



TRUSTEESHIP COUNCIL
 Twenty-sixth Session
 OFFICIAL RECORDS

Tuesday, 31 May 1960,
 at 10.45 a.m.

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President: Mr. Girolamo VITELLI (Italy).

Present:

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

The representative of the following specialized agency: United Nations Educational, Scientific and Cultural Organization.

Examination of conditions in the Trust Territory of the Cameroons under United Kingdom administration (T/1526, T/L.979) (continued):

(i) Annual report of the Administering Authority for the year 1958 (T/1494, T/1499, T/1524, T/1527, T/L.956 and Add.1);

(ii) Petitions and communications raising general questions (T/PET.4/L.12-83; T/PET.4 and 5/L.35-74; T/COM.4/L.33, 36-38, 40, 42-47, 49-52; T/COM.4 and 5/L.3-6);

(iii) Report of the Administering Authority on the separation of the administration of the Northern Cameroons from that of Nigeria (General Assembly resolution 1473 (XIV)) (T/1530, T/1531)

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

CONSIDERATION OF DRAFT RESOLUTION ON THE FUTURE OF THE TRUST TERRITORY (T/L.979) (concluded)

1. Mr. OBEREMKO (Union of Soviet Socialist Republics) asked how the Council's report on the Cameroons under United Kingdom administration and the draft resolution (T/L.979), if it were adopted, would be presented to the General Assembly.

2. Mr. COTTRELL (Secretary of the Council) said that, in accordance with paragraph 4 of the draft resolution, the records of the Trusteeship Council's discussion of the subject would be transmitted to the General Assembly; in addition, if the Council so desired, a short account of conditions in the Territory would be included in the Trusteeship Council's report.

3. After an exchange of views in which Mr. JHA (India), Mr. OBEREMKO (Union of Soviet Socialist Republics), Sir Andrew COHEN (United Kingdom) and Mr. KOSCZIUSKO-MORIZET (France) took part, the PRESIDENT said that, in the absence of any objections, the Council's report to the General Assembly would include the working paper on conditions in the Territory (T/L.956 and Add.1) together with the supplementary information relating to the year 1959 submitted by the Administering Authority (T/1527), the text of the resolution the Council adopted, summaries of the opinions of representatives expressed during the general debate and the symbols of the summary records of the meetings at which the question had been discussed.

It was so decided.

4. The PRESIDENT put to the vote the draft resolution on the future of the Trust Territory (T/L.979). At the previous meeting the United Kingdom representative had asked for a separate vote on operative paragraph 2.

Operative paragraph 2 was adopted by 11 votes to none, with 3 abstentions.

The draft resolution as a whole was adopted unanimously.

5. Sir Andrew COHEN (United Kingdom), explaining his vote on paragraph 2, said that he still held the views he had expressed at the end of the general debate (1092nd meeting) on the institution of women's suffrage in the Northern Cameroons. In deference to the majority view of members of the General Assembly, the

competent authorities had agreed that the forthcoming plebiscite in the Northern Cameroons should be conducted on the basis of universal suffrage. The Council would have been wiser, however, not to urge the institution of universal suffrage for the elections, for there would probably be no more elections in the Northern Cameroons before the end of the trusteeship and the decision on who could vote in subsequent elections would have to be taken, in consultation with the population, by the authorities which would be responsible for the Territory after the termination of the trusteeship. That was why the United Kingdom delegation had been unable to vote in favour of that paragraph. Since, however, the paragraph had merely consisted of an expression of opinion by the Trusteeship Council, his delegation had seen no reason to vote against it.

6. Mr. HOOD (Australia) said that there was no doubt whatever about his delegation's position regarding universal suffrage but he had thought it out of place for the Council to express a hope in that connexion in the draft resolution. Moreover the text did not specify who was expected to take the steps in question, and certainly the hope expressed could no longer be directed to the Administering Authority. For those reasons the Australian delegation had abstained on paragraph 2.

7. Mr. KIANG (China) said that, since the current meeting was doubtless the last at which the Council would deal with the Cameroons under United Kingdom administration, he wished to congratulate the Administering Authority on the work it had done in the Trust Territory, thanks to which the population could now face the future with confidence.

8. The Chinese delegation had voted in favour of paragraph 2 of the draft resolution because, although it considered that the elections that were at present being held in the Northern Cameroons represented a marked advance, women did not yet take part in public life and were unable to express their views on public affairs owing to the deep-rooted Moslem tradition in the Northern Cameroons. It might be asked whether that state of affairs was consonant with the free expression of the wishes of the peoples concerned as prescribed in the United Nations Charter. The institution of female suffrage for the elections would be a practical first step towards overcoming the traditional resistance and opposition to the free expression of opinion. Furthermore, it was one thing to give women the vote, and another to force them to use it.

9. Mr. KOSCIUSKO-MORIZET (France) said that the French delegation had voted in favour of the draft resolution because it considered the resolution a constructive one on the whole.

10. In operative paragraph 1 the key words were probably "in particular": since the separation between the Southern and the Northern Cameroons, on the one hand, and the Federation of Nigeria, on the other, was to be complete, the transfer of powers from the Nigerian authorities to those of the Territory must be complete. He wondered what was meant by "the authorities in the Territory". The expression was equivocal. It was to be hoped that authority would lie more and more in the hands of the Cameroonian Government in the Southern Cameroons and the Cameroonian local authorities in the Northern Cameroons, since there was no Government in the northern part of the Territory.

11. Paragraph 2, concerning universal suffrage, did not concern the Administering Authority, and the latter's attitude was understandable. The French delegation had voted in favour of that paragraph, first, on principle and, secondly, because tradition did not seem an entirely convincing argument. In the Republic of Cameroun, women had had the vote since 1946. Furthermore, as the Chinese representative had pointed out, giving women the vote did not mean forcing them to use it, and if the peoples were really opposed to female suffrage the women would not go to the polls. He doubted, however, whether such was the case.

12. With regard to paragraph 3, the Government of the Republic of Cameroun was prepared to open conversations and negotiations with the competent authorities, i.e. the Government of the Southern Cameroons and representatives of the peoples of the Northern Cameroons. The Government of the Republic confirmed that it had no designs for integration or annexation; it merely wished to learn the views of its neighbours, the inhabitants of the Cameroons under United Kingdom administration. Furthermore, provision had already been made under article 10 of the Republic's Constitution for the organization of provincial or local communities, and there were arrangements in the Constitution for all necessary revisions. The range of possibilities was thus extremely wide and it was to be hoped that consultations would be held as soon as possible, not only with the Republic of Cameroun but also with the Federation of Nigeria.

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

- (i) Annual report of the Administering Authority for the year 1959 (T/L.973);
- (ii) Petitions and communications raising general questions (T/PET.11/L.61-73; T/COM.11/L.332-346, 348-351, 354-360);
- (iii) Date of independence of the Trust Territory of Somaliland under Italian administration: report of the Administering Authority on the implementation of recommendations of the Trusteeship Council (General Assembly resolution 1418 (XIV)) (T/1534, T/1537);
- (iv) Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration (T/1516)

[Agenda items 3 (g), 4, 15 and 19]

At the invitation of the President, Mr. Fattarappa-Sandri, special representative of the Administering Authority for the Trust Territory of Somaliland under Italian administration, took a place at the Council table.

QUESTIONS CONCERNING THE TRUST TERRITORY AND REPLIES OF THE REPRESENTATIVE AND SPECIAL REPRESENTATIVE OF THE ADMINISTERING AUTHORITY

13. Mr. OBEREMKO (Union of Soviet Socialist Republics) recalled that, in the statement he had made at the 1093rd meeting, the Somali Minister of Industry and Commerce had said that the Administering Authority still retained powers in national defence, foreign relations and currency. He asked when those powers would be handed over to the Somali Government.

14. Mr. FETTARAPPA-SANDRI (Special Representative) said that, in view of Somalia's forthcoming

independence, the Mogadiscio branch of the Bank of Italy had ceased to operate in 1959. On 6 April 1959 the Currency Circulation Agency (Somalcassa) had established its headquarters at Mogadiscio, converting its branch there into its central office; that office had also taken over the current operations of the branch of the Bank of Italy. Thus the Territory already had its central bank, established more than a year before the date set for independence. That change had occurred as a result of Decree No. 1131 issued by the President of the Italian Republic in December 1958; under the terms of that Decree, Somalcassa operated through two departments, an issuing department and a banking department. The former undertook functions connected with the monetary sector and the latter functions appropriate to a central bank.

15. Somalcassa had granted fellowships for the study of banking. Nine Somali students had already taken a course at the Bank of Italy in Rome and in Bari and were now taking other practical courses in Italy at the Banca Nazionale del Lavoro, the Istituto Mobiliare and the Ufficio Cambi in Rome.

16. The Administering Authority was ready to transfer the issuing department of Somalcassa to the Somali Government, but it would first be necessary for the Legislative Assembly to pass laws which would govern the Somali monetary system, namely, a bill to establish the national bank of Somalia and a banking bill. That legislation would probably be enacted before 30 June 1960.

17. Mr. PLAJA (Italy) added that competence in foreign affairs and defence, which was fundamental to any independent country, would be transferred to the Somali Government on the day of the Territory's accession to independence.

18. Mr. OBEREMKO (Union of Soviet Socialist Republics) asked for information on the technical preparation for those transfers, such as the printing of new bank-notes and the training of diplomatic personnel.

19. Mr. FETTARAPPA-SANDRI (Special Representative) said that since 1958 all police forces had been under the direct authority of the Somali Government; they did not include a single Italian officer. The command of the Territory's armed forces, now held by the Administrator, would be transferred to the Somali Head of State upon the Territory's accession to independence. The Somali National Army did not include any Italian officers.

20. With regard to the training of diplomatic personnel, several officials had spent some time in the office of the Administrator, where they had had an opportunity of handling matters connected with international relations; a Somali official was serving in the Italian Embassy in Washington and another had been serving in the Italian Consulate-General at Cairo since 1957. Somali ministers, members of parliament and officials had been taking an increasingly large and important part in international missions and events; in that connexion, reference should be made to the very active participation of Somali officials in meetings of the specialized agencies of the United Nations. A number of such officials were already equipped to hold important posts.

21. The printing of new bank-notes could not start until the Legislative Assembly had enacted the appropriate legislation.

22. Mr. OBEREMKO (Union of Soviet Socialist Republics) asked whether an agreement had been reached between the Italian Government and the Somali Government concerning the assistance Italy had undertaken to continue to give Somalia after the latter's accession to independence.

23. Mr. PLAJA (Italy) said that in his opening statement (1093rd meeting) he had confirmed previous declarations on the part of the Italian Government that Italy was willing to give Somalia assistance for some time after independence; those declarations referred to the years from 1961 on. He had added that Italy had made a new offer: Italy was prepared to meet the budgetary deficit of Somalia for the remainder of the 1960 fiscal year, in order to avoid difficulties at the beginning of Somalia's independent life. The Government of independent Somalia would of course be entirely free to refuse any of those offers.

24. Mr. OBEREMKO (Union of Soviet Socialist Republics) thought that, if the Somali Government wished to accept the Italian Government's offer, an agreement on the subject would have to be concluded between the two countries.

25. He asked whether the Italian delegation had the full text of the new survey of the economic resources of the Territory that had been made by an Italian economic research organization.

26. Mr. FETTARAPPA-SANDRI (Special Representative) said that there was nothing very new in the survey as compared with the one submitted to the Council at its twenty-second session.^{1/} Some of the total estimates had, however, been modified. For example, the requirements for 1961 and 1962 were now estimated at \$5.6 million per year instead of \$5 million. On the other hand, the estimated budgetary deficit for the period up to 1964 which was included in the figure of \$5 million, remained unchanged: it would be 15 million somalos, revenue being 90 million and expenditure 105 million; the latter figure would include an appropriation of 10.5 million for extraordinary development expenditure. Expenditure on the ordinary programme of economic development was estimated at 12.6 million somalos a year. The sum of 10.5 million somalos would be appropriated for technicians and experts, and 1.4 million somalos for fellowships. In all, \$5.6 million, or 39.5 million somalos, was considered the minimum amount needed to meet Somalia's requirements. Expenditure on a number of very important projects, to which the Italian representative had referred at the 1093rd meeting, was not included in that figure.

27. Mr. OBEREMKO (Union of Soviet Socialist Republics) asked whether the economic agreements, and in particular the agreements on oil concessions concluded with foreign companies during the period of trusteeship, would be binding for the independent Somali Government after 1 July.

28. Mr. FETTARAPPA-SANDRI (Special Representative) said that the oil concessions had been granted under a law passed by the Legislative Assembly, in which the Assembly acknowledged the right of the Administering Authority to conclude such agreements; the independent Somali Government would have to abide by

^{1/} *Economic Requirements of the Territory of Somalia on the Expiration of the Trusteeship Mandate* (Rome, Istituto Poligrafico dello Stato P.V., 1958).

them since the Somali authorities had been duly consulted.

29. Mr. PLAJA (Italy) pointed out that all oil concessions had been granted in the interest of Somalia and after consultation with the Somali authorities existing at the time. The decision on the last two concessions, which had been granted after the constitution of a Somali Government, had been taken by the Somali Government itself. He felt that the principles of international law would apply to the theoretical case envisaged by the USSR representative.

30. Mr. OBEREMKO (Union of Soviet Socialist Republics) recalled that his delegation had always considered that an Administering Authority should not conclude agreements for a period beyond the date of accession of the Territory to independence. The Somali Government should have the power to repudiate, if necessary, agreements made during the period of trusteeship.

31. Mr. RASGOTRA (India) referred to the statement made at the previous meeting by Mr. BARADI, the Chairman of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, to the effect that some questions were still pending. He asked what was the amount of Somal-cassa's past profits from investments and of its reserves and holdings which was to be transferred to the Somali Government, and how the transfer was to be effected.

32. Mr. FETTARAPPA-SANDRI (Special Representative) replied that the legal reserves of Somal-cassa at present amounted to about 45 million somalos and that the Administering Authority was quite prepared to transfer that sum as well as the other sums involved. Although the transfer had not yet taken place, that was not because of any special difficulties but because it was necessary first to set up the bodies which would receive and administer those funds. The Legislative Assembly was at present considering two bills which would make that possible. He thought that the transfer in question would take place before 1 July.

33. Mr. RASGOTRA (India) asked whether the Administering Authority had made any proposals concerning the terms on which the equipment and control of the aeronautical service would be transferred to the Somalis.

34. Mr. FETTARAPPA-SANDRI (Special Representative) said that negotiations were in progress on the subject. It was only civil air services flying routes within the Territory that were involved and for those only five planes were used at present. Five Somali officers had already taken flying courses in Italy. The services were operated in agreement with the Ministry of General Affairs.

35. Mr. PLAJA (Italy) pointed out that, in view of the fact that the date of independence had been advanced by five months, it was quite understandable that a few points regarding the transfer of powers remained to be settled; in the over-all picture those points were entirely matters of detail. The advance in the date had meant hard work for the Somali Government, the Legislative Assembly and the Administration, but they were eager to solve the remaining points as quickly as possible. The Italian Government intended to settle both questions referred to by the Indian representative before the Territory acceded to independence.

36. Mr. FETTARAPPA-SANDRI (Special Representative) said that an inventory of the aeronautical equipment at Mogadiscio was now being drawn up but that the problems to be dealt with concerned not only the equipment but also the airfields in the interior of the country.

37. Mr. RASGOTRA (India), referring to the statement made by the Chairman of the Advisory Council at the 1093rd meeting, asked for some particulars of the present and future equipment of the Police Force.

38. Mr. FETTARAPPA-SANDRI (Special Representative) replied that, in addition to its normal equipment, the Somali police had some motorized vehicles. He had no complete inventory but he could assure the representative of India that the Police Force was adequately equipped for the performance of all its duties.

39. Mr. RASGOTRA (India) asked the same question with regard to the National Army.

40. Mr. FETTARAPPA-SANDRI (Special Representative) said that, under the terms of the law establishing it, the National Army comprised the mobile group of the Police Force and the military aviation unit which had been attached to the Police Force for administrative purposes; it totalled about a thousand men. The units had been transferred with all their equipment, and the problems involved in increasing their size were the exclusive responsibility of the Somali Government.

41. Replying to a further question from Mr. RASGOTRA (India), Mr. PLAJA (Italy) stated that the setting up of the small National Army had begun only very recently. Although equipment of the units transferred to the Army was of course not perfect, it was adequate. No agreement had been concluded by the Somali and Italian Governments for the provision of further equipment. If the Somali Government desired to acquire further equipment after 1 July, it would be at liberty to enter into negotiations to that end in the ways open to all other independent States.

42. U TIN MAUNG (Burma), recalling the recommendation made by the Council at its twenty-fourth session (A/4100, p. 68), asked when the Somali Government expected to complete the compilation of the electoral registers.

43. Mr. FETTARAPPA-SANDRI (Special Representative) thought that the drafting of the electoral law would be one of the most important questions the Somali Government would have to deal with during the first years of independence. The Somali Government intended to resume the population census and the Ministry of the Interior had been instructed to study the most rapid means of so doing. The Ministry of the Interior would first draw up the electoral registers and then complete the population census, primarily for economic purposes.

44. U TIN MAUNG (Burma) asked whether a new electoral law would come into force before the end of the Legislative Assembly's term of office, i.e. before 1964.

45. Mr. FETTARAPPA-SANDRI (Special Representative) said that he could not prejudge the decisions to be taken by the Somali Government and the Legislative Assembly after independence.

46. Mr. PLAJA (Italy) recalled his opening statement and General Assembly resolution 1418 (XIV) and

pointed out that the Somali Government had not enacted a new electoral law because it felt that it must wait at least until the Constitution had been adopted, as the the Constitution would embody some fundamental points concerning electoral rights. Certain minor amendments had however already been made. Furthermore, a new law on Somali citizenship, which was a basic requirement for electoral rights, had been adopted. On the basis of those facts, he thought there was every reason to believe that the Somali Government and Parliament would enact new electoral provisions before 1964.

47. U TIN MAUNG (Burma), referring to the Council's recommendations concerning local government, asked how many district councils there were in the Territory and whether the Somali Government intended to have the chairmen of the councils elected, as the Legislative Assembly had proposed.

48. Mr. FETTARAPPA-SANDRI (Special Representative) said that there were thirty district councils. The question of widening their powers and reorganizing them had been studied by the Ministry of the Interior. He was convinced that the Somali Government would act on the motion of the Legislative Assembly and would devote full attention to the question, which was of great importance for the future of the country.

49. U TIN MAUNG (Burma), referring to paragraph 113 of the report of the Advisory Council (T/1516), asked when all the judges' seats would be occupied by Somalis.

50. Mr. FETTARAPPA-SANDRI (Special Representative) pointed out that the competence of the "cadis", who numbered sixty-two, was restricted to purely civil matters, whereas the district judges had jurisdiction in criminal cases. The Somali Government had given its attention to the matter of training magistrates. The Ministry of Justice had initiated a higher course of training for the judiciary; twenty-five students were following the course, which lasted six months. It had, moreover, organized a four-months' training course for court clerks, which forty students were taking. It should also be noted that many Somalis were studying in law schools in Italy. Seven Somali district judges had been appointed in 1959 but the post of District Judge in Mogadiscio was still held by an Italian owing to the large population and the large number of cases. The whole judiciary organization, however, was in the hands of the Somali Government, even though the President of the Court of Justice and other judges were Italian.

51. U TIN MAUNG (Burma), referring to paragraph 118 of the report of the Advisory Council, asked why, with only a few weeks left before independence, the various codes had not yet been enacted.

52. Mr. FETTARAPPA-SANDRI (Special Representative) replied that the Labour Code and the Maritime Code had been drawn up but that it had been thought better to wait until the Constitution had been adopted before establishing the final text of the other codes, since it would include provisions likely to affect them.

53. U TIN MAUNG (Burma), referring to paragraphs 154 to 156 of the Advisory Council's report, which concerned foreign investments, asked for an explanation of the very wide difference in the percentage of capital which foreigners were authorized to repatriate.

54. Mr. FETTARAPPA-SANDRI (Special Representative) said that he would reply to the question after consulting the text of the law.

55. In reply to a further question from U TIN MAUNG (Burma), Mr. FETTARAPPA-SANDRI (Special Representative) said that under article 2 of the law of foreign investments the Investment Committee was composed of the Prime Minister, who presided, the Ministers of Finance, Industry and Commerce, Public Works and Communications, and Agriculture and Animal Husbandry, the Head of the Planning Office, the Director of Somalccassa, six experts appointed by the Council of Ministers and three representatives of the Chamber of Commerce.

56. Mr. SALAMANCA (Bolivia) doubted whether a national army, which would be very costly to establish and maintain, was necessary for a country in the process of development, which would have to cope with so many economic problems and would need outside assistance before it could stand on its own feet.

57. Mr. PLAJA (Italy) recalled that, on the initiative of some of its members, the Legislative Assembly had unanimously passed a law authorizing the Somali Government to make all the necessary financial arrangements for the establishment of a national army. That clearly showed how much the Somali people wanted an army of their own.

58. Mr. SALAMANCA (Bolivia) expressed the hope that in his final statement the Minister of Industry and Commerce would deal with the question of the national army. He himself feared that, when the Somali Government appealed for international aid for its economic development, the money spent on establishing the army might give rise to some criticism.

59. Mr. ASHA (United Arab Republic) asked what would be the future relations between Somalia and the European Economic Community.

60. Mr. FETTARAPPA-SANDRI (Special Representative) replied that the original arrangement had been that the Territory's association with the European Economic Community would end with the termination of the trusteeship on 2 December 1960. As examples of the benefits which the Somali Government had derived from the Community, he mentioned the fact that the Community had appropriated funds for the building of a 730 bed hospital at Mogadiscio and that an agreement had been signed to that effect on 19 November 1959. Since the date for independence had been put forward to 1 July 1960, the association with the Community would end on that date. The Somali Government would be free to resume that association if it so desired.

The meeting rose at 1.5 p.m.