

TRUSTEESHIP COUNCIL

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President: Mr. Max H. DORSINVILLE (Haiti).**Present:**

The representatives of the following States: Australia, Belgium, Burma, China, France, Haiti, 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 representatives of the following specialized agencies: International Labour Organisation; Food and Agriculture Organization of the United Nations; World Health Organization.

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

- (i) Annual report of the Administering Authority for the year 1958 (T/1454, T/1471 and Add.1, T/1476, T/L.921);
- (ii) Petitions and communications raising general questions (T/COM.11/L.309 to 329, T/PET.GEN/L.2, T/PET.GEN/L.3, T/PET.11/L.28, T/PET.11/L.29 and Add.1, T/PET.11/L.30-41);
- (iii) Report of the United Nations Advisory Council for Administration (T/1444)

[Agenda items 3 (f), 4 and 15]

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 Somaliland under Italian Administration, and Mr. Gasbarri, special representative of the Administering Authority for the Trust Territory, took places at the Council table.

OPENING STATEMENTS

1. Hajji FARAH ALI OMAR (Italy), Minister of Industry and Commerce of the Government of Somalia, expressed the gratitude of the people and Government of his country to the United Nations for its help in guiding them towards independence. The many democratic Somali institutions which, with the encouragement of the Trusteeship Council, had begun to function four years in advance of the date stipulated in the Trusteeship Agreement, bore witness to the sincerity and

wisdom of the policy pursued by the Administering Authority. Thanks to that policy the Somali people would have sufficient training and experience to assume the heavy responsibilities that would be theirs when Somaliland became a free nation. The successful way in which they were making use of the powers already granted to them demonstrated the political maturity of the Somali people and their ability to govern their country.

2. There was, however, one problem which was a source of grave concern to them; namely, the unsettled question of the border with Ethiopia. It was hoped that the assistance of the third independent person designated by the King of Norway would lead to an agreement on the terms of reference of the arbitral tribunal so that the latter might render an award before the date on which Somaliland was to accede to independence, for it was difficult to see how a new State could function effectively or even draw up a constitution if the extent of its territory remained undefined.

3. Among the most important political advances of the past year were the municipal elections held on 20 October 1958 and the general elections held from 4 to 8 March 1959 under legislation adopted by the Legislative Assembly in accordance with the principles of the Trusteeship Agreement. In those elections the right to vote by free, direct and secret ballot had been exercised for the first time in the history of Somaliland by men and women alike. The new Legislative Assembly, which had the support of all social classes, would shortly be called upon to examine a series of bills designed to complete the Somali legislative structure in such important economic and social matters as foreign investment, land tenure, banking, citizenship and so forth. Its most exacting task, however, would be the consideration of the Somali Constitution, which was scheduled to enter into force as soon as the country acceded to independence. The discussions on that subject would provide ample opportunity for a review of the most important and controversial features of the existing electoral law, such as those concerning the duration of the Assembly, the size and distribution constituencies and the apportionment of seats.

4. His Government wished to thank the Administering Authority for its statement at the 1013th meeting that it was ready to transfer all residual powers before 2 December 1960 and that it was in agreement with the method of transfer set forth in the plan ^{1/} of transfer. As far as the country's internal affairs were concerned Somalization was no longer an issue, the Somali Government having exercised full powers since May 1956 and the remaining Italian technical and administrative units having been placed under the control of Somali Ministers and department heads. With the adoption, in 1958, of laws setting up district courts and a military court and providing that only Somali

^{1/} Subsequently distributed as document T/1477.

citizens might be assessors in the court of assizes, the objective of an independent judiciary had been attained. The next step, which was already in preparation, would be to entrust higher judiciary functions to Somali judges as soon as they had completed the necessary training. Only five departments out of the nineteen comprising the central Administration were still under the direction of Italian experts and the entire police force had been officered by Somalis since December 1958.

5. In the economic field, all matters pertaining to the maritime development of the Territory and employment conditions for seamen were now regulated by the Maritime Code enacted on 21 February 1959, which further provided that ships of all nationalities could be inscribed on the naval register. The continued implementation of the country's economic development plan and the introduction of the new fiscal policy had made it clear that Somaliland possessed physical and natural resources which could be exploited to advantage if the necessary technical and financial assistance were forthcoming. During the term of office of the first Somali Government territorial revenues had increased by 45 per cent, direct taxation bringing in 78 per cent more in 1958 than in 1955. As the Council had repeatedly urged the promotion of that form of taxation it might be interested to hear that the product of direct taxation for 1958 was 32 per cent greater than that for 1957; 23 per cent of that increase was accounted for by the increase in income tax.

6. Under the seven-year plan for economic development planned investments had been realized to the extent of 79.7 per cent. About 74 per cent of the objectives of the plan had been attained. Among the most important were the satisfactory solution of the cereal supply problem and the partial solution of the cattle watering problem. The deficit in the balance of payments had decreased by 38 per cent in the past two years, a figure considerably in excess of that anticipated for the whole seven-year period covered by the development plan. With regard to the economic and financial problems which would confront the Territory upon its accession to independence, he stated that the estimated figure of \$5 million to which reference had been made would help the Somali Government to meet its most pressing budgetary needs and enable it to continue its economic plans on a minimum basis, but would not cover major infrastructure projects or provide for the country's security needs. The Somali Government hoped that the consideration of its infrastructure needs by the Special Fund and the specialized agencies, in accordance with General Assembly resolution 1278 (XIII), would contribute to the country's further advancement.

7. Figures relating to the consumption of goods and services of all kinds attested to the improved level of the Somali people. The enactment on 1 January 1959 of the Labour Code regulating relations between workers and employers was a major step forward. A reorganization of trade unions was under way and measures had been adopted for the negotiation of collective bargaining contracts, the taking of a census of workers classified by skills, the establishment of regional employment centres and so forth. Under the Code, men and women received equal pay for equal work.

8. Seventeen new public health aid posts had been set up in the interior of the Territory during 1958 and eight veterinary aid posts were soon to be added to the thirty established during the last two years. It was significant that no instance of cattle plague had occurred during that period.

9. The objectives of the five-year education plan had been almost entirely attained. School attendance by girls was continuing to increase at all levels. More than 100 Somali students were now attending universities in Italy, the United Arab Republic and the United States of America.

10. The progress which he had outlined was an indication that peace and order prevailed in Somaliland and that the Somali people had full confidence in the Parliament and Government which they had freely chosen. They hoped that the Council would take full cognizance of the importance of major infrastructure projects for the further economic and social development of the Territory and the need for a satisfactory solution of the frontier problem, without which the peace and security of the future State would be endangered. In closing he wished to express once more the gratitude of the Somali people for the generous assistance and advice which they had received from the United Nations Advisory Council.

11. Mr. BARADI (Philippines), Chairman of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, introduced the Advisory Council's annual report covering the period from 1 April 1958 to 31 March 1959 (T/1444), in which the Advisory Council had endeavoured to give an accurate appraisal of Somaliland's political achievements and general economic needs.

12. The Advisory Council drew the particular attention of the Trusteeship Council to the following four questions: the transfer of powers to a duly-constituted independent Government of the Territory; the delimitation of the boundaries of the Trust Territory; municipal and general elections; and economic aid to Somalia after independence.

13. A plan for the transfer of powers to a duly constituted independent Government had been drawn up by the Administering Authority in accordance with article 25 of the Trusteeship Agreement and had now been referred to the Advisory Council, which would submit a supplementary report on the matter. Work on the future constitution was still in its preparatory stage; the technical committee for the preparation of the constitution had submitted its final proposals to the political committee but the latter had not yet met.

14. The delimitation of the Territory's frontier with Ethiopia was a matter of serious concern. The Somalis felt that independence would not be complete without a satisfactory solution of the border question.

15. Unfortunately no date had yet been fixed for the completion of a census of the population, particularly in rural areas. The Advisory Council had pointed out the importance of such a census, especially for election purposes.

16. Good progress had been achieved in the development of free political institutions with a view to making the independence of the Territory effective by the date fixed in the Trusteeship Agreement. Although there had been no change in the constitutional or political

organization of the Territory, the Somali Government and the Legislative Assembly possessed wide administrative and legislative powers on internal matters.

17. The Territory had a complete judicial system, but the separation of the judicial from the executive power had not yet been fully achieved, the District Commissioners continuing to exercise judicial powers in twenty-two districts. It had proved impossible to appoint Somalis to the highest posts in the judiciary for lack of trained personnel.

18. In the civil service, the number of Italians employed had decreased by eighty-three, and fifteen of the nineteen departments were now headed by Somali officials. The Italian commanding officers of the police and the fiscal guard had been replaced by Somalis and a programme for the training of Somali civil servants for foreign service had been drawn up.

19. Electoral laws, a labour code, a maritime code and a press law had been enacted. The civil and penal codes were still in the preparatory stage.

20. The attention of the Administering Authority had been drawn to the need for a comprehensive law on citizenship. At present there was no provision for the acquisition of citizenship; national minorities in the Territory could not possess Somali nationality and were therefore deprived of political rights.

21. One of the most notable events in the political development of the Territory had been the holding of municipal and general elections. Municipal elections had been held on 20 October 1958 by direct universal suffrage, with secret ballot, of Somali citizens of both sexes over the age of eighteen. It was the first time that women had had the right to vote and to stand for election. While the municipal elections had been held in an atmosphere of complete calm, the same could not be said of the general elections. In January 1958, difficulties had arisen during the presentation of lists of candidates. All the opposition parties had requested hearings before the Advisory Council, which had referred them to the Administering Authority. During the electoral campaign, grave incidents had taken place at Mogadiscio on 24 and 25 February, in the course of which one person had been killed, a number wounded and some 280 arrested. As a result a curfew had been imposed and the headquarters of certain of the opposition parties had been temporarily closed. There had apparently been no disturbances outside Mogadiscio. Voting had started on 4 March 1959 and had continued for five days without incident. In nineteen districts, only one list of candidates, that of the Somali Youth League, had been presented and there had consequently been no voting. In the remaining districts the Somali Youth League had won a majority of the seats and it now held eighty-three of the ninety seats in the new Legislative Assembly.

22. In the economic field, the main requirement was to strengthen the economic structure of the Territory so that it could progress towards genuine independence. The productive capacity of the economy must be expanded to meet the increasing level of expenditure. Some progress had been made in that direction during the year under review but much remained to be done.

23. The decline of agricultural production during 1958 had made itself felt particularly during the early part of 1959. There had been a shortage of food grains and government stocks had had to be distributed. On

the other hand, the output of bananas, the main export commodity, had increased and exerted a favourable influence over the foreign balance of trade and on government finances. The trade deficit had decreased to some extent in 1958 but as government expenditure had increased to approximately the same extent, the budget deficit remained much the same as in 1957. As approximately 30 per cent of government expenditure would not be covered by territorial revenue during the early years of independence, assistance would be required from outside. The Advisory Council wished to reiterate its earlier suggestion that such assistance should be channelled through a fund under United Nations auspices (T/1372, para. 195). Assistance would be required also for an investment programme to expand production and raise national income and government revenue. Public investment had increased considerably in recent years and would amount to nearly So. 19 million for 1959.

24. The frequent recurrence of droughts made it imperative that agricultural production should be increased over the years, so that with adequate grain stocking the shortages in bad years could be overcome. The obstacles to the development of the Territory were indeed great and included the general poverty of the soil, the scarce and erratic rainfall and the outmoded agricultural techniques that were still used. There was no easy solution for any of those problems. Outside assistance seemed, therefore, the only way of strengthening the Somali economy to such an extent that the gap between income and expenditure could be closed in the not too distant future.

25. Social change in Somaliland had been particularly marked during the year in the realm of labour, the changing role of women in society and the improvement in the system of training of teachers.

26. As could be seen from the Advisory Council's report, Legislative Decree No. 25 of 15 November 1958, approving the Labour Code, had heralded a new dawn in the field of labour and industrial relations. It was a comprehensive document, the drafting of which had received much careful consideration by labour specialists in the Administration, with the assistance of the International Labour Organisation. The Advisory Council had also contributed comments on certain aspects of the Code before it had become law. In view of the growing demand for investment capital for industrial development, the coming into being of the Labour Code had been timely. It had provided a new stimulus in the development of workers' organizations; trade-union leaders were reorganizing their unions in accordance with the requirements of the Code. No statistical data were yet available regarding unemployment or under-employment in Somaliland, but it was hoped that with the establishment of district labour inspectorates labour statistics would be properly collected and collated for analytical purposes.

27. Turning to the subject of public health, he said that unfortunately, despite the efforts of the Government and the Administration and the assistance given by the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF), the incidence of tuberculosis, malaria and intestinal and pulmonary diseases remained high. The fight against tuberculosis continued and WHO, in collaboration with UNICEF, now had a two-year anti-tuberculosis programme in Somaliland involving an expenditure of several thou-

sand dollars. In addition, a number of fellowships to train local health personnel were being offered, the total cost of which would amount to approximately \$25,000. Every effort was being made under the anti-malaria programme to bring the disease from the stage of control to that of eradication.

28. There were too few doctors in Somaliland and it was to be hoped that Member States would respond to any invitation from the Administering Authority to provide doctors to work in the Territory.

29. There could be no doubt that women were destined to play an increasingly important role in the life of their country. The general elections of March 1959 had shown the growing interest of women in politics and their desire to exercise more influence in public affairs. If the country was to derive the full benefit of that social force, a greater intensification of the education of women at all levels was required and the provision of facilities for guidance and training in productive skills became absolutely necessary.

30. As stated in the report, the industrial accident and health insurance scheme was to be expanded and it was gradually being transferred to Somali control.

31. The new teacher-training plan envisaged a three-year course at the local teacher-training institute, at the conclusion of which the best graduates would be sent for advanced training abroad, especially in Italy. Approximately 116 scholarships and fellowships had been provided during the year under review; as a result Somali students were furthering their education and acquiring new skills in medicine, economics, public administration, teaching, vocational education, industrial relations and agriculture. In that connexion, the Advisory Council would like to commend the generous assistance given by the Governments of Italy, the United Arab Republic and the United States of America. It hoped that facilities for such training would continue to be made available to Somali students, since the development of its human resources was absolutely essential to the development of Somaliland.

32. The United Nations Educational, Scientific and Cultural Organization fundamental education projects at Dinsor and Villabruzzi were progressing. Their principal aim was to train people in the methods of fundamental education and community development, who as rural teachers would promote the social and economic development of the villages and communities of Somaliland. The programme at Villabruzzi was being revised to provide more practical teaching methods.

33. In conclusion, he said that the Somali people in general had made remarkable progress in preparing themselves for independence. With a few exceptions, the Administration was in Somali hands; district, regional and central offices were being run by Somalis with marked efficiency. Assistance by Italian experts in the final period of trusteeship was readily accepted. There was no doubt that much remained to be done and the Somalis themselves were well aware of the fact. In the political field tolerance, fair play and a liberal acceptance of constructive criticism were needed. Greater efficiency and the most scrupulous economy in administration were imperative if Somaliland was to be not only a viable but a prosperous State in the years to come.

34. The three member States of the Advisory Council desired to contribute, with the Administering Authority, to the development of Somaliland into a free, stable and strong member of the family of nations. He expressed the Advisory Council's best wishes to the Somali people and its anticipation of the day when Somaliland would be welcomed to membership of the United Nations.

HEARING OF PETITIONERS

At the invitation of the President, Mr. Abubacar Hamud Socoro, representative of the Somali National Union, Sheikh Mohamed Almed Mahad, representative of the Hisbia Dastouri Mustaqbil, and Mr. Abdullahi Abucar Scek Ahmed, representative of the Great Somalia League, took places at the Council table.

35. Mr. SOCORO (Somali National Union), speaking in the name of the United National Front, composed of the three opposition parties, which represented the great majority of the Somali people, thanked the Trusteeship Council for the valuable assistance it had given the Somali people in their progress towards independence.

36. He had come to the Council to denounce violations of the Trusteeship Agreement and the United Nations Charter. The party he represented objected to the term of office of the Legislative Assembly, because the five years for which it had been elected exceeded the period of the trusteeship, thus infringing article 25 of the Trusteeship Agreement.

37. Before the elections had been held his party had harboured suspicions about the manner in which they would be conducted and reality had proved those suspicions to be well-founded. The following were some of the arbitrary measures taken against the opposition parties that had led them to boycott the elections. The lists of the opposition parties had been rejected, the administrative body had been mobilized to further the interests of the only party which had participated in the elections, and recognition had been withheld from the branches of the opposition parties in certain regions. Furthermore, the establishment of branches of the opposition parties had been prohibited in certain regions. A forged list had been submitted in the name of the Constitutional Liberal Party. Freedom of correspondence and information had been abolished. All those who were not members of a specific political party had been individually or collectively dismissed from public posts. There had been continuous attacks on internal security and on freedom of speech, of the Press, of publication and of assembly. The leaders of the three opposition parties had been imprisoned and some of them were still under detention. Subsequently thousands of people had been imprisoned, the headquarters of the parties had been closed and their property confiscated. Police action had led to the death of five persons. The municipal councils of Merca and Margherita had been dissolved because the opposition parties had won a majority.

38. What was happening in Somaliland was a clear violation of the ideals proclaimed by the Trusteeship Council. It was a violation of human rights and fundamental freedoms, an infringement of justice, internal security and order and of treaty obligations and a violation of Article 76 of the Charter and of the Trusteeship Agreement.

39. In view of those facts he appealed firstly for new elections under international supervision before the end of the trusteeship period; secondly, for the release of all political prisoners; thirdly, for free and impartial elections; and fourthly for compensation for loss of life and property. He appealed to the Council in the name of the human values embodied in the United Nations Charter and the Trusteeship Agreement to meet those requests.

40. Mr. MAHAD (Hisbia Dastouri Mustaqbil) affirmed that the Central Committee of his party represented a majority of the villagers and peasants living in the area between the two rivers of Somaliland, which was the vital centre of the country. In the 1958 municipal elections the party had obtained an absolute majority of votes in fifteen centres and chief towns. The mayors of two of the towns—Merca and Margherita—had been rejected and those offices were now held by Government supporters.

41. The party had protested by not participating in the political elections held in March 1959, because of the absence of individual security and basic freedom; during the preparations for the elections, people had been appointed and sent to all districts for the specific purpose of preventing acceptance of his party's list.

42. The five deputies who claimed to represent the party in the Legislative Assembly of Somaliland had not been elected by the party and did not represent it. They had been expelled from the party at the meeting of its National Congress held on 29 January 1959. His party requested that the voting registers on which those deputies claimed to have been elected should be examined by a police expert, when it would be found that only twenty-seven persons had voted rather than 27,000 as shown. He also requested that a peaceful demonstration should be permitted throughout the Territory to show the illegality of the election.

43. There would never be just and democratic elections in Somaliland under Italian administration without intervention by the United Nations and supervision of the conduct of the elections by United Nations observers.

44. There had been many measures of persecution against members of the party and in January 1958 five members had been killed at Mobarech, their houses plundered and their wives violated.

45. The privilege of watering livestock at wells bored by the Government for the people was reserved to the members of the Somali Youth League; the members of the opposition parties did not enjoy that right.

46. In conclusion he said that without energetic and active intervention by the United Nations the present situation would cause grave danger to Somaliland.

47. Mr. AHMED (Great Somalia League) thanked the Council, in the name of the Somali people, for the care and attention it had devoted to his country and expressed the hope that it would give sympathetic consideration to that people's rightful demands.

48. Although the first few years of the trusteeship had been marked by the Administering Authority's efforts to restore the 1935 situation in the Territory, the people's determination to resist and the stand taken by the United Nations Advisory Council had forced it to moderate its aims. During the present transitional period of self-government, however, the

Administering Authority was once again resorting to terrorism in an endeavour to impose its will. Before the political elections in March 1959, it had taken drastic measures designed to ensure a parliamentary victory for the governing party, which was the instrument it had chosen to carry out its plans. Secret meetings had taken place between the Administrator and members of the former Government, at which it had been decided that only Government-sponsored candidates were to be allowed to participate in the elections; that deputies supporting the Government were to be re-elected, or appointed to high posts if they failed of re-election; that the Government was to be granted extraordinary powers for a period of one year; that all civil servants who were members of the Great Somalia League and other opposition parties were to be dismissed; that Somalis were to be closely watched and prevented from contacting foreign consulates in order to keep news of the repression from spreading outside the country; that freedom of speech, the Press and assembly were to be restricted, and that the new parliament's mandate should be for five years. Under the extraordinary powers granted to the Government, all the members of the Great Somalia League's Central Committee had been arrested and were still detained without legal justification.

49. The elections of March 1959 were invalid because they had been preceded by mass arrests and killings and held in an atmosphere of coercion and intimidation. The events which had taken place in many Somali towns at the inauguration of the Great Somalia League—for example, in Baidoa, where the District Commissioner had first ordered all members of the League's Central Committee to leave the town and, upon their refusing, had sent a gang of ruffians to attack them—illustrated the efforts made to prevent all opposition parties from participating in the elections. The Administration had broken up the peaceful demonstrations of protest organized by his party, killing several party members, and had subjected Hajji Mohamed Hussein, the party leader, to police harassment during his tour of the party's branches throughout the country. Moreover, attempts had been made to assassinate him, and members of his party had been beaten, arrested and taken to Mogadiscio. A detailed report on those atrocities would be submitted to the Council.

50. The newspaper, East African Standard, among many others, had commented on the atmosphere of terror and police pressure surrounding the elections and the open support given the Union Party by the Administering Authority.

51. The Administering Authority had not only fought the Somali people by intimidation and oppression but had kept Somaliland in a condition of economic backwardness in order to keep the people in perpetual destitution and dependence. The Administering Authority and the imperialist experts tried to make the population believe that Somaliland could not subsist on its own resources and would have to depend on a wealthy Power to assist it after achieving independence. The statement made during the past year by the Minister of Economic Affairs of the Government of Somalia inviting the United States to meet the country's deficit was an obvious result of the imperialist allegations about the Somali economy. American and Italian monopolies had designs on the resources of Somaliland. The Italian Società Agricola Italo-Somala. (SAIS), for example, was one of the greatest monopolies in the

country, draining Somaliland of its wealth while it paid its Somali workers wages varying between 80 cents and \$1.50 a day and forbade them to organize trade unions to protect their interests.

52. Italian companies were also trying to monopolize agriculture in Somaliland by applying pressure on Somali farmers to sell their land at low prices. The Agricultural Credit Bank had been made an instrument of political pressure, while only Ministers and members of their entourage were allowed to export bananas. The Somali farmer was often forced to sell his land to the Italians because he was unable to exploit it.

53. Thus, while on the surface imperialism was coming to an end in Somaliland, the economic life of the country would remain subjected to an imperialistic system. His party would welcome assistance from any nation, provided it was given through the United Nations and not by direct aid or treaty, for it feared that the latter procedure might become a pretext for foreign interference.

54. Justice in Somaliland was subordinated to politics, while the Administrator, who neither believed in human rights nor respected them, was the only source of jurisdiction, even in matters of Islamic law.

55. Although considerable educational progress had been made in Somaliland in recent years, the Administering Authority was defying the will of the Somali

people by making every effort to uproot Arabic, which the country had chosen as its official language. Nor did it allow the emergence of a class of Somali experts who could replace their Italian counterparts, because it feared such competition and wished to keep Somaliland dependent on Italian experts and technicians even after independence.

56. On behalf of the Somali people, he asked the Council to consider the following just demands: (a) the March 1959 elections should be annulled and new elections held, under United Nations auspices and the supervision of a disinterested international committee, before the expiration of trusteeship in 1960; (b) the present Constitution should be regarded as provisional, in accordance with article 25 of the Trusteeship Agreement; (c) all political prisoners should be released immediately; (d) coercion and terrorism in Somaliland should be halted and democratic justice established throughout the country; (e) the problems of ex-servicemen should be solved, in their best interests, before the expiration of trusteeship; (f) the issue of the frontier with Ethiopia should be resolved on the basis of ethnic considerations; (g) the economic institutions of the country should be Somalized forthwith; (h) the nucleus of a Somali army should be created to guard the frontiers; (i) compensation should be paid for the casualties, physical damage and material losses suffered by parties.

The meeting rose at 1.15 p.m.