abdi Nur, Omar Abdulle, Farah Jibril and Hussein Warsama (T/PET.11/10)
Dated 14 August 1950
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners, stating that they represent the Baidoa refugees, give an account of two incidents which took place in April 1950 at Baidoa, both of which were directed against the activities of the Somali Youth League. They claim that while nineteen Somali Youth League members were under arrest by the Italian Administration their properties were looted. The petitioners state that the Administration has directed them to bring the case to court, but since they were imprisoned at the time the incident occurred they do not know the identity of those responsible for the lootings. Stating that the incident occurred under the eyes of the Administration, the petitioners claim that the Administration has failed in its duty to safeguard their properties. They claim to be destitute as a result of the incident and made the following requests of the Advisory Council:

- (a) the refunding of their looted property by the Administration including the rebuilding of their houses;
- (b) peaceful return to their homes and the assurance of protection without discrimination;

(c) restoration of peace and security especially in the Upper Juba Province;

(d) a guarantee that they may return to their respective positions in trade and in employment by the Administration;

(e) direct investigation by the Advisory Council of any further incidents and the presence in court of the president of the Council whenever one of the petitioners is involved.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

See above observations of the Administering Authority on the petition from the Chiefs and Notables at Galcaio District (T/PET.11/3, Part I) page 7 of this document.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, fifth and eighth meetings of the ad hoc Committee on 8, 13 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.5 and SR.8.

[-The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council recommend that the Administering Authority cease its anti-democratic policy with regard to the local population and that it not permit the infringements of the rights and interests of the indigenous population; that the Council furthermore instruct the Visiting Mission to investigate on the spot this petition, together with all other petitions relating to the Baidoa incidents. As a result of the rejection of this paragraph by the Committee by he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution V.

(VI) Petition from the Somali Youth League, Local Committee of Dolo
(T/PET.11/13)
Undated
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners complain that at a reception given by the Resident of Lugh Ferrandi upon his arrival at Dolo, "all smaller groups" were excluded and contend that this action is a proof of partiality toward certain groups of Somali patriots. They also state that as a consequence of the disorders that have occurred at Dolo among the Somalis, it is urgent that "problems of mutual interest" and the question of the Somali Youth League should be examined.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated^{1/} that it was not aware of any incident at Dolo. If certain minor groups had not been invited to meetings convened by the Resident, it was an unintentional oversight. The Administering Authority further stated^{2/} that strict instructions had been given not to discriminate between representatives of any ethnic group or political party and to exercise care in the issuing of invitations. It was also stated that members of the Advisory Council had visited Lugh Ferrandi, which was some 20 kilometres from Dolo, in response to the request made in the petition.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, fifth and eighth meetings of the ad hoc Committee on 8, 13 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.5 and SR.8.

At its eighth meeting, the Committee adopted by
the draft resolution which is reproduced below
as resolution VI.

1/ T/908, page 13.
2/ T/AC.41/SR.5.

(VII) Petition from the Somali Youth League, Mogadiscio (T/RET.11/14)
Dated 4 September 1950
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners submit a wide range of complaints as follows:

- (i) Maintenance of public order - The Administration has deliberately fostered differences among the population and has instigated armed attacks by the Hisbia Dighil and Mirifle party against members of the League and other Somalis in various localities. Following these attacks only those persons opposed to the Administration were imprisoned. Their homes and shops were sacked and all members of the League and sympathizers were forced to flee.
- (ii) Administration of justice - The Carabinieri are invested with full powers to arrest persons at their discretion. Judicial decisions are determined by the reports of the police, and the Italian lawyers appointed for the defence do not adequately defend the accused, particularly when he is presumed to be "anti-Italian".
- (iii) Freedom of sojourn - Despite its promise to guarantee to the Somalis the right to choose the place of their residence within the Territory, the Administering Authority makes large use of the foglio di via obbligatorio (expulsion order) against its political opponents.
- (iv) Immigration - Contrary to the interests of the Territory, large numbers of Arabs, Indians and especially Italians are allowed to immigrate while Somalis of neighbouring territories are not.
- (v) Conservation of personal status - The Administration has constrained Somali Youth League members to state their original tribe and, at their refusal, has imprisoned, fined or deported them.
- (vi) Administrative Services - All Somalis holding responsible positions in the Administrative Services prior to the transfer of powers to the Italian Administration have been arrested or discharged from service. Over 300 persons have been discharged since the transfer.
- (vii) Education - Four classes for Somali girls in Mogadiscio have been discontinued and the girls entrusted to Catholic Sisters, thus endangering their Moslem faith.
- (viii) Public finance - Gifts made to pro-Italian leaders by the Administration and the expense of their pilgrimages to Mecca are a burden

on the Territorial budget.

In conclusion, the petitioners contend that Fascist colonial policy is applied to Somaliland and request that the General Assembly of the United Nations reconsider its decision to place the Territory under the Trusteeship of Italy, and place it instead under the collective trusteeship of several states. In the event that this request cannot be fulfilled, it is asked that Italy remove from the administration of the territory all persons who served under the Fascist regime, that the Advisory Council be given more powers in order to investigate complaints, that a Somali flag be substituted for the Italian flag, that justice be exercised by persons who are not Italians, and that Italian immigration be controlled.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority^{1/} made the following comments on the questions raised on the petition:

(i) Maintenance of public order - Baidoa incidents.

See above, observations of the Administering Authority on the petition from the Chiefs and Notables at Galcaio District (T/PET.11/3, Part I), page 7 of this document.

(ii) Administration of justice - It was stated that all persons mentioned as having been imprisoned had been liberated by the amnesty of July 1950. It was further stated that new judicial regulations were being studied by the Administration in an endeavour to increase the participation of the indigenous inhabitants in the administration of justice.

(iii) Freedom of sojourn - It was stated that the Administration made use of the foglio di via obbligatorio only to send tramps and beggars back to their villages.

(iv) Immigration - It was stated that immigration was strictly controlled by the Italian Authorities. It was pointed out that many of the Arabs and some of the Indians who returned to the Territory in the Spring of 1951 were former residents of Somalia.

(v) Conservation of personal status - It was stated that the allegation of the petitioners was inexact.

^{1/} T/908, pages 14-17 and T/AC.41/SR.5.

- (vi) Administrative services - It was stated that the Somalis were being given a progressively increasing participation in civil and military administration. They were holding responsible posts in certain services and the School of Political Administration was preparing Somalis to take over important functions in the central and local administrations. The number of the indigenous inhabitants working in the administrative services had increased in the course of 1950.
- (vii) Education - It was stated that the efforts of the Administration in this field were borne out by the statistical data. The number of school-boys had increased from 3,000 to over 7,000. In Mogadiscio, educational facilities for girls had substantially increased.
- (viii) Modification of the Trusteeship Agreement, and powers of the Advisory Council - The Administering Authority stated that the petition had been submitted by the Somali Youth League to the previous session of the General Assembly with the object of inducing the Assembly to modify the provisions of the Trusteeship Agreement for Somaliland, but that the Assembly had not decided to modify the Agreement.
- (ix) "Fascist" officials - It was stated that the Administration had endeavoured to make use of officials familiar with the Territory, without prejudice to the fact of their employment under previous administrations. Unless such officials acted in a manner contrary to the spirit of the Agreement there was no justification for objections to their employment.
- (x) Flag - The Administering Authority stated that the United Nations flag had on several occasions been flown beside the Italian flag, and that until such time as Somaliland achieved independence, its flag was the flag of the Administering Authority. The question of a national flag for Somaliland had been referred to the Territorial Council, and the advice of the United Nations Advisory Council had been sought.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, fifth and eighth meetings of the ad hoc Committee on 8, 13 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.5 and SR.8.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council, noting the facts concerning the anti-democratic policy of the Administering Authority toward the indigenous population of the Trust Territory, as reported in this petition, instruct the second Visiting Mission to East Africa to investigate this petition on the spot. As a result of the rejection of this paragraph by the Committee by he was not in a position to support the draft the draft resolution.]

At its eighth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution VII.

(VIII) Petition from the Somali Youth League, Branch of Bardera (T/PET.11/16)
Dated 21 August 1950
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners complain that the Italian Administration encourages discord among the population and that since it assumed power, they have experienced serious difficulties and losses in persons and in property, as was the case in an incident which occurred on 31 March 1950. They charge that freedom of the press and of speech have been suspended, that people are thrown into prison without cause and that patriots have been evacuated to unknown destinations. They further charge that the police, in certain villages, beat members of the Somali Youth League with sticks, and that even the right to wear the League's badge is often contested by the local authorities.

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B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority gave^{1/} the background of the Bardera incident of 31 March 1950 referred to in the petition. Investigation had shown that the incident was caused by the provocative attitude of elements of the Somali Youth League. The police had intervened and restored order immediately.

The Administering Authority also stated that the allegations concerning the evacuation of patriots, caning, the right to wear the badge of the Somali Youth League were without foundation.

The Administering Authority further pointed out^{2/} that in accordance with the provisions of the Italian Code in force in Somaliland, persons arrested had either to be liberated within 24 hours, or to be charged by due process of law.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council, noting the facts concerning the anti-democratic policy of the Administering Authority toward the indigenous population of the Trust Territory, as reported in the petition, instruct the Visiting Mission to investigate this petition on the spot.]

As a result of the rejection of this paragraph by the Committee by
he was not in a position
to support the draft resolution.

At its eighth meeting, the Committee adopted by
the draft resolution which is reproduced below
as resolution VIII.

1/ T/908, page 19.
2/ T/AC.41/SR.6.

(IX) Petition from the Somali Youth League, Branch of Lugh Ferrandi
(T/PET.11/17)
Dated 25 August 1950
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners report to the United Nations Advisory Council that they are refugees from Lugh and Dolo and that their chiefs are in prison in Mogadiscio. They complain that the Italian Administration encourages disorder and dissension among the inhabitants, and instigates armed attacks against the Somali Youth League. They further charge that illiterate chiefs are imposed upon the country while the educated and capable ones are imprisoned. The petitioners ask for the assistance of the United Nations in putting an end to this situation.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated^{1/} that the allegations contained in the petition were without foundation. The Administration had never even thought of encouraging dissension among the population and no arrest had been made by the Police authorities except for violation of penal law and police regulation.

The Administering Authority further stated that tribal chiefs were elected by the Assemblies of Elders (chir) according to custom and that the Administration intervened only to recognize them.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

At its eighth meeting, the Committee adopted by
the draft resolution which is reproduced
below as resolution IX.

^{1/} T/908, page 20.

- (X) Petition from the Somali Youth League, Branch of Gardo (T/FET.11/18)
Undated
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners state their grievances against the Assistant Administrator at Gardo. They charge that he established a pro-Italian party which served to bring dissension among the inhabitants of the Migiurtinia region and in September, 1950 instigated attacks against leaders of the Somali Youth League. They also claim that officials belonging to the League have been expelled and replaced by members of the Administrator's party, and that the League was ordered to evacuate its premises without compensation.

Such claims allegedly prove that the Administration has not respected the provisions of the Trusteeship Agreement. It is requested that the unjust acts committed be remedied by the Advisory Council.

B. WRITTEN OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority^{1/} stated that the facts of the Gardo incidents of the Autumn of 1950 as referred to in the petition were often inexact. As to the eviction of the Somali Youth League from its premises, it was stated^{2/} that the building occupied by the Somali Youth League had previously been Crown property under the British Administration, and that the League had occupied the building by virtue of an unwritten agreement. The Administering Authority had subsequently decided to establish a school on the property, and had therefore been obliged to ask the League to vacate the premises. As there had been no lease, no legal compensation was required, and the League had established quarters in a private building.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

At its eighth meeting, the Committee adopted by
the draft resolution which is reproduced below
as resolution X.

^{1/} T/908, page 21
^{2/} T/AC.41/SR.3, SR.6.

(XI) Petition from Mr. Tom Groves (T/PET.11/20)
Dated 2 October 1950
Addressed to the Secretary-General

A. SUMMARY OF THE PETITION

The petitioner cites various charges made against the Italian Administration in the New Times and the Ethiopia News. These include the replacement of Somalis in the police and civil service by Italians, imprisonment of members of the Somali Youth League, shooting of peaceful demonstrators, economic pressures in the interest of Italy, the smuggling of arms and the dissemination of anti-Ethiopian propaganda. Claiming that "the Stage is being set for a fresh conquest of Abyssinnia" the petitioner requests investigation of these charges.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority pointed out^{1/} that the petition set forth charges made by publications which were engaged in systematic propaganda against the Italian Administration. No arms were being smuggled into Ethiopia from Somaliland and there was no hostile propaganda against that country; the Administering Authority, on the contrary, was endeavouring to foster friendly relations with the Ethiopian people, and was looking forward to the resumption of diplomatic relations with Ethiopia in the near future. It was further stated that it was incorrect to claim that the composition of the Somali police force had been altered materially. Out of some 3,400 police employed at the time of the change of administration, only some 20 or 30 had left their posts, and only 50 or 60 new policemen had been engaged. All other officials of all ranks had been retained.^{2/}

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

At its eighth meeting, the Committee adopted by
the draft resolution which is reproduced below
as resolution XI.

1/ T/908, page 23.

2/ T/AC.41/SR.3 and SR.6.

(XII) Petition from the Somali Youth League, Branch of Alula, concerning Somaliland under Italian Administration (T/PET.11/22)
Undated
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners protest that five persons seated on the Territorial Council were not chosen by the Somali Youth League, but were all selected from the Somali Progressist League.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated^{1/} that the candidates for the Territorial Council were selected as representatives of tribal organizations and not as representatives of political parties by a Regional Assembly, to which each Residency Council had sent five representatives. Other provisions existed for the representation of political parties in the Territorial and Residency Councils.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council instruct the Visiting Mission to investigate this petition on the spot.

As a result of the rejection of this paragraph by the Committee by he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution XII.

^{1/} T/908 and T/AC.41/SR.6.

(XIII) Petition from the International Ethiopian Council for Study and Report (T/PET.11/23)
Dated 16 January 1951
Addressed to the Secretary-General

A. SUMMARY OF THE PETITION

In a resolution communicated to the Trusteeship Council, the International Ethiopian Council draws attention to the following facts "as stated in the Progress Report of the Somaliland Council"^{1/}:

- (i) Fascist law has been re-established in Somaliland under Italian trusteeship;
- (ii) only official newspapers and newspapers from Italy are allowed to be circulated;
- (iii) in connexion with complaints it received regarding discriminatory acts committed by Italian officials against Somalis opposed to Italian rule, the United Nations Advisory Council stated that although it was unable to judge of the truth of these allegations, not being supplied by the authorities with the necessary information, it gained the impression that some of the basic facts underlying the complaints were not entirely without foundation.

The International Ethiopian Council further draws attention to the question of the border between Ethiopia and Somaliland under Italian administration. It states that the border was in the past repeatedly violated by the Italians and that to prevent further incident, an agreed boundary line should be established and clearly demarcated geographically by the United Nations.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated ^{2/} that the allegations of the petitioner were vague and unsupported by facts.

It also pointed out that many members of the Somali Youth League worked in the administrative services and that some held positions of a certain importance.

^{1/} Document A/C.4/178

^{2/} T/908, page 28

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee, on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council recommend that the Administering Authority cease its anti-democratic policy with regard to the local population and that it not permit the infringement of the rights and interests of the indigenous population, and that it furthermore instruct the second Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot, together with all other petitions relating to the Baidoa incidents. As a result of the rejection of this paragraph by the Committee by he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution XIII.

(XIV) Petition from the Somali Youth League, Branch of Afmadu (T/PET.11/25)
Dated 26 January 1951
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners complain of ill-treatment committed by the local authorities and state that the inhabitants of Afmadu "are unable to draw water from their wells."

They further state that the Italian flag is flown every day, although, according to Il Corriere della Somalia, it may not be hoisted anywhere but over the Administration building.

Attached to the petition is the regulation for the use of the Italian flag as set forth in Il Corriere della Somalia of 2 January 1951.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

Regarding the complaint on water, the Administering Authority ^{1/}explained that an unusually severe drought had made it necessary to ration water in order to save the cattle.

It was further stated that the Administration had prepared projects for the boring of wells, and the Technical Assistance Administration had sent an expert mission to study the terrain to decide on locations for new wells.^{2/}

Regarding the use of the Italian flag, the Administering Authority stated that since the beginning of 1951, the Italian flag had been flown over the buildings of the government only on holidays (except for the residence of the Administrator where it was flown every day).

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee, on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6, and SR.8.

At its eighth meeting, the Committee adopted by
the draft resolution which is reproduced below as
resolution XIV.

^{1/} T/908, page 30

^{2/} T/AC.41/SR.3

- (XV) Petition from Mr. Mohamed Ali Yusuf and others (T/PET.11/26)
Dated 17 January 1951
Addressed jointly to the Administrator and to the United Nations
Advisory Council

A. SUMMARY OF THE PETITION

In a communication addressed jointly to the Administrator and the Chairman of the United Nations Advisory Council, the petitioners complain that since the advent of the Italian administration, Somalis have been judged by military officers and state that as they are free people, they wish to have civilian and not military judges even for cases involving Somali soldiers. They also state that if the Administrator does not take the matter up, the United Nations should look into this injustice.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated^{1/} that the allegation that justice was administered in Somalia by the military authorities was inexact.

The Senior Italian judges were all civilian magistrates. The Administration had temporarily entrusted to a senior officer of the magistrature militaire the functions of examining magistrate (juge d'instruction) and public prosecutor (procureur de la République) until the arrival of civilian officials from Italy. This officer did not render judgments.

It was further stated that new judicial regulations were being studied by the competent organs of the Administering Authority. It was hoped that these regulations, when implemented, would satisfy the desire of the indigenous inhabitants to participate in the administration of justice.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee, on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

^{1/} T/908, page 31.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council recommend that the Administering Authority enact the necessary legislation and take the appropriate measures for the establishment of a genuinely democratic judicial system in which the indigenous population may participate.

As a result of the rejection of this paragraph by the Committee by _____ he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by _____ the draft resolution which is reproduced below as resolution XV.

(XVI) Petition from the Somali Youth League. Branch of Schushuban (T/PET.11/27) and Petition from the Somali Youth League. Branch of Bargal (T/PET.11/31) 1/
Both dated 7 February 1951
Addressed jointly to the Administrator and to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners charge that the administrative officials of their district have done nothing but bring about discord among the inhabitants. They complain that when the Territorial Council was created, three members of the Administration party were sent to Mogadiscio but no one else was sent. They charge that when the Administrator came to their district, people were not allowed to speak freely to him.

1/ These two petitions are almost identical.

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They further complain that the Administration took no interest in them when their area was devastated by an unprecedented drought, and that they are refused all educational facilities.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

The Administering Authority stated that: 1/

- (i) the complaint that the local authorities favoured the "Somali Progressist League" was without foundation. The Authorities had never intervened in the internal affairs of political parties and had never taken sides in their controversies;
- (ii) Migiurtinia had suffered an unusually severe drought. The Administering Authority had sent this region assistance of every sort: medicines, food, money, subsidies, etc.;
- (iii) during his recent tour in Migiurtinia, the Administrator had received all persons who wished to see him, including the representatives of the Somali Youth League;
- (iv) the representatives of Migiurtinia on the Territorial Council were designated by the representatives of the various Residency Councils, which were composed of persons freely chosen by the ethnic and political groups of the Territory.

It was stated that the Administration had endeavoured to publicize the aims and methods of the Territorial Council by the publication of a monthly bulletin distributed to all Commissarios and Residents, with instructions for wide dissemination of the publication. As a large proportion of the population was illiterate, members of the Territorial and Residency Councils had been asked to publicize the work of the Territorial Council, and a radio station had been established in Mogadiscio to assist in acquainting the population with the work of the Council, and with the principles of democracy.

The Administering Authority further stated that the members of the Somali Youth League were invited to attend each session

of the Residency Council, and that any absence of the heads of the local political parties would have been noticed by the Advisory Council, which had accompanied the Administrator on a visit to Migiurtinia.^{1/}

- (v) pupils were admitted without discrimination to all the schools of Somalia, including those of Migiurtinia.

It was further stated that a school had been opened in 1951 at Schushuban.

The Administering Authority pointed out that it was making a continuous effort to expand educational facilities. During the first year, the Administration had concentrated on ensuring that existing schools were used to full capacity. The number of classes had risen from 100 to 267 and the number of teachers had almost doubled; further increases were planned for the current year, especially in northern Somaliland.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee, on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council instruct the Visiting Mission to investigate this petition on the spot. As a result of the rejection of this paragraph by the Committee by he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution XVI.

^{1/} T/AC.41/SR.3 and SR.6.

(XVII) Petition from the Somali Youth League, Branch of Hordio (T/PET.11/28)
and petition from Mr. Yusuf Gula, Somali Youth League of Hafun
(T/PET.11/30) 1/
Both dated 4 February 1951
Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITIONS

The petitioners charge that the administration of the Governor of Bender Kassim and the Resident of Schushuban obstructs and impoverishes the inhabitants, and aims at sowing discord in the area.

They complain that no members of their party were invited "to attend" when the Territorial Council was created and that only the religious chiefs were invited when the United Nations Advisory Council visited Mijurtina.

They further complain that the Administration took no interest in them when their area was devastated by an unprecedented drought and that they have repeatedly asked the commissioner for education but in vain.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

See above, Observations of the Administering Authority on the petitions from the Somali Youth League, Branch of Schushuban (T/PET.11/27) and the Somali Youth League, Branch of Bargal (T/PET.11/31), page 29 of this document.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee, on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

∩ The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council instruct the Visiting Mission to investigate this petition on the spot. As a result of the rejection of this paragraph by the Committee by he was not in a position to support the draft resolution.⁷

At its eighth meeting, the Committee adopted by the draft resolution which is reproduced below as resolution XVII.

1/ These two petitions are almost identical.

(XVIII) Petition from the Somali Youth League, Branch of Tarbeh (or Torba)
(T/PET.11/29).

Dated 4 February 1951

Addressed to the United Nations Advisory Council

A. SUMMARY OF THE PETITION

The petitioners complain that the administration of the Resident Setimio Pias aims at creating discord among the people. They charge him with entrusting the interests of the country to the progressa party which disregards the people's welfare, with appointing ignorant advisors to high offices, with maltreating members of the Somali Youth League, and with ignoring the principles of fundamental freedoms and human rights.

B. OBSERVATIONS OF THE ADMINISTERING AUTHORITY

See above, Observations of the Administering Authority on the petitions from the Somali Youth League, Branch of Schushuban (T/PET.11/27) and the Somali Youth League, Branch of Bargal (T/PET.11/31), page 29 of this document.

C. ACTION TAKEN BY THE AD HOC COMMITTEE

This petition was examined and discussed at the third, sixth and eighth meetings of the ad hoc Committee, on 8, 14 and 19 June 1951. The relevant discussion is contained in documents T/AC.41/SR.3, SR.6 and SR.8.

[The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the resolution a paragraph to the effect that the Trusteeship Council instructs the Visiting Mission to investigate this petition on the spot. As a result of the rejection of this paragraph by the Committee, by _____ he was not in a position to support the draft resolution.]

At its eighth meeting, the Committee adopted by _____ the draft resolution which is reproduced below as resolution XVIII.

RESOLUTION I

PETITION FROM THE CHIEFS AND NOTABLES OF
GALCAIO DISTRICT (T/PET.11/3,
Part I)

CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from The Chiefs and Notables of Galcaio District (T/PET.11/3, Part I) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

- a) the incidents which occurred at Baidoa in April 1950 were caused by the general exasperation of the Dighil and Mirifle peoples with members of the Somali Youth League at a time when the situation in the Territory was tense;
- b) these incidents had been promptly checked by the action of the Italian Authorities,
- c) the 500 persons who fled from Baidoa after these incidents, had long since returned to their homes and had resumed their normal activities with the help of the Administration,
- d) an atmosphere of peace, calm, liberty and cooperation had been restored in Somaliland,
- e) the question of indemnities for the Baidoa victims had been considered as settled by the President of the Somali Youth League,

The Trusteeship Council

Alternative A: (Belgium, New Zealand,
United States of America)

Expresses the opinion that the present peaceful atmosphere now prevailing in Somaliland proves that in general the Baidoa incidents have been satisfactorily settled;

Recommends that the Administering Authority ensure that indemnities are paid to all victims of these incidents who might still have rightful claims in this respect;

/Considers that

Considers that in the circumstances, no further action by the Trusteeship Council is called for.

Alternative B: (Union of Soviet Socialist Republics)

Recommends to the Administering Authority to cease its anti-democratic policy with regard to the local population;

Recommends further to the Administering Authority not to permit in the future, infringement of the rights and interests of the indigenous population;

Instructs the second Visiting Mission to East Africa to investigate this petition on the spot, together with all other petitions relating to the Baidoa incidents.

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION II
PETITION FROM FIVE RESIDENTS OF ETHIOPIA
(T/PET.11/3, PART II)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from five residents of Ethiopia (T/PET.11/3, Part II) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

- a) a shot was fired by a policeman at a control point on the Lugh-Baidoa road because the lorry in which the petitioners were did not stop for clearance when ordered to do so;
- b) as to the alleged theft of 3,000 shillings from Mr. Aden Elmi, the investigations by the Administering Authority showed that no declaration of foreign currency had been made to the Customs officials of Dolo, that the Police authorities had not searched the passengers, that there were no witnesses to any theft, and that no court action had been initiated by the petitioners;

The Trusteeship Council

Desides that in the circumstances no action by it is called for;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION III

PETITION FROM THE CHIEFS, NOTABLES AND LEADERS OF THE SOMALI
YOUTH LEAGUE, BRANCH OF KISMAYU (T/PET.11/7)
CONCERNING SOMALILAND UNDER ITALIAN
ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Chiefs, Notables and Leaders of the Somali Youth League, Branch of Kismayu (T/PET.11/7), in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) that the incidents referred to in the petition related to the political unrest at Kismayu and Margherita after the transfer of power to the Italian administration in April 1950, and that the police forces had restored order in a few days without having to resort to exceptional measures,

The Trusteeship Council

Alternative A: (Union of Soviet Socialist
Republics)

Recommends that the Administering Authority put an end to its policy of racial discrimination in the Trust Territory;

Alternative B

Considers that the situation of political unrest prevailing at the time of the transfer of power to the Italian administration, in April 1950, and during which incidents occurred in Kismayu and Margherita, has long since ceased to exist;

Decides that in the circumstances, no action by the Council is called for;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION IV

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF BENDER KASSIM
(T/PET.11/9)

CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Bender Kassim (T/PET.11/9) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that the allegations of the petition were without foundation; that the visit of the Commissario of Migiurtinia to Bender Baila at the time of the inauguration of the headquarters of the Somali Progressist League had been entirely coincidental; that candidates for the Territorial Council were not selected by the Regional Assemblies as representatives of parties but as representatives of tribal organizations; and that the political parties were represented in the Territorial and Residency Councils, and would have a broader representation in the future Municipal Councils;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)
^{second}

Requests the/Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot;

Alternative B (Belgium, United States of America)

Considers that in view of the conditions prevailing at present in the Territory, the tribal structure cannot be ignored, and a fully satisfactory political system cannot be established immediately.

Urges the Administering Authority to continue to introduce gradually a more democratic political system in which the non-traditional elements of the Territory will be encouraged to make their voices heard;

Decides that in the circumstances, no further action is called for on this petition;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION V

PETITION FROM MESSRS. ABSHIR HASSAN, YUSUF MUSSA ABUKER,
ABDURAHAM YUSUF, MOHAMUD OMAR, MOHAMUD ABDI NUR, OMAR ABDULLE,
FARAH JIBRIL AND HUSSEIN WARSAMA

(T/PET.11/10)

CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from Messrs. Abshir Hassan, Yusuf Mussa Abuker, Abduraham Yusuf, Mohamud Omar, Mohamud Abdi Nur, Omar Abdulle, Farah Jibril and Hussein Warsama (T/PET.11/10) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

- a) the incidents which occurred at Baidoa in April 1950 were caused by the general exasperation of the Dighil and Mirifle peoples with members of the Somali Youth League at a time when the situation in the Territory was tense,
- b) these incidents had been promptly checked by the action of the Italian Authorities,
- c) the 500 persons who fled from Baidoa after these incidents, had long since returned to their homes and had resumed their normal activities with the help of the Administration,
- d) an atmosphere of peace, calm, liberty and cooperation had been restored in Somaliland,
- e) the question of indemnities for the Baidoa victims had been considered as settled by the President of the Somali Youth League,

The Trusteeship Council

Alternative A: (Belgium, New Zealand,
United States of America)

Expresses the opinion that the present peaceful atmosphere now prevailing in Somaliland proves that in general the Baidoa incidents have been satisfactorily settled;

Recommends that the Administering Authority ensure that indemnities are paid to all victims of these incidents who might still have rightful claims in this respect;

Considers that in the circumstances, no further action by the Trusteeship Council is called for;

Alternative B: (Union of Soviet Socialist Republics)

Recommends to the Administering Authority to cease its anti-democratic policy with regard to the local population;

Recommends further to the Administering Authority not to permit in the future, infringement of the rights and interests of the indigenous population;

Instructs the second Visiting Mission to East Africa to investigate this petition on the spot, together with all other petitions relating to the Baidoa incidents;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION VI

PETITION FROM THE SOMALI YOUTH LEAGUE, LOCAL
COMMITTEE OF DOLO (T/PET.11/13)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Local Committee of Dolo (T/PET.11/13) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that no incident had ever been reported from Dolo, that if certain minor groups had not been invited to meetings convened by the Resident, it had been an unintentional oversight, and that strict instructions had been given that no discrimination of any kind should be made in the issuing of invitations,

The Trusteeship Council

Draws the attention of the petitioners to the observations of the Administering Authority;

Decides that in the circumstances no action by the Council is called for;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION VII
PETITION FROM THE SOMALI YOUTH LEAGUE, MOGADISCIO
(T/PET.11/14)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Mogadiscio (T/PET.11/14) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative on the numerous points raised in this petition, as summarized in the report of the ad hoc Committee on Petitions to the Council (T/L.)

The Trusteeship Council

a) With regard to the Baidoa incidents,

Alternative A: (Belgium, New Zealand,
United States of America)

Expresses the opinion that the present peaceful atmosphere now prevailing in Somaliland proves that in general the Baidoa incidents have been satisfactorily settled;

Recommends that the Administering Authority ensure that indemnities are paid to all victims of these incidents who might still have rightful claims in this respect;

Considers that in the circumstances, no further action by the Trusteeship Council is called for;

Alternative B: (Union of Soviet Socialist
Republics)

Recommends to the Administering Authority to cease its anti-democratic policy with regard to the local population;

Recommends further to the Administering Authority not to permit in the future, infringement of the rights and interests of the indigenous population;

Instructs the second Visiting Mission to East Africa to investigate this petition on the spot, together with all other petitions relating to the Baidoa incidents;

7/5 1950

b) With regard to the administration of justice, freedom of sojourn, immigration, personal status, administrative services, education, public finance, Italian officials, flag, etc.,

Alternative A: (Union of Soviet Socialist
Republics)

Notes the facts concerning the anti-democratic policy of the Administering Authority toward the indigenous population of the Trust Territory as reported in the petition, and

Instructs the second Visiting Mission to East Africa to investigate this petition on the spot;

Alternative B: (Belgium, New Zealand,
United States of America)

Draws the attention of the petitioners to the various observations of the Administering Authority on the questions raised in their petition;

Draws the attention of the petitioners to the fact that the questions raised in their petition have been and will continue to be examined by the Trusteeship Council in connexion with its annual examination of the conditions in the Territory;

Draws the attention of the petitioners to the recommendations on Somaliland under Italian Administration adopted by the Trusteeship Council at its ninth session;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council;

Further invites the Secretary-General to provide the petitioners with the text of the report of the Trusteeship Council to the General Assembly on the administration of the Trust Territory of Somaliland adopted at its ninth session, the official records of the public meetings of the Council during which the annual report on the administration of the Territory was examined, and other related official documents.

RESOLUTION VIII

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF BARDERA
(T/PET.11/16)

CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Bardera (T/PET.11/16) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

- a) investigations showed that the Bardera incident of 31 March, 1950 was caused by the provocative attitude of members of the Somali Youth League;
- b) the Police intervened only to restore public order;
- c) the allegations concerning evacuation of patriots, arbitrary imprisonment, caning and the right to wear the badge of the Somali Youth League were all unfounded;
- d) the Italian Code, in force in Somaliland, provided that persons arrested must be liberated within 24 hours, or charged by due process of law;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

Notes the facts concerning the anti-democratic policy of the Administering Authority toward the indigenous population of the Trust Territory as reported in the petition;

Instructs the Second Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot;

Alternative B

(a) with regard to the Bardera incidents:

Expresses the opinion that the incidents which occurred in Bardera on 31 March, 1950, were caused by the generally tense atmosphere prevailing at the time of the transfer of power from the British to the Italian administration;

Expresses the hope that in view of the present peaceful atmosphere now prevailing in Somaliland, such incidents will not recur;

Recommends that the Administering Authority ensure that indemnities are paid to all victims of those incidents who have rightful claims;

(b) with regard to the questions of freedom of expression and of association:

Draws the attention of the petitioners to the observations of the Administering Authority;

Draws the attention of the petitioners to the fact that these questions have been and will continue to be examined by the Trusteeship Council in connexion with its annual examination of conditions in the Territory;

Draws the attention of the petitioners to the recommendations on Somaliland under Italian administration adopted by the Trusteeship Council at its ninth session;

Invites the Secretary-General to inform the Administering Authority and the petitioners of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council;

Further invites the Secretary-General to provide the petitioners with the text of the report of the Trusteeship Council to the General Assembly on the administration of the Trust Territory of Somaliland adopted at its ninth session, the official records of the public meetings of the Council during which the annual report on the administration of the Territory was examined, and other related official documents.

RESOLUTION IX

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF LUGH
FERRANDI (T/PET.11/17)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Lugh Ferrandi (T/PET.11/17) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

- a) the Administration had never even considered encouraging dissension among the population,
- b) no arrests had been made except for violation of criminal law or of police regulations,
- c) tribal chiefs were elected by the different ethnic groups according to custom, and the Administration intervened only to recognize them,

The Trusteeship Council

Draws the attention of the petitioners to the observations of the Administering Authority;

Draws the attention of the petitioners to the fact that the questions of individual freedom, freedom of expression and of association, tribal structure and political advancement of the Territory toward a more democratic system, have been and will continue to be examined by the Trusteeship Council in connexion with its annual examination of conditions in the Territory;

Draws the attention of the petitioners to the recommendations on Somaliland under Italian administration adopted by the Trusteeship Council at its ninth session;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council;

/Further invites

Further invites the Secretary-General to provide the petitioners with the text of the report of the Trusteeship Council to the General Assembly on the administration of the Trust Territory of Somaliland adopted at its ninth session; the official records of the public meetings of the Council during which the annual report on the administration of the Territory was examined, and other related official documents.

RESOLUTION X

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF GARDO
(T/PET.11/18)

CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Gardo (T/PET.11/18) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that many of the allegations of the petitioners concerning the Gardo incidents were inexact, and that with regard to the eviction of the Somali Youth League from its premises, the Administration had required the buildings to house a school, and since the agreement under which the League had rented the buildings was a verbal contract, no legal compensation was due,

The Trusteeship Council

Requests the Second Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot;

Invites the Secretary-General to inform the Administering Authority and the petitioners of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION XI

PETITION FROM MR. TOM GROVES (T/PET.11/20)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from Mr. Tom Groves (T/PET.11/20) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

(a) there had been no arrests and replacement by Italians of Somali Police and civil servants serving under the British administration, nor was there any foundation for the petitioner's allegations of imprisonment of members of the Somali Youth League, shooting of peaceful demonstrators and economic pressures in the interest of Italy;

(b) the tension prevailing in the Territory in April, 1950, at the time of the transfer of power to the Italian administration had been resolved and an atmosphere of peace, calm, liberty and cooperation had been restored in Somaliland;

(c) there was no smuggling of arms at the Ethiopian frontier;

(d) there was no foundation for the petitioner's allegations concerning the dissemination of anti-Ethiopian propaganda; and

(e) the Administration had endeavoured to foster friendly relations with the Ethiopian people and looked forward to the resumption of diplomatic relations;

The Trusteeship Council

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

Notes the assurance of the Administering Authority that it is its policy to promote friendly relations with Ethiopia;

Draws the attention of the petitioner to the fact that all questions concerning the administration of the Trust Territory of Somaliland under Italian administration have been and will continue to be examined by the Council in connexion with its annual examination of the conditions in the Territory;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

cont.

RESOLUTION XII

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH
OF ALULA (T/PET.11/22)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Alula (T/PET.11/22) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/903) as well as of the oral statement of the special representative to the effect that candidates for the Territorial Council were not selected by the Regional Assemblies as representatives of parties, but as representatives of tribal organization; and that political parties were represented in the Territorial and Residency Councils,

The Trusteeship Council

Alternative A (Union of Soviet Socialist
Republics)

Second

Requests the/Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot;

Alternative B (Belgium, United States
of America)

Considers that in view of the conditions prevailing at present in the Territory, the tribal structure cannot be ignored, and a fully satisfactory political system cannot be established immediately;

Urges the Administering Authority to continue to introduce gradually a more democratic political system in which the non-traditional elements of the Territory will be encouraged to make their voices heard;

Decides that in the circumstances, no further action is called for on this petition;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION XIII

PETITION FROM THE INTERNATIONAL ETHIOPIAN COUNCIL
FOR STUDY AND REPORT (T/PET.11/23)

CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the International Ethiopian Council for Study and Report (T/PET.11/23) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908),

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

Recommends to the Administering Authority that it cease its anti-democratic policy with regard to the local population;

Recommends further to the Administering Authority that it not permit the infringement of the rights and interests of the indigenous population;

Instructs the Second Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot together with all other petitions relating to the Baidoa incidents;

Alternative B (Belgium)

(a) with regard to the Progress Report of the Advisory Council:

Draws the attention of the petitioners to the fact that the Progress Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration (Document A/C.4/178) was considered by the General Assembly of the United Nations at its fifth session, before it adopted the Trusteeship Agreement for Somaliland.

Draws the attention of the petitioners to the fact that all questions relating to the administration of Somaliland have been and will continue to be examined by the Trusteeship Council in connexion with its annual examination of the conditions in the Territory;

Draws the attention of the petitioners to the recommendations on Somaliland under Italian administration adopted by the Trusteeship Council at its ninth session;

(b) with regard to the boundaries between Somaliland and Ethiopia:

Notes that the question of the procedure to be adopted to delimit the boundaries of the former Italian colonies, insofar as they are not already fixed by international agreement, was disposed of at the fifth session of the General Assembly in resolution 392(V) of 15 December 1950;

Draws the attention of the petitioners to that part of this resolution which concerns the Trust Territory of Somaliland;

Invites the Secretary-General to inform the Administering Authority and the petitioners of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

Further invites the Secretary-General to provide the petitioners with the text of the report of the Trusteeship Council to the General Assembly on the administration of the Trust Territory of Somaliland adopted at its ninth session, the official records of the public meetings of the Council during which the annual report on the administration of the Territory was examined, and other related official documents as well as a copy of resolution 392(V) of the General Assembly.

RESOLUTION XIV
PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF AFMAU
(T/PET.11/25)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Afmau (T/PET.11/25) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that

- a) regarding the complaint on water, an unusually severe drought had made it necessary to ration water in order to save the cattle; new wells had been constructed and a mission of the Technical Assistance Administration had been sent to the Territory upon the request of the Italian Administration in order to study the problem;
- b) regarding the use of the Italian flag, since the beginning of 1951 the flag had been flown over government buildings (except for the residence of the Administrator) only on holidays.

The Trusteeship Council

Draws the attention of the petitioners to the observations of the Administering Authority;

Decides that in the circumstances no action by the Council is called for;

Invites the Secretary-General to inform the Administering Authority and the petitioners of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION XV

PETITION FROM MR. MOHAMED ALI YUSUF AND OTHERS.
(T/PET.11/26)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from Mr. Mohamed Ali Yusuf and others (T/PET.11/26) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

(a) the senior Italian judges are all civilian magistrates; the Administration had temporarily entrusted to a senior officer of the magistrature militaire the functions of examining magistrate (juge d'instruction) and public prosecutor (procureur de la Republique) until the arrival of civilian officials from Italy;

(b) new regulations were being studied by the competent organs of the Administration which it was hoped would satisfy the desire of the indigenous inhabitants to participate in the administration of justice,

The Trusteeship Council

Alternative A: (Union of Soviet Socialist Republics)

Recommends that the Administering Authority enact necessary legislation and take appropriate measures for the establishment of a genuinely democratic judicial system in which the indigenous population may participate;

Alternative B: (United States of America)

Expresses the hope that the Administering Authority will implement the regulations now under consideration in the near future and will report thereon to the Trusteeship Council;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION XVI

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF
SCHUSHUBAN (T/PET.11/27) AND PETITION FROM THE SOMALI
YOUTH LEAGUE,, BRANCH OF BARGAL (T/PET.11/31)
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Schushuban (T/PET.11/27) and the petition from the Somali Youth League, Branch of Bargal (T/PET.11/31) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

(a) the Administration had never intervened in the internal affairs of political parties, and had never taken sides in their controversies;

(b) following the drought, the Administration had given the region of Migiurtinia assistance of every sort;

(c) during his tour of Migiurtinia, the Administrator had received all persons who wished to see him, including the representatives of the Somali Youth League;

(d) the representatives of Migiurtinia on the Territorial Council were designated by the representatives of the various Residency Councils, which were composed of persons freely chosen by the ethnic and political groups of the Territory;

(e) pupils were admitted without discrimination to all schools in Somaliland, and a new school had been opened in 1951 in Schushuban,

The Trusteeship Council

Alternative A: (Union of Soviet Socialist Republics)

Instructs the second Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot;

Alternative B

Draws the attention of the petitioners to the observations of the Administering Authority;

Decides that in the circumstances no action by the Trusteeship Council is called for;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION XVII.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF HORDIO
(T/PET.11/28) AND
PETITION FROM YUSUF GULA
SOMALI YOUTH LEAGUE OF HAFUN (T/PET.11/30)

CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Hordio (T/PET.11/28), and the petition from Mr. Yusuf Gula, Somali Youth League of Hafun (T/PET.11/30) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that:

- a) the Administration had never intervened in the internal affairs of political parties, and had never taken sides in their controversies;
- b) following the drought, the Administration had given the region of Migiurtinia assistance of every sort;
- c) during his tour of Migiurtinia, the Administrator had received all persons who wished to see him, including the representatives of the Somali Youth League;
- d) the representatives of Migiurtinia on the Territorial Council were designated by the representatives of the various Residency Councils, which were composed of persons freely chosen by the ethnic and political groups of the Territory;
- e) pupils were admitted without discrimination to all schools in Somaliland, and a new school had been opened in 1951 in Schushuban;

The Trusteeship Council

Alternative A (Union of Soviet Socialist Republics)

Instructs the Second Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot;

Alternative B

Draws the attention of the petitioners to the observations of the Administering Authority;

Decides that in the circumstances, no action by the Trusteeship Council is called for;

Invites the Secretary-General to inform the Administering Authority and the petitioners of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION XVIII

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF
TARBEH (OR TORBA) (T/PET.11/29)

CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its ninth session the petition from the Somali Youth League, Branch of Tarbeh (or Torba) (T/PET.11/29) in consultation with Italy as the Administering Authority concerned, which designated Mr. G. Fornari as special representative,

Having taken note of the written observations of the Administering Authority (T/908) as well as of the oral statement of the special representative to the effect that the Administration did not favour the Somali Progressive Party and that it had never interfered in the domestic affairs of the political parties or taken sides in their controversies,

The Trusteeship CouncilAlternative A: (Union of Soviet Socialist Republics)

Instructs the second Visiting Mission to Trust Territories in East Africa to investigate this petition on the spot;

Alternative B:

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

Decides that in the circumstances no action by the Council is called for;

Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.