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## PETITIONS CONCERNING THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION

### Draft Report of the Standing Committee on Petitions

Chairman: Mr. G.K. Caston (United Kingdom of  
Great Britain and Northern Ireland)

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Note by the Secretariat: In order to avoid unnecessary duplication of material which has been already circulated in mimeographed form, the present draft report contains only the material to be added to that contained in the Secretariat working papers (T/C.2/L.356, sections II and XI, L.384, section III, L.393 and L.389) and the draft resolution. The original material should be considered as forming part of the draft, except where otherwise indicated.

1. At its 520th, 525th, 526th and meetings on 15 and 30 July and August 1959, the Standing Committee on Petitions, composed of the representatives of Belgium, China, India, Italy, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland examined the petitions concerning the Trust Territory of Somaliland under Italian administration which are listed in the preceding table of contents.
2. Mr. Omar Mohallim participated in the examination as the Special Representative of the Administering Authority concerned. At the 526th meeting, Mr. Daud Abdulle participated in the examination of T/PET.11/731 as the Special Representative. The Chairman of the United Nations Advisory Council for Somaliland was also present at the 525th and 526th meeting, at the invitation of the Committee.
3. The Standing Committee submits herewith to the Council its report on these petitions and recommends, in accordance with rule 90, paragraph 6, of the Council's rules of procedure, that the Council decide that no special information is required concerning the action taken on resolution .....

I. Petition from Messrs. Egal Giunale and Scire Scirua (T/PET.11/705)

3. The petition was examined and discussed at the 525th, 526th and meetings of the Standing Committee (documents T/C.2/SR.525, 526 and ).

4. At the 525th meeting of the Standing Committee the Special Representative orally submitted the following observations on this petition, which, he stated, were based on information obtained as a result of inquiries made by the Administering Authority through the companies concerned:

(1) Leave - Ten days per annum is granted to workers paid daily; and fifteen days to workers paid by the month.

(2) Transport - Workers going on leave are provided with transport facilities, whenever possible. When transport cannot be made available, the worker must find his own means of transport. Leave is calculated from the day the worker leaves the camp.

(3) Working hours - The working day is eight hours, as it is for government employees. Any work in excess of eight hours is subject to overtime payments.

(4) Housing - Prefabricated houses are now provided.

(5) Discharge - Owing to the delicate nature of the work, any worker who fails to perform his task and carry out orders is discharged. Whenever a worker is discharged, the reasons are explained to him.

(6) Health - The companies have medical facilities, including their own doctor, to treat any minor injuries or sickness. More serious cases are transported in the companies' plane to the nearest hospital.

(7) Religion - It is the policy of both the companies and the government that there shall be no discrimination on religious grounds.

(8) Insurance - The companies pay for the insurance of their workers. Under this scheme, workers are entitled to receive compensation according to the extent of any disability suffered, and normal wages continue to be paid during any period of hospitalization.

(9) Discharge Certificates - On termination of their employment, workers are issued with discharge certificates.

(10) Wages - The wages paid by the companies vary with the position and qualifications of the employee. The wages are equivalent to those paid in other industries throughout the Territory and are in conformity with the rates fixed by law.

- (11) Ill-treatment - In the absence of specific complaints, no detailed replies can be given. However, at the time of the investigation there was no evidence of ill-treatment.
5. The representative of Italy informed the Standing Committee that the Somali Government was fully competent to enact labour legislation and had in fact done so quite recently. The labour legislation applied to all employers, including the two companies mentioned in the petition. The government was in a position to rectify any complaints concerning labour conditions.
6. The special representative stated that the labour legislation obliged employers to provide accommodation for worker's families. However, in certain circumstances, as for instance where the nature of the work was considered to be dangerous, employers could prohibit workers' families accompanying them.
7. The Chairman of the Advisory Council, in a statement made at the invitation of the Standing Committee, said that members of the Advisory Council had recently visited the oil prospecting camps and were satisfied with what the companies had done in connexion with working conditions. He also commented favourably on the companies' policy of Somalization of their personnel.
8. At its meeting, the Committee approved by votes to with abstention draft resolution I, annexed to the present report, which it recommends that the Council adopt.

I. Petition from Messrs. Egal Giumale and Scire Scirua (T/PET.11/705)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from Messrs. Egal Giumale and Scire Scirua concerning Somaliland under Italian administration (T/PET.11/705, T/L. ),

Draws the attention of the petitioners to the observations of the Administering Authority, to the statements of its representatives and to the statement of the Chairman of the Advisory Council.

II. Petition from Mr. Obin Bin Quad el Giabri and others (T/PET.11/721)

2. The Administering Authority states (T/OBS.11/104, Section 1) that this petition is related to T/PET.11/505 of 30 September 1954, which was considered at the 639th meeting on 14 July 1955. Extensive projects have, as is well known, been undertaken for the rehabilitation and development of the Juba deshek (see also the 1958 report to the United Nations) and are expected to bring enormous economic and social benefits both to individuals and to the community at large. Situations such as that dealt with in petition T/PET.11/721 will, of course, arise in particular instances in connexion with rights or interests affected by the projects as a whole. These situations obviously cannot be dealt with in a uniform manner until completion of the projects in question.

3. The petition was examined and discussed at the 526th and                      meetings of the Standing Committee (documents T/C.2/SR.526 and                      ).

4. The Special Representative informed the Standing Committee that his government is giving consideration to all claims for compensation for losses sustained as a result of these water control projects.

5. At its                      meeting, the Committee approved by                      votes to with                      abstention draft resolution II, annexed to the present report, which it recommends that the Council adopt.

II. Petition from Mr. Obin Bin Quad el Giabri and others (T/PET.11/721)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from Mr. Obin Bin Quad el Giabri and others concerning Somaliland under Italian administration (T/PET.11/721, T/OBS.11/104, T/L.                      ),

Draws the attention of the petitioners to the observations of the Administering Authority and to the statements of its Special Representative, in particular that the government is giving consideration to all claims for compensation for losses sustained as a result of water control projects.



III. Petition from Messrs. Hagi Mohamed Hussen and Mohamed Sceek Hussen Abrar (T/PET.11/731)

3. The petition was examined and discussed at the 519th, 520th, 525th and meetings of the Standing Committee (documents T/C.2/SR.519, 520, 525 and ).

4. The Special Representative informed the Standing Committee that the charge against Mr. Omar Hagi Abdalla Banafunzi for violation of Article 244 of the Penal Code was related to leaflets and posters he had circulated which were calculated to incite the killing of foreigners and attacks on their property. He added that the laws of the Territory are not used to suppress legitimate political activity of any kind and he assured the Committee that there are no restrictions on freedom of speech.

5. At its meeting, the Committee approved by votes to with abstention draft resolution III, annexed to the present report, which it recommends that the Council adopt.

III. Petition from Messrs. Hagi Mohamed Hussen and Mohamed Sceek Hussen Abrar (T/PET.11/731)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from Messrs. Hagi Mohamed Hussen and Mohamed Sceek Hussen Abrar concerning Somaliland under Italian administration (T/PET.11/731, T/OBS.11/100, T/L. ),

Draws the attention of the petitioners to the observations of the Administering Authority and to the statements of its Special Representative.

IV. Petition from Mr. Gelani Scek bin Scek (T/PET.11/725)

10. The petition was examined and discussed at the 525th and meetings of the Standing Committee (documents T/C.2/SR.525 and ).

11. At its meeting, the Committee approved by votes to with abstention draft resolution IV, annexed to the present report, which it recommends that the Council adopt.

IV. Petition from Mr. Gelani Scek bin Scek (T/PET.11/725)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from Mr. Gelani Scek bin Scek concerning Somaliland under Italian administration (T/PET.11/725, T/OBS.11/106, T/L. ),

Draws the attention of the petitioner to the observations of the Administering Authority in particular to the statement that the events referred to in the petition had been the subject of both a judicial and a parliamentary enquiry.

V. Petition from Mr. Yassin Sugulle Nur (T/PET.11/730)

3. The petition was examined and discussed at the 525th and meetings of the Standing Committee (document T/C.2/SR.525 and ).
4. The Special Representative informed the Standing Committee that the petitioner, if he so desires, is perfectly free to apply, by means of the normal procedures, for a position with the government.
5. At its meeting, the Committee approved by votes to with abstention draft resolution V, annexed to the present report, which it recommends that the Council adopt.

V. Petition from Mr. Yassin Sugulle Nur (T/PET.11/730)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from Mr. Yassin Sugulle Nur concerning Somaliland under Italian administration (T/PET.11/730, T/OBS.11/104, T/L. ),

Draws the attention of the petitioner to the observations of the Administering Authority and to the statements of the Special Representative, in particular, that he is perfectly free, if he so desires, to apply, by means of the normal procedures, for a position with the government.



VI. Four petitions relating to the Municipal Elections (T/PET.11/732)

7. These petitions were examined and discussed at the 525th and meetings of the Standing Committee (documents T/C.2/SR.525 and ).

8. At its meeting, the Committee approved by votes to with abstention draft resolution VI, annexed to this present report, which it recommends that the Council adopt.

VI. Four petitions relating to the Municipal Elections (T/PET.11/732)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petitions relating to the Municipal Elections concerning Somaliland under Italian administration (T/PET.11/732, T/OBS.11/104 and 105, T/L. ),

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

VII. Petition from Messrs. Abdi Bule, Hagi Ahmed and Abulcadir Aden  
(T/PET.11/733)

4. The petition was examined and discussed at the 525th and meetings of the Standing Committee (documents T/C.2/SR.525 and ).
5. The Special Representative informed the Standing Committee that an investigation had shown that following the issue of the circular telegram referred to in the written observations, no delegates were prevented from serving as representatives at electoral offices.
6. At its meeting, the Committee approved by votes to with abstention draft resolution VII, annexed to the present report, which it recommends that the Council adopt.

VII. Petition from Messrs. Abdi Bule, Hagi Ahmed  
and Abulcadir Aden (T/PET.11/733)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from Messrs. Abdi Bule, Hagi Ahmed and Abulcadir Aden concerning Somaliland under Italian administration (T/PET.11/733, T/OBS.11/104, T/L. ),

Draws the attention of the petitioners to the observations of the Administering Authority and to the statements of its Special Representative.

VIII. Petition from the Merca Branches of the Hizbia Dighil Mirifle, the Great Somalia League, the Union of Benadir Youth and the Liberal Somali Youth Party (T/PET.11/742)

7. The petition was examined and discussed at the 525th and meetings of the Standing Committee (documents T/C.2/SR.525 and ).

8. At its meeting, the Committee approved by votes to with abstention draft resolution VIII, annexed to the present report, which it recommends that the Council adopt.

VIII. Petition from the Merca Branches of the Hizbia Dighil Mirifle, the Great Somalia League, the Union of Benadir Youth and the Liberal Somali Youth Party (T/PET.11/742)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from the Merca Branches of the Hizbia Dighil Mirifle, the Great Somalia League, the Union of Benadir Youth and the Liberal Somali Youth Party concerning Somaliland under Italian administration (T/PET.11/742, T/OBS.11/104, T/L. ),

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

IX. Petition from the Great Somalia League, Margherita (T/PET.11/744)

3. The petition was examined and discussed at the 525th and meetings of the Standing Committee (documents T/C.2/SR.525 and ).

4. At its meeting, the Committee approved by votes to with abstention draft resolution IX, annexed to the present report, which it recommends that the Council adopt.

IX. Petition from the Great Somalia League, Margherita (T/PET.11/744)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from the Great Somalia League, Margherita, concerning Somaliland under Italian administration (T/PET.11/744, T/OBS.11/105, T/L. ),

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

X. Five petitions from the Great Somalia League, Bosaso (T/PET.11/746)

7. These petitions were examined and discussed at the 525th and meetings of the Standing Committee (documents T/C.2/SR.525 and ).

8. At its meeting, the Committee approved by votes to with abstention draft resolution X, annexed to the present report, which it recommends that the Council adopt.

X. Five petitions from the Great Somalia League, Bosaso (T/PET.11/746)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petitions from the Great Somalia League, Bosaso, concerning Somaliland under Italian administration (T/PET.11/746, T/OBS.11/106, T/L. ),

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



XI. Nine petitions relating to the Municipal Elections (T/PET.11/756)

13. These petitions were examined and discussed at the 526th and meetings of the Standing Committee (documents T/C.2/SR.526 and ).

14. In oral observations on the petition contained in T/PET.11/756, section IX, the representative of Italy stated that since the charges were all general and vague and since the names of individuals were not stated, it was difficult to give a detailed reply. However an investigation revealed there was no foundation for the complaints. He added that one chief in the area had been dismissed; this action was taken not for political reasons but because he was inducing his people to resist paying their taxes.

15. At its meeting, the Committee approved by votes to with abstention draft resolution XI, annexed to the present report, which it recommends that the Council adopt.

XI. Nine petitions relating to the Municipal Elections (T/PET.11/756)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petitions relating to the Municipal Elections concerning Somaliland under Italian administration (T/PET.11/756, T/OBS.11/104 and 105, T/L. ),

Draws the attention of the petitioners to the written and oral observations of the Administering Authority.

XII. Petition from the Liberal Somali Youth Party (T/PET.11/760)

4. The petition was examined and discussed at the 525th and meetings of the Standing Committee (documents T/C.2/SR.525 and ).
5. At its meeting, the Committee approved by votes to with abstention draft resolution XII, annexed to the present report, which it recommends that the Council adopt.

XII. Petition from the Liberal Somali Youth Party (T/PET.11/760)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from the Liberal Somali Youth Party concerning Somaliland under Italian administration (T/PET.11/760, T/OBS.11/106, T/L. ),

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

XIII. Petition from the Hizbia Dighil Mirifle (T/PET.11/761)

3. The petition was examined and discussed at the 524th and meetings of the Standing Committee (documents T/C.2/SR.524 and ).
4. The Special Representative informed the Standing Committee that the police did not intervene in any way in what was purely an internal affair of a political party.
5. At its meeting, the Committee approved by votes to with abstention draft resolution XIII, annexed to the present report, which it recommends that the Council adopt.

XIII. Petition from the Hizbia Dighil Mirifle (T/PET.11/761)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from the Hizbia Dighil Mirifle concerning Scraliland under Italian administration (T/PET.11/761, T/OBS.11/103, T/L. ),

Draws the attention of the petitioners to the observations of the Administering Authority and to the statements of its Special Representative.

XIV. Three petitions from Ex-Servicemen's Associations (T/PET.11/763, 765 and 766 and Add.1)

8. These petitions were examined and discussed at the 524th and meetings of the Standing Committee (documents T/C.2/SR.524 and ).
9. The representative of Italy informed the Standing Committee that arrangements had been made to make payments at Eyl through the Post Office as there was no branch of the Credito Somalo there. He also referred the Committee to the detailed statements he had made during the examination of similar petitions at the 519th meeting of the Committee and in particular to the assurances he had given concerning the intention of the Administering Authority to effect a final settlement of all claims before the termination of the Trusteeship Agreement.
10. The Chairman of the United Nations Advisory Council, in a statement made at the invitation of the Standing Committee, said that the ex-servicemen's problem was one of the most serious that the Advisory Council had encountered. He felt that an early settlement of these claims was most desirable and he therefore welcomed the assurances given by the Administering Authority and their decision to provide staff in the outlying areas to speed up the handling of these claims.
11. At its meeting, the Committee approved by votes to with abstention draft resolution XIV, annexed to the present report, which it recommends that the Council adopt.

XIV. Three petitions from Ex-Servicemen's Associations (T/PET.11/763, 765 and 766 and Add.1)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petitions from Ex-Servicemen's Associations concerning Somaliland under Italian administration (T/PET.11/763, 765, 766 and Add.1, T/OBS.11/103, T/L. ),

1. Draws the attention of the petitioners to the observations of the Administering Authority and to the statements of its representative,
2. Notes with satisfaction the assurance given by the representative of the Administering Authority that it is the intention of the Administering Authority to effect a final settlement of all claims arising out of military service, before the termination of the Trusteeship Agreement. /...

XV. Petition from Mr. Hussen Id Hassan (T/PET.11/767)

4. The petition was examined and discussed at the 524th and meetings of the Standing Committee (documents T/C.2/SR.524 and ).
5. At its meeting, the Committee approved by votes to with abstention draft resolution XV, annexed to the present report, which it recommends that the Council adopt.

XV. Petition from Mr. Hussen Id Hassan (T/PET.11/767)

The Trusteeship Council,

Having examined, in consultation with Italy as the Administering Authority concerned, the petition from Mr. Hussen Id Hassan concerning Somaliland under Italian administration (T/PET.11/767, T/OBS.11/103, T/L. ),

1. Draws the attention of the petitioner to the observations of the Administering Authority,
2. Requests the Administering Authority to inform the Council of the results of the proceedings against the persons who were arrested and taken to the regional prison at Bosaso.

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