



CONTENTS

	<u>Page</u>
Examination of petitions (<u>concluded</u>)	
Two hundred and twenty-third report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration	303
Two hundred and twenty-fourth report of the Standing Committee on Petitions	304
Examination of conditions in the Trust Territory of Somaliland under Italian administration (<u>concluded</u>):	
(i) Annual report of the Administering Authority for the year 1957;	
(ii) Petitions raising general questions;	
(iii) Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1957;	
(iv) Economic advancement of Somaliland under Italian administration (General Assembly resolution 1206 (XII));	
(v) Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration	
Report of the Drafting Committee on Somaliland under Italian Administration	305

President: Mr. Alfred CLAEYS BOUUAERT (Belgium).

Present:

The representatives of the following States: Australia, Belgium, Burma, China, France, Guatemala, Haiti, India, Italy, New Zealand, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation; Food and Agriculture Organization of the United Nations; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Examination of petitions (T/L.874, T/L.875)
(concluded)

[Agenda item 4]

At the invitation of the President, Mr. de Holte Castello (Colombia) and Mr. Baradi (Philippines), representatives of States members of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, took places at the Council table.

TWO HUNDRED AND TWENTY-THIRD REPORT OF THE STANDING COMMITTEE ON PETITIONS: PETITIONS CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION (T/L.874)

1. The PRESIDENT said he would put to the vote separately the draft resolutions on petitions concerning Somaliland under Italian administration, to be found in the annex to the two hundred and twenty-third report of the Standing Committee on Petitions (T/L.874).

2. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) drew attention to draft resolution I. He pointed out that neither the Standing Committee on Petitions nor the Trusteeship Council knew whether the land which had been alienated from the village of Tugarei had been returned in its entirety to the villagers. He therefore proposed that the Council should recommend to the Administering Authority to take all necessary steps to return to the villagers the land alienated from them.

3. Mr. ZADOTTI (Italy) pointed out that the question had already been settled; he would therefore vote against the amendment proposed by the representative of the Soviet Union.

The Soviet amendment was rejected by 7 votes to 3, with 4 abstentions.

Draft resolution I was adopted by 10 votes to none, with 4 abstentions.

Draft resolution II was adopted by 8 votes to none, with 6 abstentions.

4. Mr. ZADOTTI (Italy) said that his delegation reserved its position concerning petitions such as those referred to in draft resolution IV, which dealt with Somali ex-servicemen. In his view the Council was not competent to discuss the payment of pensions or other compensation to Somalis who had served in the Italian army prior to 1941, and paragraphs 1 and 2 of draft resolution IV amounted to intervention in the affairs of a sovereign State which in that particular case was not acting as Administering Authority in Somaliland. The Italian delegation could not accept the wording of those paragraphs and asked that they should be put to the vote separately. If the Council decided to retain them, it would vote against the draft resolution as a whole.

The preamble of draft resolution IV was adopted by 11 votes to none, with 2 abstentions.

Paragraphs 1 and 2 of the operative part were rejected by 7 votes to 2, with 5 abstentions.

Paragraphs 3 and 4 of the operative part were adopted by 12 votes to none, with 2 abstentions.

Draft resolution IV, as amended, was adopted by 12 votes to none, with 2 abstentions.

Draft resolution V was adopted by 8 votes to none, with 6 abstentions.

5. Mr. BENDRYSHEV (Union of Soviet Socialist Republics), referring to draft resolution VI, pointed out that participation by Somalis in banana-exporting co-operatives was at present restricted and some Somalis had been refused admission to them. The indigenous inhabitants should surely have at least the same rights as Italians in such matters. The Soviet delegation therefore proposed that a paragraph should be added to draft resolution VI in which the Council would recommend that the Administering Authority

allow Somali producers to form their own co-operatives for the export of bananas and give them the same opportunities and facilities as Italian producers in the Territory.

6. Mr. ZADOTTI (Italy) explained that there was no law preventing the Somalis from forming co-operatives. Moreover, co-operatives for the export of bananas were private organizations which were perfectly entitled to select their own members. The Italian delegation could therefore not accept the amendment proposed by the representative of the Soviet Union.

The Soviet amendment was rejected by 7 votes to 5, with 2 abstentions.

Draft resolution VI was adopted by 8 votes to none, with 6 abstentions.

Draft resolution VII was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VIII was adopted by 11 votes to none, with 3 abstentions.

Draft resolution IX was adopted by 12 votes to none, with 2 abstentions.

Draft resolution X was adopted unanimously.

Draft resolution XI was adopted by 11 votes to none, with 2 abstentions.

7. The PRESIDENT pointed out that in paragraph 3 of the introduction to its report, the Standing Committee on Petitions recommended that the Council should decide that no special information was required concerning the action taken on the resolutions contained in the report, excepting that requested in section III.

8. Mr. SMOLDEREN (Belgium), speaking as Chairman of the Standing Committee on Petitions, explained that no draft resolution had been submitted concerning the petitions referred to in section III, because they dealt with the murder of the former Egyptian member of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration and the matter had been settled by the Court of Assizes. However, since an appeal had been lodged, the matter could not yet be considered closed. The Standing Committee on Petitions considered that the Administering Authority should keep the United Nations informed of any further decisions taken with regard to the matter.

The recommendation in paragraph 3 of the introduction to the report (T/L.874) was adopted by 5 votes to none, with 9 abstentions.

9. Mr. JAIPAL (India) explained his delegation's vote on paragraphs 1 and 2 of draft resolution IV. Although the petitions received from Somali ex-servicemen related to a period prior to the establishment of the Trusteeship System in Somaliland, since it had been decided to examine them, all the consequences of examining them, including the fact of taking note of the actions of the Italian Government, were admissible. It could not be construed as interference with that Government's rights which were expressly safeguarded by Article 80 of the Charter.

10. Mr. BENDRYSHEV (Union of Soviet Socialist Re-

publics) said that his delegation had abstained from the vote on paragraph 3 of the introduction to the Committee's report because it could not agree to recommending the Council to decide that no special information was required concerning the action taken on the petitions contained in the report. Petitions in sections I, IV and VI, in particular, dealt with matters on which the Council ought to obtain further information.

11. Mr. ZADOTTI (Italy) said that his delegation had abstained from the vote on paragraph 3 of the introduction to the report because it specifically mentioned section III. The petitions dealt with in that section came entirely within rule 81 of the Council's rules of procedure. However, the Italian Government was prepared to provide any further information it obtained on the matter.

TWO HUNDRED AND TWENTY-FOURTH REPORT OF THE STANDING COMMITTEE ON PETITIONS (T/L.875)

12. Mr. SMOLDEREN (Belgium) presented the report of the Standing Committee on Petitions (T/L.875) on the progress achieved since 9 June 1958 in examining the petitions listed in part A of the annex to the Council's agenda for the twenty-second session (T/1373/Add.1) and the two petitions which had been added subsequently (T/PET.1/9, T/PET.11/724). There had been 386 petitions on the agenda, but their examination clearly required the presence of special representatives. During the session, however, the Committee had only been able to hear the statements of those special representatives whose presence at Headquarters had been necessitated by the Council's agenda. Only twenty-four petitions concerned Territories whose annual reports were on the agenda. The reason why the Standing Committee had examined only fifteen was that the eight petitions dealing with the murder of the former Egyptian member of the Advisory Council for Somaliland related to a matter that would continue to appear on the agenda as a result of the decision just taken by the Council. Consideration of another petition (T/PET.11/721) had been postponed pending further inquiries.

13. He asked the Council to take note of the two hundred and twenty-fourth report of the Standing Committee on Petitions (T/L.875).

14. Mr. BENDRYSHEV (Union of Soviet Socialist Republics) said that as the report of the Standing Committee on Petitions showed, the consideration of petitions was not being carried out satisfactorily. Under the rules of procedure, the Standing Committee was supposed to begin its work one month before the opening of the session of the Trusteeship Council and meet throughout the session; in other words, it had virtually to sit for three months. In actual fact, it had held only six meetings, representing at most one week's work. A mere fifteen petitions had been examined; the remaining 371 petitions had not been considered. The Soviet delegation considered that steps should be taken by the Council in order to put matters right so that it could examine the petitions without delay at each of its sessions.

The Council decided unanimously to take note of the two hundred and twenty-fourth report of the Standing Committee on Petitions (T/L.875).

Examination of conditions in the Trust Territory of Somaliland under Italian administration (concluded):*

- (i) Annual report of the Administering Authority for the year 1957 (T/1388, T/1397, T/1398, T/L.858 and Add.1, T/L.880);
- (ii) Petitions raising general questions (T/COM.11/L.298 to 303, T/PET.GEN/L.2, T/PET.11/L.26, T/PET.11/L.27);
- (iii) Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1957 (T/1344, T/1396);
- (iv) Economic advancement of Somaliland under Italian administration (General Assembly resolution 1206 (XII));
- (v) Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration (T/1372)

[Agenda items 3 (e), 4, 5, 15 and 17]

REPORT OF THE DRAFTING COMMITTEE ON SOMALILAND UNDER ITALIAN ADMINISTRATION (T/L.858 and Add.1, T/L.880)

15. Mr. RYAN (Australia), Chairman of the Drafting Committee on Somaliland under Italian Administration, introduced the Committee's report (T/L.880); its recommendations appeared in paragraph 5. He drew attention to certain drafting changes to be made in the English version of the report. He also said that the Committee would like to repair an omission by adding to paragraph 24 the words "and to the ILO for its assistance in the field of vocational training".

16. Mr. DE HOLTE CASTELLO (Colombia), Chairman of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, said that before the Trusteeship Council voted on its report on the Territory he would like it to consider again the views of the Advisory Council concerning the economic problems of Somaliland. As early as 1953, the Trusteeship Council had had those problems in mind, and had urged the Administering Authority to prepare a comprehensive economic plan, taking into account the recommendations of the United Nations Technical Assistance Mission, particularly with reference to the future needs of the Territory as an independent state (A/2427, p. 52). Plans for economic development covering the period 1954-1960 had been submitted by the Administering Authority to the Council at its fourteenth session in 1954^{1/}; it had pointed out in that connexion that, in financing such plans, the Administration was bound by the financial limitations of its own budget. At that same session, the Trusteeship Council had urged the Administering Authority to pursue the implementation of the plan by all possible means and with the advice and co-operation of the Advisory Council, the Territorial Council and the Visiting Missions (A/2680, p. 108). Following the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954 (T/1143 and Corr.1) and General Assembly resolutions 855 (IX), a mission organized by the International Bank for Reconstruction and Development was dispatched to Somaliland in 1956 at the request of the Administering Authority to study the existing situation and the possibilities of economic

development of the Territory, bearing particularly in mind the fact that the Territory was to achieve independence in 1960. The International Bank Mission had concluded that without continuing financial aid after 1960, there would be a drastic reduction in present standards of administration, education and the social services, and the frustration of hopes for higher living standards in the future. Commenting on the report of the Bank Mission (T/1296), the Administering Authority had informed the Trusteeship Council at its twentieth session that it considered certain of the Mission's conclusions too pessimistic, especially in regard to the prospects of the banana industry. The Administering Authority considered that external financial assistance required by Somaliland after 1960 to balance its budget might amount to about 32 million somalos annually and had stated that the Government of Italy was willing to continue assistance in respect of technicians and experts after 1960 if the Somali Government asked for it. Finally, the Administering Authority had expressed the hope that the United Nations would provide technical assistance to Somaliland after 1960.

17. In its report on its work at its twentieth session, (A/3595 and Corr.1), the Trusteeship Council had noted that the Territory would continue after 1960 to require technical and financial assistance estimated at between \$4 million and \$6 million annually, and had welcomed the statement by the Administering Authority that Italy was prepared to continue to make technicians available to the Territory after 1960 and the pledge of the Somali Government to give all appropriate encouragement and guarantees to foreign private investment. The Council had submitted to the General Assembly for consideration six possible means of furnishing technical and financial assistance to the Territory after 1960. The Council had recognized that after 1960 it would be the responsibility of the Somali Government to estimate its needs and to decide how best they could be met. In that connexion, the Council had welcomed the statement of the Administering Authority that, in consultation with the Somali Government, Italy would assess all requirements for a viable, independent Somaliland, keep the assessments constantly under review and explore all ways of meeting the requirements arising therefrom. At its twelfth session, the General Assembly had adopted resolution 1206 (XII) in which it had requested the Trusteeship Council to continue the study of the question, in consultation with the Administering Authority and the Somali Government, and, in particular, to explore further the possibilities suggested by the Council and to report thereon for the consideration of the Assembly at its thirteenth session.

18. The United Nations Visiting Mission to Trust Territories in East Africa, 1957, had discussed with the Council of Ministers of the Somali Government the economic situation of the Territory and, in particular, the question of external aid to Somaliland after 1960. The Prime Minister had expressed the hope that the United Nations would assist Somaliland in solving its economic problems. He had stated that the Territory would require between \$4 and \$5 million for a period of ten years and had suggested that the Members of the United Nations might contribute financial aid to Somaliland through a United Nations fund to be set up for the purpose. He had emphasized the need of obtaining an assurance before 1960 of the external aid the Territory would receive after independence, so

* Resumed from the 931st meeting.

^{1/} Plans de développement économique de la Somalie, années 1954-1960 (Rome, Istituto Poligrafico dello Stato, P. V., 1954).

as to permit the Somali Government to draw up development plans for that period.

19. Thus, in accordance with General Assembly resolution 1206 (XII), the Council's task at its current session was to continue its study of external aid to the Territory after 1960 and to explore further the possibilities it had suggested in 1957. The Council had before it a special report on the economic requirements of the Territory after the termination of trusteeship^{2/}. The report estimated the annual budgetary deficit of Somaliland for the years 1961 and 1962 at about \$5.1 million. The Council had been informed of the offers of financial assistance to the Territory generously made by the United States of America and the United Arab Republic, and it had noted that a Special United Nations Fund for Economic Development (SUNFED) was to be established in 1959; in all probability, the independent State of Somaliland would be eligible for assistance from that Fund as well as for technical assistance under the United Nations Expanded Technical Assistance Programme.

20. It could therefore be said that considerable progress had been made in dealing with the problem of external aid to Somaliland after 1960. There remained, however, other important questions to be decided. The Bank Mission had pointed out that aid would be required by Somaliland not merely for capital investment but also on current account. It was therefore necessary to co-ordinate external aid with the policy of the Somali Government and to integrate that aid into the administrative machinery of the new State. To that end, the Bank Mission had felt that it would be desirable to make plans well before 1960 for a single budgetary or financial organization through which all development finance could be channelled, both before and after independence, and which would make possible the ready co-ordination of all investment activities with technical assistance.

The first recommendation contained in paragraph 5 of the report of the Drafting Committee (T/L.880) was adopted by 12 votes to none, with 1 abstention.

21. The PRESIDENT said he would put the draft conclusions and recommendations in the annex to the Committee's report to the vote paragraph by paragraph.

In successive votes paragraphs 1 and 2 were adopted unanimously.

22. Mr. BARADI (Philippines), a member of the Advisory Council for Somaliland, said that the Trusteeship Council had had to deal with difficult problems at its twenty-second session, but the results accomplished had justified the hopes which the Advisory Council had placed in it. The Philippine delegation wished to express its appreciation to the Administering Authority for its assurance of continued close co-operation with the Advisory Council. The Advisory Council, for its part, would spare no efforts to aid and advise the Administering Authority on all measures calculated to ensure the independence of the Territory. In the name of the Advisory Council, he thanked the members of the Trusteeship Council who had noted the role of the Advisory Council in helping to promote the welfare of the Somali people. It was particularly gratified at the fact that the Trusteeship Council had unanimously expressed its confidence that the fruitful

^{2/} Economic Requirements of the Territory of Somalia on the Expiration of the Trusteeship Mandate (Rome, Istituto Poligrafico dello Stato P. V., 1958).

relationship between the Advisory Council and the Administering Authority would further assist the inhabitants of the Territory to attain the objectives of trusteeship in the most harmonious and effective way. The Advisory Council would strive to maintain that relationship in accordance with the United Nations Charter, the relevant parts of General Assembly resolution 289 (IV), and the provisions of the Trusteeship Agreement, and thus to serve the highest interest of the Territory and the Somali people.

Paragraph 3 was adopted unanimously.

23. Mr. SMOLDEREN (Belgium) said he had voted in favour of paragraph 3, though he realized that the recommendation in that paragraph was somewhat academic, since one of the countries concerned was not a party to the Trusteeship Agreement, was not a member of the Council and was not even represented during the Council's proceedings.

Paragraph 4 was adopted unanimously.

Paragraph 5 was adopted by 13 votes to none, with 1 abstention.

24. Mr. URRUTIA APARICIO (Guatemala) explained that he had abstained from voting for the reasons which his delegation had already given during the general debate (927th meeting).

Paragraph 6 was adopted by 13 votes to none, with 1 abstention.

25. Mr. URRUTIA APARICIO (Guatemala) said he had abstained for the reasons he had already indicated.

26. Mr. EL ZAYAT (United Arab Republic) explained that he had voted in favour of paragraph 6 on the understanding that an attempt would be made to institute a system of electoral registration and that that system would not be written off as "impracticable" unless it was manifestly not possible.

27. Mr. LOBANOV (Union of Soviet Socialist Republics) said he had voted in favour of paragraph 6 on the understanding that the elections would be democratic and would be held on the specified date.

In successive votes, paragraphs 7 to 11, inclusive, were adopted unanimously.

Paragraph 12 was adopted by 13 votes to none, with 1 abstention.

28. Mr. LOBANOV (Union of Soviet Socialist Republics) explained that he had abstained from voting because the paragraph contained no recommendation.

Paragraph 13 was adopted unanimously.

29. Mr. LOBANOV (Union of Soviet Socialist Republics) proposed that SUNFED should be mentioned in paragraph 14 and that the second sentence should be amended to read as follows:

"As a Special Fund of the United Nations and other United Nations funds may be set up shortly, the Council requests that the authorities of the funds consider, at the appropriate time, giving assistance in respect of some of the projects of the Territory from these funds."

30. Mr. PLAJA (Italy) pointed out that paragraph 14 dealt with a concrete case, and not with hypotheses. The United Nations was already considering the question of the Special Fund and it was to be hoped that it would be established shortly. The Italian delegation could not vote in favour of the Soviet amendment,

which would completely change the meaning of the sentence.

31. U KYAW MIN (Burma) associated himself with the Italian representative's remarks. Actually, the Special Fund concerned had already been set up and an ad hoc committee was already studying its scope and functions; it was therefore inaccurate to say that the Fund might be set up shortly. He also did not think it appropriate for the Council to "request" a United Nations organ to provide assistance for Somaliland, as it was for that country itself to take the initiative and to apply for assistance.

32. Mr. LOBANOV (Union of Soviet Socialist Republics) said he was under the impression that the Special Fund had not been set up, but was merely being considered. At any rate, the establishment of SUNFED was a possibility and it could not be assumed now that the Fund could not be used for the development of Somaliland. If paragraph 14 contained no reference to SUNFED, the USSR delegation could not vote in favour of it.

33. Mr. PLAJA (Italy) proposed that the word "requests" should be replaced by "expresses the hope", in order to meet the Burmese representative's objection.

34. Mr. FELD (United States of America) said that his delegation, which had taken part in the drafting of paragraph 14, and many other delegations also, believed that the Special Fund of the United Nations, which was the subject of General Assembly resolution 1219 (XII), was expected to come into being on 1 January 1959. The term "shortly" had been used in order not to specify the precise date, which was as yet not an established fact.

35. With regard to the use of "requests" or "expresses the hope" he did not feel that there was a great deal of difference. It was common procedure in the United Nations, and particularly under the United Nations technical assistance operation, for one body to request another to consider a subject within its competence.

The meeting was suspended at 4.15 p.m. and resumed at 4.40 p.m.

36. Mr. RYAN (Australia) observed that the Drafting Committee had considered mentioning SUNFED in paragraph 14, but had finally decided that its establishment was a more immediate prospect, since the General Assembly had already adopted a resolution on it. In order to make it quite clear which fund was being referred to, he proposed that the words "may be", in the second sentence of paragraph 14, should be replaced by "provided for in General Assembly resolution 1219 (XII) is expected to be".

37. The Drafting Committee had also questioned the propriety of the Council's addressing a direct demand to a United Nations organ; he did not consider that the word "requests" amounted to a direct demand by the Council.

38. Mr. FELD (United States of America) supported the Australian amendment, which clarified the situation. The establishment of the Special United Nations Fund for Economic Development was currently under discussion in the Economic and Social Council and the

United States delegation believed that the Special Fund, which was supported by many delegations, was appropriate for use in connexion with the development of Somaliland. He would vote against the Soviet proposal to mention SUNFED together with other purely hypothetical funds inasmuch as his delegation did not favour SUNFED.

39. Mr. KOSCZIUSKO-MORIZET (France) supported the Australian amendment, but considered that it would be better to use the definite article "the" before the words "Special Fund".

40. Mr. RYAN (Australia) accepted the suggestion.

41. Mr. DORSINVILLE (Haiti) said he was prepared to vote in favour of the Australian amendment.

The Soviet amendment was rejected by 7 votes to 4, with 1 abstention.

The Australian amendment, as amended by the representative of France, was adopted by 11 votes to none, with 3 abstentions.

42. Mr. LOBANOV (Union of Soviet Socialist Republics) asked for a separate vote on the second sentence of paragraph 14.

The second sentence of paragraph 14, as amended, was adopted by 10 votes to none, with 3 abstentions.

Paragraph 14 as a whole, as amended, was adopted unanimously.

Paragraph 15 was adopted by 13 votes to none, with 1 abstention.

43. Mr. EL ZAYAT (United Arab Republic) said he had voted in favour of the paragraph on the understanding that the word "consultations" did not refer to any specific consultations, on which the Council had no official information, and that the last sentence did not close the door to the suggestion made by his delegation concerning the establishment of a special fund for Somaliland.

In successive votes paragraphs 16 and 17 were adopted unanimously.

44. Mr. LOBANOV (Union of Soviet Socialist Republics) asked for a separate vote on the words "The Council notes the gradual but continued growth of industrial activity and" in paragraph 18.

The phrase was adopted by 12 votes to none, with 2 abstentions.

Paragraph 18 as a whole was adopted unanimously.

In successive votes paragraphs 19 to 23, inclusive, were adopted unanimously.

45. The PRESIDENT recalled that the Drafting Committee had proposed a revised text of paragraph 24, which would read as follows:

"The Council expresses its appreciation to UNESCO for its continuing assistance to the Territory and to the ILO for its assistance in the field of vocational training."

Paragraph 24, as revised, was adopted unanimously.

The meeting rose at 5 p.m.