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REPORT OF THE UNITED NATIONS ADVISORY COUNCIL  
FOR THE TRUST TERRITORY OF SOMALILAND UNDER  
ITALIAN ADMINISTRATION

Covering the period from 1 April 1958  
to 31 March 1959

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#### GLOSSARY

Explanations of certain terms used in the text of the report:

- AFIS - (Amministrazione Fiduciaria Italiana della Somalia) the Italian Trusteeship Administration of Somalia;
- ASES - (Agenzia Sviluppo Economico Somalia) Agency for the Economic Development of Somalia;
- CISE - (Comitato Interministeriale per lo Sviluppo Economico) Interministerial Committee for the Economic Development;
- FVS - (Fondo Valorizzazione Somalia) Fund for the Economic Development of Somalia.

GLOSSARY (continued)

Arifato - is the system whereby one tribal group is adopted as a client (arifa) by another larger group. The arifa enjoys use of the tribal land and other benefits, and in turn shares in the collective responsibilities of the patron tribe and acknowledges the authority of its leaders;

Carabinieri - Government police;

Descek - a natural depression forming a water basin;

Durra - Indian millet

Ilalos - a force carrying out administrative as well as police work;

Qadi - Moslem judge who discharges civil jurisdiction in specific fields as well as religious functions;

Shamba - small Somali farm;

One somalo - \$0.14.

## CHAPTER I

### THE ADVISORY COUNCIL

#### Introduction

1. On 2 December 1950 the General Assembly of the United Nations approved the Trusteeship Agreement for the Territory of Somaliland under Italian Administration<sup>1/</sup>. The Agreement established the Advisory Council to aid and advise the Administering Authority and provided in article 24 that the Territory shall become an independent sovereign State ten years after the date of the approval.
2. With the rapid approach of this target date, the tasks of the Advisory Council become increasingly important. The orderly transfer of all the functions of government "to a duly constituted independent Government of the Territory", the municipal and general elections, the work of the Technical Committee for the preparation of the Constitution, drafting of basic laws for Somalia, the question of the border between Somalia and Ethiopia, and economic aid after independence, were the major issues confronting the Administering Authority, the Somali Government and the Advisory Council, within their respective responsibilities, during this period.
3. During the year under review the representatives of Colombia, the Philippines and the United Arab Republic on the Advisory Council were Mr. Edmundo de Holte Castello, Mr. Mauro Baradi and Mr. Mohamed Hassan El Zayyat, respectively.
4. During the same period the Advisory Council held 32 meetings of which one was convened at United Nations Headquarters in New York, the remaining 31 at the Advisory Council's Headquarters in Mogadiscio.
5. The secretariat assigned to the Advisory Council by the Secretary-General of the United Nations under para.2(c) of section D of General Assembly resolution 289(IV) performed a heavy workload of duties for which the Advisory Council records its thanks. In August 1958 Mr. J.J. Cobe-Habersky replaced Mr. T.C. Shore as Principal Secretary.

#### Relations with the United Nations

6. Mr. M.H. El Zayyat, delegate of the United Arab Republic, represented the Advisory Council before the Fourth Committee and the General Assembly's thirteenth session in New York, expressing there the views of the Advisory Council on the border issue between Somalia and Ethiopia<sup>2/</sup>.
7. The Advisory Council was happy to welcome Mr. Dag Hammarskjold, Secretary-General of the United Nations, in Mogadiscio on 30 December 1958. His interest in Somalia was greatly appreciated both by the Administering Authority and by the Somalis as another

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<sup>1/</sup> Throughout the report, the Trust Territory of Somaliland under Italian Administration is referred to as "Somalia" or "the Territory".

<sup>2/</sup> See paras. 35 - 36

sign of the interest of the United Nations in the Territory.

8. Dr. D. Protitch, Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories, visited Somalia and the Advisory Council from 14 to 16 January 1959. His visit and genuine interest were likewise appreciated both by the Administering Authority and the Somalis.

9. Mr. M.S. Adiseshiah, Assistant Director General of UNESCO, visited the Territory from 7 to 9 August 1958. He received the Council's full cooperation in his negotiations concerning the UNESCO's programme of assistance in Somalia<sup>1/</sup>.

10. Several United Nations technical assistance experts, representatives of specialized agencies and the UNICEF, called on the Council during the year under review and supplied information on their programme, the results of their work and their future plans. The Principal Secretary, who continued to act as Resident Correspondent of the Technical Assistance Board in Somalia, informed the Council about the progress of technical assistance and specific problems faced by individual experts.

#### Relations with the Somalis

11. The municipality of Mogadiscio decided on 4 February 1958 to honour the United Nations and the member States on the Advisory Council by naming certain streets in the center of the city United Nations Avenue, Avenue of Colombia, Avenue of the Philippines and Avenue of Egypt. The Advisory Council was pleased to attend the naming ceremonies of the latter three avenues. The United Nations Avenue will be inaugurated in the near future.

12. Informal contacts with the members of the Somali Government and the Legislative Assembly were frequent and made in a spirit of cooperation. Such contacts enabled the Advisory Council to learn the point of view of Somali leaders on matters of importance to the Territory and its population. The Advisory Council continued to receive visitors, representatives of political parties, groups and individuals and on numerous occasions heard their views or wishes.

13. In order to obtain an overall picture of the development in the various political parties, the Advisory Council held informative meetings with their leaders on general and specific issues<sup>2/</sup>.

14. Communications and petitions transmitted to the Advisory Council were transmitted to the Trusteeship Council in accordance with established procedures. Their number increased as municipal and general elections particularly intensified political activities in the Territory. During the year under review, 107 communications and petitions were

<sup>1/</sup> See para. 261.

<sup>2/</sup> See paras. 99, 113-116, 121, 125-126, 131, 141.

transmitted to the Trusteeship Council.

15. Members of the Advisory Council and its secretariat visited different parts of the Territory on field trips on which they learned of local problems, achievements and plans, and met Somali officials, local representatives and leaders, doctors and teachers.

Dissemination of information about the United Nations

16. Information material about the United Nations and the specialized agencies was widely distributed. During their field trips, members of the Advisory Council and its secretariat were able to observe its dissemination. The Higher Institute of Law and Economics in Mogadiscio submitted to the United Nations Publications Board a request to establish its library as a Depository Library of the United Nations.

17. As in previous years, United Nations Day was celebrated as a national holiday in the Territory. The United Nations reception given at Mogadiscio was attended by about 600 persons; a Somali choir sang Somali songs; and Italian, Pakistani and Somali boy scouts contributed to the United Nations spirit of the gathering. Members of the Advisory Council and its secretariat visited Alula, Bosaso, Galcaio, Merca, Brava, Chisimaio and Villabruzzi where festival meetings, attended by the local population including in some places school children, were held. Il Corriere della Somalia published and Radio Mogadiscio broadcasted the speeches of the Prime Minister and of the Chairman of the Advisory Council.

18. Human Rights Day was celebrated by a broadcast speech given by the representative of the Philippines, then the Chairman of the Advisory Council, the full text of which was reproduced in the same newspaper.

19. The knowledge of United Nations affairs gathered through all available means of information creates in the population of the Territory a close and genuine feeling of faith and confidence in the United Nations which was manifested to the Advisory Council on many occasions. In certain instances this confidence was rather embarrassing as it attributed to the United Nations and to the Advisory Council a degree of competence and possibilities which they do not possess.

## CHAPTER II

### GENERAL

#### Plan for the transfer of powers

20. In accordance with article 25 of the Trusteeship Agreement the Administering Authority should submit to the Trusteeship Council, at least eighteen months before the expiration of the Trusteeship Agreement, namely not later than 2 June 1959, a plan for the orderly transfer of all the functions of government to a duly constituted independent government of the Territory. In accordance with article 8 of the Agreement the Administering Authority should seek the advice of and consult the Advisory Council regarding this plan.

21. On 23 March 1959 the Chairman of the Advisory Council presented to the Administering Authority an aide-mémoire in which the Council expressed the hope that it will receive the plan as soon as possible "in order to examine this important document as required by the Trusteeship Agreement and express its opinion thereon".

22. The Advisory Council will transmit a supplementary report to the Trusteeship Council when this plan is received.

#### Constitution

23. In its previous report, the Advisory Council described the machinery established in 1957 providing for a Political Committee for the purpose of conducting preparatory studies for the Constitution of Somaliland, and a Technical Committee of experts for the purpose of aiding the Political Committee in its work<sup>1/</sup>.

24. The Technical Committee completed its work on 1 November 1958 and presented the revised draft to the Political Committee.

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<sup>1/</sup> Dr. B. Syrový, Legal and Political Affairs Officer of the Advisory Council's secretariat replaced Dr. Paolo Contini as one of the two experts in the Technical Committee designated by the Advisory Council.

25. The Political Committee, composed of Somali Government officials and parliamentary leaders, has not yet met and thus the work on the Somali Constitution remains in its preparatory stage.

26. It will be recalled that in its previous report<sup>1/</sup> the Advisory Council expressed the hope that it would be possible for the Administering Authority to provide, at its earliest convenience, the information requested in the Council's letter to the Administrator dated 15 March 1958 concerning the procedure to be followed for the adoption and promulgation of the Constitution. This information has not been received.

#### Census

27. In its previous report<sup>2/</sup> the Advisory Council recorded the difficulties encountered by the Ministry of the Interior during the census operations. Since then no further progress has been made; operations were interrupted during the municipal and general elections in order not to cause further unrest among the electors. The Government stated that it was difficult to fix any target date for the completion of the operation, it being dependent on the system which will be adopted.

28. The Advisory Council reiterates its opinion that every effort should be made to gather vital statistics in extra-municipal areas as quickly as possible. This is not only important for election purposes but also for the economic and social planning and development of the Territory.

#### Law on citizenship

29. On various occasions during the past eight years of trusteeship and again lately when commenting on the draft law on general elections<sup>3/</sup>, the Advisory Council called the attention of the Administering Authority to the need of a comprehensive law on Somali citizenship. The present law on "original" citizenship approved last year, lacks provisions regarding the acquisition of citizenship and is therefore

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<sup>1/</sup> T/1372, paras.105-112.

<sup>2/</sup> T/1372, para.77.

<sup>3/</sup> See para. 104

in the view of the Council incomplete. The attention of the Administering Authority was called to the necessity of filling this gap as soon as possible, and the Advisory Council was assured that a law for acquisition of citizenship would soon be adopted.

Question of the frontier between Somalia and Ethiopia

30. The question of the demarcation of the frontier between the Trust Territory and Ethiopia has been the subject of a number of recommendations both of the Trusteeship Council and the General Assembly. The problem, however, has not yet been solved. As the Territory is to become independent in December 1960, the question continues to be a source of serious concern to the Somali Government and to the Advisory Council.

31. At the 931st meeting of the twenty-second session of the Trusteeship Council (July 1958), the Minister for Economic Affairs of the Government of Somalia speaking as a member of the Italian delegation, stated that the Territory would find itself in an extremely serious situation if a fair and honourable solution was not reached by 1960<sup>1/</sup>.

32. The Chairman of the Advisory Council called the attention of the Trusteeship Council then in session to certain border incidents as demonstrating the urgency of a definite settlement. The Trusteeship Council noted with concern these incidents and expressed the hope that local contacts and other direct contacts at higher levels between the authorities of Ethiopia and of the Trust Territory would help resolve peacefully whatever incidents might occur, pending the final settlement of the frontier problem.

33. In October 1958, the Government of Somalia appealed to the Advisory Council for assistance in bringing about an early solution of this border controversy<sup>2/</sup>.

34. The Advisory Council took note of the request for assistance and assured the Somali Government that it would do its best to assist Somalia in this problem.

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<sup>1/</sup> T/SR.931, page 12.

<sup>2/</sup> A/AC.33/AA.248.



35. At its 192nd meeting on 22 November 1958, the Advisory Council requested one of its members, the delegate of the United Arab Republic, to speak on its behalf before the Fourth Committee of the thirteenth session of the General Assembly during the debate on the question of the frontier.

36. During the meetings of the Fourth Committee<sup>1/</sup>, the representative of the United Arab Republic pointed out that the Constitution to be adopted for Somalia must contain a reference to a specific frontier of the State; considering that the people who inhabit the border area feel insecure and are restive, the solution of the problem of delimiting the border was not only in the interest of Somalia but also of Ethiopia; there was a strong feeling among the Somalis that the independence of Somalia, as envisaged by the United Nations, could not be achieved completely without the satisfactory solution of the border question. He stated that it was precisely during the final phase of trusteeship that the United Nations was in the best position to secure peace and tranquillity in the area. He concluded by appealing to the Fourth Committee to find means by which both parties might agree on "the independent person" who would assist them in drafting the compromis on the terms of reference for arbitration.

37. The General Assembly, after deliberating on this question, adopted on 16 December 1958 a resolution<sup>2/</sup> urging Italy and Ethiopia to intensify their efforts to carry out the terms of resolution 1213(XII), providing for settlement of the question by arbitration. The Assembly recommended that the two Governments agree on the choice of an independent person to determine the terms of reference for the arbitration and, failing agreement within three months, to ask the King of Norway to nominate such a person.

38. At the time of drafting this report, the Advisory Council had no information about this nomination.

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<sup>1/</sup> A/C.4/SR.839, pages 8-9.

<sup>2/</sup> General Assembly resolution 1345(XIII).

### CHAPTER III POLITICAL ADVANCEMENT

39. Important political developments took place during the year. Electoral laws concerning municipal and general elections have been enacted. In the latter, which were held in March 1959 as recommended by the Trusteeship Council, Somalis, men and women over 18 years of age, in extramunicipal areas had their first experience in direct voting. The old Legislative Assembly, the term of which expired on 31 December 1958, approved certain basic laws. The new Assembly elected in March 1959, when it convenes in April, may discuss a constitution for Somalia. A new Somali Government is expected to be appointed after the Assembly meets.

#### The Somali Government and civil service

40. The composition as well as the functions and responsibilities of the Somali Government as defined by Law No. 1 of 7 May 1956 and Decree No. 78 of 18 May 1956, remained unchanged during the year under review.

41. By the end of 1958, out of nineteen governmental departments, fifteen were headed by Somali officials. The other four, mainly technical, remained under Italian control. These are the department of administrative organization and elective organs in the Ministry of the Interior; the department of foreign exchange and foreign trade in the Ministry of Financial Affairs; the veterinary department in the Ministry of Social Affairs; and the public works department in the Ministry of Economic Affairs.

42. On 31 December 1958, there were 567 Italians working in the civil service as employees either of AFIS (53) or of the Somali Government (514), instead of 650 in the previous year. This represents a decrease of 83.

43. The number of Somalis in the civil service was at the end of 1958 as follows:

<u>Central administration:</u>	(a) AFIS	90
	(b) Somali Government	1,232
<u>Territorial administration</u>		3,386
<u>Legislative Assembly</u>		7
	TOTAL	4,715 <sup>1/</sup>

#### Police

44. The Territory has no armed forces. The police maintains internal peace and order. By the end of 1958 there were 54 Italian officers and soldiers in the Territory including 44 carabinieri. The Administrator continued to be the commander in chief of all police forces in the Territory.

<sup>1/</sup> These figures include Somalis employed in the prison guards (174), the veterinary guards (60), the finance guard (153) and the ilalos (1,437). They do not include those employed in the police.

45. On 14 December 1958 the Italian commanding officer of the police forces was replaced by a Somali officer with the rank of Lieutenant Colonel. The Advisory Council commends the Administering Authority for having taken such a step.

46. The Somali Government's budget for 1959 provides for 3,788 police officers and men and 1,460 ilalos.

#### Air services

47. The 1959 budget of the Somali Government<sup>1/</sup> includes for the first time expenditure for airport organization, telecommunications, maintenance of buildings and equipment, and assistance to airplanes in flight as well as the expenditure for the Somali aviation personnel. There are eleven Italian officers and fifty-two men, six Somali officers and 191 men attached to the air services in the Territory.

48. There are three DC-3 and two Beechcraft planes which maintain a regular weekly supply route to the different regions of the Territory. Considering the poor condition of roads and tracks, air connections are of basic importance for the proper administration of Somalia.

#### The Finance Guard

49. The Finance Guard which operates under the Minister of Financial Affairs controls the border traffic and is in charge of customs collection.

50. The Somali Government's budget for 1959 provides for 300 officers and men. One Italian officer and five non-commissioned officers were attached to the Finance Guard by the end of 1958.

51. A Somali officer with the rank of Lieutenant, took over the command of the Finance Guard on 1 February 1959. The Advisory Council commends the Administering Authority for this step.

#### Preparation in the field of foreign relations

52. During the year under review, Somali officials and civil servants continued to attend international conferences and meeting.

53. A programme has been recently prepared to attach Somali civil servants to some Italian diplomatic and consular missions to offer them training. The Advisory Council commends the Administering Authority for having taken this step.

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<sup>1/</sup> See para 170.

## Judiciary

54. The judicial organization of the Territory was outlined in the Advisory Council's previous report<sup>1/</sup>. The system of courts in the Territory is complete with a Court of Justice in Mogadiscio at its top.
55. District judges with competence in criminal cases of lesser importance started their functions on 8 June 1958. In seven districts Somali judges were appointed while in twenty-two districts the district commissioner exercised these judicial functions until Somali judges could be selected. The District Judge of Mogadiscio was an Italian. The Advisory Council hopes that the delegation of judicial powers to administrative officers will be for the shortest possible time since it is in conflict with the principle of the separation of powers.
56. Law No. 14 of 27 May 1958 amended the Judicial Regulations, and provided that all jurors (assessori) of the Court of Assize and the Appeal's Court of Assize should be Somali citizens nominated yearly by the Minister of Justice.
57. In its observations, the Advisory Council welcomed this measure as an important step toward the full transfer of the judicial power to the Somalis<sup>2/</sup>.
58. In accordance with the law modifying the Judicial Regulations which came into force on 8 June 1958, the Qadis have retained competence in civil matters only. This includes marriages, divorce, civil cases and notarial acts.
59. On 23 April 1958, the Administering Authority submitted to the Advisory Council a draft law on legal practice<sup>3/</sup> dealing with the requirements for inscription in the Roll of Counsels and Attorneys. It provided that foreign lawyers other than those now inscribed in the Territory might practice law only for "particular requirements of legal proceedings".
60. Having considered the draft at its 184th meeting on 4 June 1958, the Council stressed in its observations<sup>4/</sup> that, as there was not a single qualified Somali attorney in the Territory, it was to the advantage of Somalia to allow counsels and attorneys of all nationalities to practice law under the same conditions for the time being.

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<sup>1/</sup> T/1372, para. 73

<sup>2/</sup> A/AC.33/AA.186/Add.13

<sup>3/</sup> A/AC.33/AA.186/Add.11

<sup>4/</sup> A/AC.33/AA.186/Add.12

61. The Legislative Assembly approved the draft law on 23 June 1958. It was promulgated as Law No. 21 of 27 June 1958.

Codification

62. The Labour Code<sup>1/</sup> and the Maritime Code have been signed by the Administrator during the year under review. They came into force on 1 January and 1 April 1959, respectively.

a) The Maritime Code

63. The draft Maritime Code of Somaliland was transmitted to the Advisory Council by the Administrator under article 8 of the Trusteeship Agreement. In an explanatory memorandum dated 20 August 1958<sup>2/</sup>, the Administering Authority noted that the provisions of the draft Code were not at variance with those of the Italian positive law nor with the rules of international law, except for specific provisions which were enumerated,

64. The two most important variants from the Italian and international law appeared in articles dealing with territorial waters and foreign participation in the ownership of boats respectively. They were explained in the Administrator's memorandum as follows:

"...One of the main variants appears in article 1 of the draft which provides that the width of the territorial waters is 15 nautical miles, whereas the Italian Code of Navigation, in its article 2, second paragraph, fixes the width of the territorial waters at 6 nautical miles.

The same article 1 of the draft contains a provision to the effect that, for the purpose of fishing, the width of the territorial waters is extended to a maximum of 100 nautical miles. However, the third paragraph of this article states that these provisions are subject to the rules included for certain definite purposes in the laws or in international conventions..."

"...A very important variant is that which appears in article 41 of the draft, and which abolishes some of the limitations generally set to foreign participation in the ownership of boats. As a matter of fact, in the Italian maritime law, ships, wherever they have been built, can be inscribed in the register of the Italian mercantile marine, only if they belong to Italian citizens or authorized commercial firms. Article 41 of the present draft provides, on the contrary, that even ships owned by foreign citizens or foreign companies may be inscribed in the naval matriculation-books and registers. This variant has been adopted with a view to promote the flow of foreign capital into Somaliland".

65. The Advisory Council examined the provisions of the draft Code at its 186th and 187th meetings<sup>3/</sup> on 10 and 30 September 1958 respectively, and forwarded its observations

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<sup>1/</sup> See para. 231

<sup>2/</sup> A/AC.33/AA.245.

<sup>3/</sup> A/AC.33/SR.186, paras. 16-24 and A/AC.33/SR.187, paras. 3-5

to the Administering Authority on 1 October 1958<sup>1/</sup>. The Council was gratified to note the major effort made in drafting the proposed law. It expressed, however, the hope that the proposed legislation would be in conformity with the trends of and the conventions adopted by the Geneva Conference on the Law of the Sea (1958). Referring to the provisions of article 1, the Council stated that it could not recommend the extension of territorial waters to 100 nautical miles for fishing purposes and considered that it would be unwise to adopt a measure which seemed to the Council to be in contradiction with the principle of freedom of the high seas. The Council stated that it was aware of the fact that at present there was no formal international agreement concerning this subject, but that a compromise proposal for a limit of six miles received a majority of votes at the Geneva Conference. The same proposal delimited the contiguous zone for fishing purposes to twelve nautical miles.

66. On 24 February 1959<sup>2/</sup>, the Administrator informed the Advisory Council that he had signed a legislative decree approving the Maritime Code pointing out that in the final text no mention was made of the width of the territorial waters for fishing purposes.

67. Regarding the other basic codes (Civil and Penal Code, Codes of Civil and Penal Procedure), the Administering Authority informed the Advisory Council that drafts had been prepared but had not yet been examined by the respective legislative bodies. The Council hopes that every effort will be made to enact these codes as soon as possible.

b) Law on the Press

68. By letter dated 23 September 1958<sup>3/</sup>, the Administering Authority forwarded to the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, a draft decree-law on the Press. The Government stated in the explanatory note that the contemplated measure did not claim to be a comprehensive draft law on the Press.

69. The Advisory Council examined the draft decree-law at its 187th and 188th meetings on 30 September and 1 October 1958<sup>4/</sup> and, in a letter dated 1 October 1958<sup>5/</sup>, submitted its observations to the Administering Authority. The Council expressed the hope that a comprehensive draft law avoiding the present shortcomings would be submitted to the Legislative Assembly. Concerning the provision requiring Somali citizenship for "responsible editors", the Advisory Council was hesitant to give an advice on a measure based on the incomplete law on citizenship now in force in Somalia. The Council also

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1/ A/AC.33/AA.245/Add.1

2/ A/AC.33/AA.245/Add.2

3/ A/AC.33/AA.246

4/ A/AC.33/SR.187, paras. 8-17 and A/AC.33/SR.188, paras. 2-5

5/ A/AC.33/AA.246/Add.1



considered that the exemption from the provisions of the decree-law in favour of Government newspapers should concern primarily official and other technical publications, and suggested that the Government newspaper Il Corriere della Somalia, which is the only newspaper published in the Territory, should be subject to the law. The Council hoped that the measure would not affect the provisions of Title V of Law No. 15 of 25 June 1958 on municipal elections, particularly those concerning placards, posters and leaflets for electoral propaganda purposes.

70. Subsequently, the Administering Authority submitted the decree-law to the Legislative Assembly for conversion into law, and, in a letter dated 21 December 1958, transmitted to the Advisory Council the text of the law as approved by the Legislative Assembly on 18 December 1958<sup>1/</sup>. Several changes were made in the original text. The competence of judges dealing with offences committed through the Press was more clearly defined in line with other observations made by the Advisory Council<sup>2/</sup>.

#### Legislative Assembly

71. The Legislative Assembly held two sessions during the period under review. During the first session which extended from 30 April to 19 July 1958, the Assembly discussed and approved a draft law modifying the regulations concerning the judicial organization of Somaliland<sup>3/</sup>; a draft law on administrative elections<sup>4/</sup>; a draft law on the practice of law<sup>5/</sup>; a draft law modifying the rates of pay of military and paramilitary personnel; and a draft law concerning a deep-sea fishing concession.

72. During the second session, which lasted from 29 October to 20 December 1958, the Assembly approved a draft law on political elections<sup>6/</sup>; modification to the budget estimates of the Government of Somalia for the financial year 1958; a draft law concerning exemptions from customs duties of imports of heavy trucks and trailers<sup>7/</sup>; a draft law granting to the Government extraordinary powers in the field of public security<sup>8/</sup>; budget estimates of the Government of Somalia for the financial year 1959<sup>9/</sup>;

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1/ A/AC.33/AA.246/Add.2

2/ The law was promulgated as "Law on the Press of 15 January 1959, No. 3" in the Bollettino Ufficiale, Suppl. No. 3 to No. 1, and came into force on 20 January 1959.

3/ See paras. 56-57

4/ See para. 81

5/ See paras. 59-61

6/ See paras. 103-111

7/ See para. 197

8/ See paras. 97-102

9/ See paras. 149-173

a draft law on the establishment of an autonomous body for the Port of Chisimaio; a draft law on administrative elections (amendment)<sup>1/</sup>; a draft law on the Press<sup>2/</sup>; a draft law concerning tax on fuel consumption and a draft law concerning the remaining in function of the Office of the Presidency of the Legislative Assembly<sup>3/</sup>.

73. On 26 May 1958, the Legislative Assembly while discussing a draft law on general elections adopted a motion inviting the Government to prolong the term of office and activity of the Assembly to 31 December 1959<sup>4/</sup>. The reasons for the motion were stated in its preamble as follows: a registration of the population was felt necessary in order to guarantee the accuracy of a popular consultation by direct suffrage; the holding of elections in 1958 would necessarily imply a new electoral consultation in 1960 when the Trusteeship period comes to an end (as suggested by the Advisory Council), placing an undue burden on the Territory's finance. It was also felt necessary to approve a comprehensive law on citizenship, as suggested by the Advisory Council, defining persons who may vote or be elected. As the carrying out of all these measures would require a considerable length of time, it was felt necessary to prolong the duration of the Legislative Assembly till the end of 1959.

74. The Administering Authority requested the opinion of the Council on the above motion on 29 May 1958<sup>5/</sup>. The motion was however superseded by another draft law suggesting the extension of the Assembly until 31 December 1958 which was transmitted to the Advisory Council on 14 July 1958. The Council considered the first motion at its 184th meeting on 4 June in Mogadiscio, and again at its 185th meeting on 16 July 1958 in New York<sup>6/</sup>. It expressed no objection to the extension of the Assembly until the end of 1958, provided, however, that every effort be made to elect the new Assembly in the first three months of 1959. The Council's opinion was promptly communicated to the President of the Trusteeship Council then in session and to the Administering Authority. Subsequently, Law No. 24 of 1 August 1958 extended the Assembly until 31 December 1958. The Legislative Assembly held its last working meeting on 20 December 1958.

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<sup>1/</sup> See paras. 82-83

<sup>2/</sup> See paras. 68-70.

<sup>3/</sup> See para. 74

<sup>4/</sup> According to article 90 of Ordinance No. 6 of 31 March 1955, the Assembly's term of office was due to expire on 30 June 1958.

<sup>5/</sup> A/AC.33/AA.241

<sup>6/</sup> The second motion has not reached the Advisory Council at that time.



75. By virtue of Law No. 24 of 1 August 1958, the office of the Presidency was to continue functioning until the meeting of the new Assembly. The law also provided for the payment of a liquidation allowance to the deputies "for obvious reasons of equity".

#### Local Government

76. All the present forty-seven municipalities have generally made good progress. In 1958, the Government's contribution to municipalities has not exceeded So.80,000. Mogadiscio, the capital of the Territory is receiving a special grant. In order to oblige the municipalities to reach self-sufficiency, the 1959 budget did not provide for any appropriations for municipalities.

77. The Advisory Council was informed that the establishment of regional councils required a longer period of development; in principle the Government favoured decentralization but felt that it should proceed with extreme care and moderation at the present stage of the Territory's development.

#### Political parties

78. During the year under review, the Somali Youth League (SYL) had the majority in the Legislative Assembly and formed the Government. Other parties were the Somali Independent Constitutional Party (HDMS), the Liberal Somali Youth Party (Partito Liberale Giovani Somali - PLGS), and the Union of the Youth of Benadir (Unione Giovani Benadir - UGB) which changed its name to Somali National Union (SNU) in December 1958 to avoid the use of tribal and local names as suggested by the Advisory Council.

79. By end of June 1958 a new political party, the Great Somalia League, was formed as a result of a split in the SYL party. The statute of the new party emphasizes the unity of "the whole Somali fatherland".

#### Municipal elections

80. In 1954, the municipal elections were based on universal male suffrage. In the municipal elections held in October 1958, citizens of both sexes were entitled to vote and to be elected.

##### a) Electoral regulations

81. By letter dated 23 April 1958<sup>1/</sup>, the Administering Authority forwarded to the Advisory Council, in accordance with article 8 of the Trusteeship Agreement, a draft law concerning administrative elections. The draft law with amendments was approved by the Legislative Assembly on 24 June 1958 and signed by the Administrator on 25 June 1958 (Law No. 15).

1/ A/AC.33/AA.242.

82. In a letter dated 9 September 1958, the Administering Authority informed the Advisory Council that on the proposal of the Government an emergency Decree-Law No. 3 of 20 August 1958 has been issued which provided for some amendments to Law No. 15 of 25 June 1958. The Advisory Council in its communication of 1 October 1958<sup>1/</sup>, appreciated the Administering Authority's statement that the amendments were designed to improve the original text and to broaden the rights of the electors. The Council remarked, however, that in accordance with article 8 of the Trusteeship Agreement the Administering Authority should have sought its advice on ordinances which the Administrator of the Territory may make and promulgate in exceptional circumstances as provided for in article 5 of the annex to the Agreement.

83. Subsequently<sup>2/</sup>, the Administering Authority informed the Advisory Council that the decree-law had been placed before the Legislative Assembly for conversion into law. The Advisory Council in its communication of 4 December 1958<sup>3/</sup> recalled its observations submitted by its letter of 1 October 1958. The draft law was approved by the Legislative Assembly on 15 December 1958 as Law No. 2 of 10 January 1959.

84. The elections of municipal councillors were held under the following main principles: (i) every elector had one vote which he had to express freely, directly, and secretly; (ii) voting was for lists of candidates presented in each electoral area by political parties; the voter was not given a personal choice within the party list; (iii) women also had the right to vote and to stand for election; (iv) magistrates, members of the armed forces and groups organized on a military basis, prefects and district commissioners as well as employees of the regional, district and municipal administration, were not eligible for office as municipal councillors; (v) voting was on the basis of electoral certificates handed out by municipalities to persons registered on general lists of electors; (vi) lists of electors were compiled on the basis of the population register; (vii) only Somalis over eighteen years of age could participate in the elections.

b) Electoral operations

85. Decree No. 8 of 1 July 1958 provided for holding the elections on 20 October 1958. Six political parties presented their lists for the elections: Somali Youth League (SYL) in all 45 municipalities; Independent Constitutional Somali party (HDMS) in 21; Great Somalia League (GSL) in nine; Liberal Somali Youth party (PLGS) in eight; Union of the

1/ A/AC.33/AA.242/Add.2

2/ A/AC.33/AA.242/Add.3

3/ A/AC.33/AA.242/Add.4

Youth of Benadir (UGB)<sup>1/</sup> in two; and the Somali Fichirini Youth (GFS)<sup>2/</sup> in one municipality.

86. In eighteen municipalities no voting took place inasmuch as only the SYL list was presented and the new councillors, all belonging to the SYL list, were proclaimed elected.

87. In the municipality of Dusa Mareb no electoral operations took place for reasons of public order and in the municipality of Doi Gab no elections were held for reasons of complete administrative insufficiency.

88. Actual voting took place in twenty-seven municipalities. The population showed keen interest in the electoral campaign and in the voting. Numerous meetings were held in all parts of the Territory with no serious incidents. A surprisingly great number of women took part.

89. The number of municipal councillors who were to be elected ranged from 25 in the capital to 11 in municipalities with a population of less than 3,000. The total number of seats which was to be allotted was 663. The term of office of the councillors was to be four years.

90. The number of registered electors was 156,636<sup>3/</sup>, of which 108,997, or 85.5 percent, voted. There were 105,184 valid votes and 3,813 ballots (2.7 percent) were declared void.

91. The number of votes obtained by each party in the 27 municipalities where voting took place is shown in the following table<sup>4/</sup>:

Somali Youth League (SYL)	39,178
Independent Constitutional Somali Party (HDMS)	38,214
Liberal Somali Youth Party (PLGS)	11,004
Great Somalia League (GSL)	10,125
Union of the Youth of Benadir (UGB)	6,322
Somali Fichirini Youth (GFS)	341

<sup>1/</sup> By letter dated 4 December 1958 the Unione Giovani Benadir informed the Advisory Council that it changed its name to Somali National Union.

<sup>2/</sup> A local group of fishermen on Bagiuini Islands near Chisimaio.

<sup>3/</sup> This total includes: 29,088 electors in municipalities where no voting took place  
127,548 " " " " " voting took place

<sup>4/</sup> Results for each municipality in Annex I

92. The total number of councillors to be elected in the 45 municipalities was 663 and the distribution of seats among the various parties was as follows<sup>1/</sup>:

Somali Youth League (SYL), including uncontested seats	416
Independent Constitutional Somali Party (HDMS)	175
Great Somalia League (GSL)	36
Liberal Somali Youth Party (PLGS)	27
Union of the Youth of Benadir (UGB)	6
Somali Fichirini Youth	3

93. The number of voters increased threefold from 50,740 in 1954 to 156,636 in 1958. This was due to the establishment of new municipalities, to the granting of the right to vote to women and to the lowering of the voting age from 21 to 18 years.

94. During the electoral campaign and the balloting, a total of 24 petitions were sent to the Advisory Council complaining that some local authorities were interfering with electoral operations. In none of the petitions the results of the municipal elections were contested.

95. Members of the Advisory Council and its secretariat visited several electoral offices before and during the elections and concluded that the organization was well planned.

96. The Advisory Council is pleased to note that the municipal elections held on 20 October 1958 showed in general the political maturity of the electors and the sense of discipline of the political parties. The new Administrator who arrived shortly before the elections commended in a speech before the Legislative Assembly the dignified manner in which they were held.

#### Question of extraordinary powers in the field of public security

97. By letter dated 11 December 1958 the Administering Authority forwarded to the Advisory Council "a copy of the law approved by the Legislative Assembly at its meeting of 9 December last, which grants to the Government extraordinary powers in the field of public security"<sup>2/</sup>. The text of the draft was as follows:

Art.1 - For a period of twelve months as from the coming into force of this law and for the purpose of preventing penal offences and any possible perturbation of public order the Government is hereby granted extraordinary powers in the field of public security, with regard to both individuals and groups of persons.

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<sup>1/</sup> Results for each municipality in Annex I

<sup>2/</sup> A/AC.33/AA.254

Art. 2 - For the above purposes, the Government may adopt supplementary police measures, including arrest up to a period of six months.

These measures shall be defined and regulated by the Government by means of special decrees.

Art. 3 - This law shall come into force on the date of its publication in the Official Bulletin of Somalia.

This law shall be inserted in the Official Compendium of Laws and published in the Official Bulletin. It is the duty of all concerned to observe it and have it enforced as a Law of Somalia.

98. The draft law was presented to the Legislative Assembly on 9 December 1958, under the provision of parliamentary initiative, and was approved on the same day by 44 votes in favour and six against.

99. Leaders of the opposition parties called on the Advisory Council on 10 December 1958 and expressed their objections to the measure approved by the Legislative Assembly as being contrary to the Declaration of Constitutional Principles and prejudicial to the freedom of the forthcoming general elections. Furthermore, they stated that there was no case of emergency in the Territory.

100. The representative of the Philippines, then Chairman of the Advisory Council, presented preliminary observations on the draft law to the Administrator in two conferences which took place on 11 and 17 December 1958.

101. The Advisory Council objected to this draft law and communicated its observations to the Administering Authority in a letter dated 7 January 1959, the text of which is reproduced in Annex II to this report.

102. The Administrator did not approve the proposed draft law.

#### General elections

##### a) Electoral regulations

103. In its letter of 28 March 1958<sup>1/</sup>, the Administering Authority, in accordance with article 8 of the Trusteeship Agreement, forwarded to the Advisory Council the text of a draft law on political elections. The Council's previous report<sup>2/</sup> included an account of the principal provisions of this draft law and pointed out that it contained a number of important innovations, in particular the decision to forego the original plan to compile lists of electors and to distribute electoral certificates to them.

104. In a letter dated 30 April 1958<sup>3/</sup>, the Advisory Council made the following

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1/ A/AC.33/AA.237

2/ T/1372, paras. 80-90

3/ A/AC.33/AA.237/Add.1

observations regarding some provisions of the draft law:

(i) the Council called attention to the fact that the proposal to have 90 deputies instead of the 60 Somali deputies represented an increase of fifty percent. It pointed out that in certain other countries there is one deputy for each 20,000 inhabitants, a ratio more or less reflected by having only 60 deputies in Somalia. It therefore considered that 90 deputies were too many especially in view of the fact that the additional emoluments involved would constitute a greater strain on the Territory's budget;

(ii) the Council noted that Somali citizenship has not yet been defined except for the law on "original" citizenship (Law No. 2 of 1 December 1957);

(iii) the Council considered that it should not be obligatory for parties to make the required deposit of So. 90,000. In the Council's opinion, they could be allowed to submit whatever number of candidates they could and make a deposit of So. 1,000 for each;

(iv) with regard to the provision requiring the judge of appeal to send a notification to the newly elected persons, the Council suggested that a time limit be set within which the judge should make this notification;

(v) the Council stated that in its opinion it would not be in order for the newly elected Legislative Assembly to remain in office for a term of five years, since the term would extend well beyond the end of the trusteeship period.

105. By letter dated 19 May 1958, the Administrator forwarded his comments on the Advisory Council observations<sup>1/</sup> which read in part as follows:

"...I have communicated the interesting observations contained in your letter to the Somali Government to which I also pointed out that the Italian Administration agrees with the Advisory Council's observations regarding all the various articles of the draft law - and supports them - with the exception of the observation concerning article 68 which deals with the term of office of the future Legislative Assembly.

As a matter of fact I do not think that there can be any contrast between providing that the Assembly's term of office will have a duration of five years and the obligation assumed by the Italian Government to submit to the United Nations a plan for the orderly transfer of the functions of government. Moreover, other reasons militate in favour of providing for a term of office of an adequate duration, and precisely the advisability of giving to a Legislative Assembly sufficient time to face the numerous legislative measures necessary for the Territory with an organic view of the issues involved and without electoral preoccupations and the necessity of avoiding that, at the time of its independence, the Country could, following the dissolution of the Legislative Assembly, find itself deprived of sufficiently representative constitutional organs..."



106. In November 1958, the Legislative Assembly agreed on the following ten basic points of the electoral law: (i) the new Assembly would have 90 members; some deputies stated that, although this number was rather high for a country like Somalia, this would help palliate the defects of the unicameral system; (ii) the elections would take place on 1 March 1959; (iii) they would last five days; (iv) they would be held without electoral certificates; (v) the hands of the voters would be marked with indelible ink; (vi) the lists of candidates would be presented on a district basis; (vii) the seats would be assigned to each district before the elections; (viii) the electoral quotient would be computed on a district basis; (ix) the Government was requested to devise a suitable system of presentation of electors at the polls; (x) the term of office of the new Assembly would be five years. To this the opposition had objected that a parliament elected during the trusteeship period could not be considered as truly representative and pleaded for a two-years' duration only. It also argued that it would certainly be possible, during these two years, to take an accurate census of the population on the basis of which new and more valid elections could be held after independence.

107. On 17 November 1958, the Administering Authority transmitted to the Advisory Council the text of the revised draft law incorporating these ten basic principles. The new draft law provided furthermore, that no voting would take place in districts where only one list of candidates has been presented. The following observations of the Advisory Council were incorporated in the draft law: (i) persons employed by public administrations and institutions would be eligible for election as deputies and if elected, they would be temporarily discharged from their duties; (ii) the list of candidates should be signed by not less than two hundred and not more than three hundred voters, instead of the 500 to 600 signatories required by the original draft law. Each list of candidates should be accompanied by a deposit of So.1,000 for each seat.

108. The Council received the revised draft on 19 November 1958<sup>1/</sup> and, in view of the urgency of the matter, communicated its comments to the Administering Authority on the same day<sup>2/</sup>. The Council reiterated its observations of 30 April 1958 on the original draft law in as far as they had not been taken into consideration in the new draft.

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<sup>1/</sup> A/AC.33/SR.191, paras. 4-5

<sup>2/</sup> A/AC.33/AA.237/Add.3

The Council also advised against the new provision contained in article 4 that there would be no voting in districts where only one list was presented. The Council believed that such a rule could deprive the voters from exercising their right to vote; it would not show the number of the voters in all the districts; and furthermore, in the absence of electoral lists, it would be almost impossible to prevent persons from one district where no elections were held from voting in another.

109. In the Legislative Assembly the opposition objected again to two main points of the draft law, namely to the proposed five-year term of the new Assembly and to the assignment of seats before the elections without knowing the number of electors or actual voters.

110. On 22 November 1958, the Assembly approved the amended draft law by a secret vote with 32 votes in favour and 20 against. The Administrator signed it on 4 December 1958.

111. On 4 December 1958, the Administering Authority forwarded the final text of the law to the Advisory Council<sup>1/</sup>. In its observations the Council reiterated its previous comments and referred also to a conference which the members of the Council had with the Administrator on 26 November, at which the Council clarified its position on the question of the term of office of the Legislative Assembly and on the provision that there should be no voting in electoral districts where only one list of candidates has been presented. The Council likewise recalled the recommendation of the Trusteeship Council, endorsed by the General Assembly on 6 December 1958, that the electoral law should ensure the free election of a legislative assembly<sup>2/</sup>.

b) Presentation of lists of candidates and the question of United Nations observers

112. The presentation of lists of candidates started on 5 January 1959 and was to last five and a half days.

113. A crisis which later developed, revealed strained relations and tensions in the opposition parties who objected to the electoral law. The Advisory Council was repeatedly requested to receive their leaders and to hear their complaints.

114. On 8 January the leaders of the four opposition parties - Somali Independent Constitutional Party (HDMS), Great Somalia League (GSL), Somali Liberal Youth Party (PLGS),

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1/ A/AC.33/AA.237/Add.4

2/ A/AC.33/SR.191; A/AC.33/AA.237/Add.5 and A/AC.33/AA.237/Add.7

The law was promulgated in the Bollettino Ufficiale on 12 December 1958 as "Law of 12 December 1958, No. 26 on Political Elections" and came into force on the same date.

See text in Annex III



and the Somali National Union (SNU) - presented to the Advisory Council a copy of a cable of the same day notifying their decision to withdraw their participation in the general elections. They gave these reasons for their decision: there was no freedom of the presentation of the lists; representatives of the opposition parties and their followers were restricted in their travels; some of their leaders were arrested; instructions issued by the Minister of the Interior that lists of candidates of the opposition parties should be accepted and electoral regulations strictly observed, were not obeyed by local authorities.

115. The representatives of the GSL complained particularly about the arrest of the president of their party and his group during their political campaign in the Midjertein. The representatives of the HDMS and of the PLGS referred to serious difficulties, threats and obstacles in the presentation of lists in the districts of Baidoa, Bur Acaba, Oddur, Merca, Brava and Dinsor.

116. The opposition parties requested the restoration of electoral freedoms and democratic proceedings and especially the presence of United Nations observers as their condition for participation in the elections. The Council urged the opposition leaders to participate in the election and promised to see to it that their complaints were brought to the attention of the Authorities.

117. The same day the Advisory Council informed the Administrator about the position of the opposition parties. The Administrator stated that he wished to interfere as little as possible in the internal affairs of the Territory. He added, however, that the opposition parties should be encouraged to present their lists, and that he advised the Somali Government to adhere strictly to the provisions of the electoral law and to use moderation.

118. At the suggestion of the Administrator, the Advisory Council met the following day the Prime Minister. Also present were the President of the Legislative Assembly, the Minister of the Interior and the Minister of General Affairs. The Council reminded the Government that the political elections were of paramount importance in the period immediately preceding independence. It also referred to the provisions of articles 8 and 25 of the Trusteeship Agreement regarding plans for the transfer of the functions of government "to a duly constituted independent Government of the Territory"; and it recalled the recommendations of the Trusteeship Council and the General Assembly concerning the necessity to ensure free elections.

119. Members of the Somali Government present at the meeting stated that it was their desire to conduct the elections in freedom and in accordance with the recommendations of the Trusteeship Council. They stated that they had just met the representatives of the opposition parties and had requested them to present concrete proposals. The

Minister of the Interior issued strict orders to local authorities to observe the electoral law. The Prime Minister would send cables giving the same orders.

120. In the evening of 10 January, the Advisory Council received copy of a cable issued by the Minister of the Interior instructing all electoral authorities that the deadline for the presentation of lists of candidates was extended by three days until 13 January at 18.00 hours. The decision was reached at a special meeting of the Government which met soon after having heard the Advisory Council<sup>1/</sup>.

121. On 11 January, the leaders of the opposition parties presented to the Government a list of their demands embodying fifteen points, which is reproduced in Annex IV. They restated their request for a guarantee of freedoms and requested that a statement by the Government and by the Advisory Council be issued in this respect; an extension of 25 days should be given for the presentation of lists. There should be United Nations observers for the actual elections and the Advisory Council should supervise the presentation of the lists.

122. The same day the Prime Minister informed the Advisory Council that, taking into serious consideration the Advisory Council's suggestion to enable the opposition parties to submit additional lists of candidates and presuming the concurrence of the Advisory Council, the Government issued a decree-law<sup>1/</sup> extending the period for the presentation of the lists for three additional days. The Chairman of the GSL and his group of nine members were released from prison custody at the order of the judge. The Government will conduct the elections in complete freedom.

123. The Advisory Council suggested that a further extension for the presentation of the lists by five additional days be considered in view of the great distances and the difficulties of communication.

124. On 13 January the Somali Government, referring to the three day extension, issued an appeal to all political parties to participate in the elections<sup>2/</sup>.

125. In the evening of the same day - the deadline for the presentation of lists expired at 18.00 - the leaders of the GSL and the SNU appeared before the Advisory Council and requested five additional days for the presentation of lists in places where their lists had not been presented; if this request were granted they would also submit their withdrawn lists.

126. The position of the opposition parties was reflected in communications addressed from various local groups to the Administrator and the Somali Government copies of

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1/ Decree-law No. 1 of 10 January 1959 amended Law No. 26 of 12 December 1958 and extended the time limit for presentation of lists of candidates from 10 January, 12 o'clock noon, to 13 January, 6 p.m. All subsequent time limits for electoral operations established by the original law were postponed accordingly.

2/ Il Corriere della Somalia, 13 January 1959.

which were sent to the Advisory Council. All these communications were transmitted to the Trusteeship Council under the rules concerning the handling of petitions.

127. By the end of the period for the presentation of the lists of candidates, the SYL had lists presented in all electoral districts; the HDMS in eight electoral districts; the PLGS in four and the GSL in two.

128. The two GSL lists were withdrawn in accordance with the decision of the party. The SNU party did not present any lists.

129. Only one list of candidates, namely the SYL list, was presented in nineteen electoral districts with a total of 61 seats. Thus out of the total number of 90 deputies to be elected, 61 seats were allotted to the SYL before the opening of the elections proper.

c) Electoral campaign

130. The PLGS opened the electoral campaign in Mogadiscio on 20 February. The meeting was peaceful and well attended.

131. On 24 February, the leaders of the GSL and the SNU stated to the Advisory Council that they had submitted to the authorities a request for a demonstration and a peaceful procession through the streets of Mogadiscio; if they were not allowed to do that peacefully they could not foresee what the Somalis would do in the future; they wanted to show by all available means that the elections were not free and just.

132. Their attention was called to the provisions of article 35 of the Law on political elections which forbids processions, and article 64 containing penal provisions against interference with the right to vote.

133. A tense situation developed in Mogadiscio during the evening of the same day. A hand bomb was thrown in front of a restaurant but did not explode; an Italian was attacked and wounded. In both cases the Somali police arrested the offenders who were described by the police as militant members of the GSL party; as a result leaders of the GSL and the SNU were arrested. The police report referred to their alleged violent speeches intending to provoke disorder, terrorist acts and to create disturbances.

134. About one hundred persons barricaded themselves inside the headquarters of the GSL and fought the Somali police who ordered the evacuation of the building. Some 280 persons were arrested, one demonstrator was killed, seven demonstrators and nine Somali policemen were wounded, another demonstrator died subsequently in the hospital. The District Commissioner of Mogadiscio was stabbed and had to be hospitalized for 22 days.

135. Curfew from 18.30 to 05.00 was imposed in Mogadiscio by an ordinance of the district commissioner issued on 25 February. On the same day an ordinance signed by the Regional

Governor of Benadir closed down all branches of the GSL and the SNU in the region and forbade public meetings and gathering of these two parties. The curfew was lifted on 1 March 1959.

136. No disturbances were reported outside Mogadiscio during this period and electoral meetings proceeded normally. In Mogadiscio the SYL held its last electoral meeting on 28 February 1959.

137. During this period the Advisory Council did not receive any information from the Administrator. The assistance of or consultation with its Chairman present in Mogadiscio has not been sought. The Council received, however, several visits from people complaining that hundreds of arrests were made.

138. According to information sought from the Administering Authority, as of 31 March 1959, the number of persons remaining in prison in Mogadiscio was 164 men and women.

d) The voting

139. Voting commenced on 4 March and continued for five consecutive days until Sunday, 8 March, at 12 noon. The Advisory Council was informed about technical arrangements and instructions, briefing of the polling officials, distribution of ballot papers, controls and supervision.

140. Technical electoral operations were well prepared and organized. Voting operations for the contested 29 seats were reported to be orderly. In most cases voters were personally known to the polling officials and representatives of the lists. According to official results, the total number of those participating in the elections throughout the country was 323,071.

141. The HDMS stated in a communication to the Council dated 10 March 1959 that it did not participate in the elections; the Council had previously received cables dated 1 and 2 March from HDMS branches in Afgoi and Gelib stating that their members would not participate.

142. The final results<sup>1/</sup> show that in districts where only one SYL list was presented, 61 seats were allotted to the SYL candidates, in accordance with the provisions of the electoral law. In the districts where voting actually took place, the SYL won 22 seats out of the 29, the HDMS five and the PLGS two. The SYL thus received a total of 83 out of the 90 seats in the new Legislative Assembly.

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1/ See Annex V

CHAPTER IV  
ECONOMIC ADVANCEMENT

The economic situation

143. The year 1958 has not been, on the whole, as favourable as 1957. This was partly due to lack of rain during the season of the short rains (October-December), and partly due to the weakening of export markets.

144. Agricultural production was considerably lower than the bumper crop of the previous year. This applied particularly to subsistence crops of which the most important, the durra, did not reach 60 percent of the 1957 production. Maize, beans and oil seeds showed smaller, but still noticeable, decreases.

145. The crop failure caused a strain on the grain reserves of the country. In conjunction with the effects of continued drought the scarcity of food grains has resulted in a difficult situation in certain parts, particularly the North and the Upper Giuba area. As of 31 March 1959 the Government was taking measures to distribute food, and to acquire emergency supplies from abroad. A relief committee has been set up in Mogadiscio for the collection of food and money for the stricken areas. If the rains of the season of the long rains (April-June) are delayed - as they may - an emergency situation may develop.

146. The main industrial and export products fared better than the subsistence crops: the production of bananas, sugar, and cotton increased. Production in most of the branches of manufacturing industry increased also.

147. Total exports rose in comparison with 1957<sup>1/</sup>. The increase of exports of bananas was So. 13.3 million in value. The value of cotton exports more than doubled, namely from So. 1.5 million in 1957 to So. 4 million in 1958. Expansion of meat and fish canneries during the current and previous years resulted in larger exports. Decreases in some of the other export items were due either to decreased production or to decreased demand in the export markets.

148. Total imports were lower in 1958 than in 1957. This fact together with the increase in exports caused a reduction of the large trade deficit of previous years to So. 6.1 million in 1958<sup>2/</sup>.

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1/ See Annex VI, table 1

2/ See Annex VI, table 2

Public finance

149. The Territory has had two budgets since 1956: the budget of the Government of Somalia which comprises all territorial revenues and most of the current expenditure on behalf of the Territory; and the budget of the Administering Authority (AFIS). The latter budget obtains its revenue from the Italian Government in the form of a grant; its expenditures fall into four categories: (i) a grant covering the deficit of the territorial budget; (ii) certain expenditures made by the Administering Authority on behalf of the Territory; (iii) a grant for capital assistance, and (iv) expenditure for the Trusteeship Administration<sup>1/</sup>.

150. The budget estimates of the Government of Somalia for the financial year 1959 were communicated to the Advisory Council according to article 8 of the Trusteeship Agreement on 8 November 1958<sup>2/</sup>. Furthermore, the AFIS budget was made available to the Advisory Council enabling it to examine relevant factors of public finance. In its examination of these factors the Advisory Council paid particular attention to the projection of economic trends and requirements beyond 1960 prepared in a study by the Administering Authority presented to the Trusteeship Council at its twenty-second session<sup>3/</sup>.

151. In the explanatory note to the budget for 1959 the Somali Government expects that the rise in income manifested during the past few years will continue at an even higher rate. At the same time the proposed expenditures for 1959 rise with the same amount as revenues, leaving an estimated gap of almost the same magnitude as the one estimated the year before.

152. The Government explains that "although it may appear excessive, the increase in expenditure is justified by the trend appearing in the revenue of the Territory ..." and that part of the increased expenditures is due to the transfer of certain expenditures from the AFIS budget to the territorial budget.

153. The amounts and items of expenditure which are carried on the 1959 territorial budget and which in 1958 were paid out of AFIS funds are:

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1/ See Annex VI, table 3.

2/ A/AC.33/AM.249.

3/ Economic Requirements of the Territory of Somalia on the expiration of the Trusteeship Mandate.



Civil aviation	So. 537,000
Somali personnel of the aviation	" 600,000
Operation of armoured car squadron	" 300,000
Somali personnel on mission abroad	" 200,000
Salaries of temporary Italian teachers	" 1,320,000
	So. 2,957,000

154. This transfer of almost So. 3 million accounts for one third of the increase in expenditure of the territorial budget. The deficit of the territorial budget for 1959 is So. 10 million. For a comparison with the 1958 deficit the transfer mentioned above must be taken into account. The figure for 1959 comparable with the deficit of the previous year<sup>1/</sup> is therefore about So. 7 million, indicating an improvement of So 2 million over the 1958 estimate. As in previous years the deficit for 1959 will be covered by a contribution of the Administering Authority.

155. With the exception of So. 1 million for extraordinary maintenance and reconstruction of public works and public buildings, the territorial budget is solely concerned with current expenditure. All capital expenditure is accounted for elsewhere such as in the budget of the Development Agency (Agenzia Sviluppo Economico Somalia, ASES) and the Development Fund (Fondo Valorizzazione Somalia, FVS), and derives its sources from outside the Territory<sup>2/</sup>.

156. Certain amounts are still spent by the Administering Authority in the AFIS budget for current items on behalf of the Territory. From year to year the Trusteeship Administration has either discontinued certain activities which were replaced by an expansion of the responsibilities of the Somali Government or transferred certain of its budget items to the territorial budget. As mentioned above, for 1959 the latter transfers amounted to almost So. 3 million. For 1960, the last of such transfers, will be So. 1.8 million for aeronautics; however, in that year until the date of the termination of the Trusteeship the AFIS budget will still contain expenditure for approximately 250 Italian technicians working in the country and for 80 to 100 scholarships for Somali students in Italy, expenditure that the Italian Government has offered to continue after the attainment of independence<sup>3/</sup>.

<sup>1/</sup> See Annex VI, table 3

<sup>2/</sup> See T/1372, paras. 148-155; see also paras. 184-192 below.

<sup>3/</sup> See para. 175 below.

157. Apart from extraordinary expenses for repatriation and separation of its personnel, expenditures<sup>1/</sup> of the AFIS budget decreased from year to year while those of the territorial budget increased. The total amount of the current expenditure in the two budgets was close to So. 90 million in 1958. In its estimate of the economic requirements of the Territory after 1960 the Administering Authority expects this total to be under So. 85 million. This amount may need to be revised upward as in the 1959 Somali Government budget two ministries, namely the Ministry of the Interior and the Ministry of Social Affairs, are already over their 1961/62 estimates. On the other hand this difference may be outweighed by higher revenues which for 1961/62 may have been estimated too conservatively.

158. Taking together the expenditure of the Somali Government and that of AFIS on behalf of the Territory the deficit for 1957 can be put at around So. 37 million, that for 1958 at about So. 30 million and for 1959 at about So. 25 million. The deficit for 1961/62 is projected by the Administering Authority<sup>2/</sup> as amounting to about So. 25 million, namely So. 15.2 million<sup>3/</sup> on the territorial budget and So. 10 million for technical assistance personnel and scholarships. It should be noted that the deficit of So. 25 million concerns the current budget and does not include any capital expenditure.

159. During the last few years<sup>4/</sup> actual territorial revenues were higher than the expected ones. Although actual expenditures were also higher than estimated, the actual revenues showed a higher increase with the result that in 1958 as in 1957 the actual deficit was lower than that anticipated. A surplus of So. 532,000 was added to Government reserves in 1958 which, at the end of that year, amounted to some So. 2.4 million.

160. Since 1954 actual receipts showed a favourable trend<sup>5/</sup>. A considerably higher income than the 1958 budget figure is also expected for 1959. However, the 16 percent increase in budgeted revenue from 1958 to 1959 (So. 8.5 million) has in fact already largely taken place during 1958; actual receipts for that

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1/ See Annex VI, table 3

2/ Economic Requirements etc. op. cit. page 5

3/ Including So. 400,000 for the Head of the State and So. 1.3 million for the Ministry of Foreign Affairs.

4/ See Annex VI, table 3

5/ See Annex VI, table 4



year were 60.0 million or only about 0.5 million below the present estimate of 60.5 for 1959. In view of the past rising trend of revenues the latter estimate may seem conservative. However, while ascribing the rise in income to generally higher production and consumption and the increasing participation of the population in the market economy and to a "better distribution of the financial possibilities of the Territory" and "the ever increasing effectiveness of the tax collection services" and while being confident that advancement of the economy will continue, the Somali Government did not deem it advisable to budget for an income higher than the So. 60.5 million mentioned above particularly because of the uncertainty of climatological conditions inherent to the country.

161. It may be noted that the actual revenue for 1958 and the budgeted revenue for 1959 have already exceeded the estimates for 1961/62<sup>1/</sup>. It should be kept in mind, however, that the latter estimates take into account decreases in certain items of revenue such as a decrease of So. 500,000 of income tax of AFIS personnel which will be repatriated, and a loss of some So. 3.4 million because of the assumed abolishment of export duties on bananas<sup>2/</sup>. This decrease of approximately So. 4 million will have to be compensated for by a continued growth in other revenue items between now and 1961. The revenue estimates for 1961 are based on the assumption that the foreign community and foreign enterprise will not decrease noticeably after 1960.

162. Table 4 in Annex VI, shows the increase in revenue during the Trusteeship period and the distribution of this revenue between direct and indirect taxation. Apart from the remarkable general increase itself, the table shows a certain shift from indirect to direct tax revenue. The proportional contribution of direct taxation is still very low in comparison to economically advanced countries but not exceptional as compared to countries in a similar state of development. Customs duties are the mainstay of government revenue (around 40 percent) and consequently the movements in international trade are the most important single determinant of the financial position of the Territory.

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1/ See Annex VI, table 3

2/ See Economic Requirements, op. cit. page 12

163. The yield from income tax continues its increase of the past years. In the 1959 budget it is estimated to be So. 1.2 million higher than in 1958<sup>1/</sup>. This means a 25 percent increase as compared to a 21 percent increase of the 1958 over the 1957 estimates. These rises are explained by the introduction of the new income tax law<sup>2/</sup> which came into effect during 1958. Its impact is expected to be fully realized in 1959.

164. In contrast to the income tax it should be noted that the yield of the tax on dwellings not subjected to income tax in 1959 is estimated 20 percent lower than for 1958. It was deemed necessary to make this adjustment because of lower actual collections resulting from a liberal interpretation of the law regarding the tax rates.

165. Receipts of the shamba tax are expected in 1959 to be higher than the So. 250,000 budgeted revenue in 1958 by the amount of So. 100,000. In the past the Government met with difficulties in the collection of both the shamba and dwelling taxes. Consequently these taxes do not yield as much as was expected. The yield of the tax on slaughtered cattle, in the 1959 budget, is expected to increase by So. 50,000 or 25 percent over the 1958 budget estimates. The 1959 budget figure was practically reached in 1958.

166. The advisability of introducing a tax on livestock and a uniform tax on the use of the newly established water wells and irrigation facilities should be considered by the Government as soon as possible.

167. The most significant increase of any revenue item is the increase in the yield of import duties. It should be noted, however, that the 1959 estimated revenue is lower than the actual collections of 1958 (So. 1.1 million). The increase in receipts for government services<sup>3/</sup> of over 20 percent is mostly due to increased volume of operations of post and telegraph and of lighterage activity in the ports of Mogadiscio, Merca and Chisimaio.

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<sup>1/</sup> See Annex VI, table 5.

<sup>2/</sup> See A/AC.33/AA.223 and Addenda.

<sup>3/</sup> In the past the Advisory Council has repeatedly suggested that the presentation of the budget would gain in clarity if income and expenditure of these government services, as well as those of the tobacco and match monopoly, would be carried on separate accounts and only their balance shown in this budget. This would have the additional advantage that their operation could be more easily analyzed and evaluated.

168. The increase in total budgeted ordinary expenditure in 1959 over the 1958 estimates is about So. 8.5 million. This increase is spread over the different ministries as shown in the following table:

Changes of budgeted expenditures - in thousands of somalos

	Increase of 1958 over 1957	Increase of 1959 over 1958
Presidency of the Council of Ministers	308	90
Ministry of the Interior	835	2,934
Ministry of Social Affairs	496	3,168
Ministry of Economic Affairs	3,215	537
Ministry of Financial Affairs	160	996
Ministry of General Affairs	2,200	745
Other	259	-
TOTAL	7,371	8,470

169. The most significant increases are those for the ministries of the Interior and of Social Affairs of approximately So. 3 million each and for the Ministry of Financial Affairs of about So. 1 million. The increase in the estimate for the Ministry of the Interior is mainly due to the increase in the expenditure for the police and the Ilalos of So. 3.2 million. Since almost So. 1 million of this amount is a transfer from the AFIS budget<sup>1/</sup> the actual increase is slightly over 2.3 million. In previous reports the Advisory Council has expressed its concern about the growing size of the police force and the increasing costs it involved. The Advisory Council is aware of the fact that the Territory has no armed forces and that the police is the only unit responsible for security and order; but it wishes to recall that the 1959 budget for the police forces is already slightly over the estimate made by the Administering Authority for the years 1961/62<sup>2/</sup>. The percentage of budgeted amount spent on the police rose slightly from 29.0 to 29.8 percent of total expenditures<sup>3/</sup>.

170. The increase of about 45 percent in the budget for the Ministry of Social Affairs includes So. 1.3 million for temporary Italian teachers, an item which is transferred from the AFIS budget, while the remainder is for Public Health. The only increase in the expenditure of the Ministry of Economic Affairs is an item of So. 537,000 taken over from the AFIS budget for the airport organization,

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<sup>1/</sup> Concerning the costs of the Somali personnel of the aviation and the armoured car squadron.

<sup>2/</sup> See Economic Requirements, op. cit. Annex B

<sup>3/</sup> See Annex VI, table 6

for aeronautical telecommunications, and for assistance to airplanes in flight. Half of the increase proposed for the Ministry of Financial Affairs is due to the increased volume of operations of the tobacco and match monopoly, an increase of 22 percent, which is largely offset by an expected increase of So. 430,000 in the receipts for sales of tobacco products. The remainder includes an increase to strengthen the tax collecting services including the Finance Guard and to add to the fund for unforeseen contingencies.

171. The budget of extraordinary expenditure allows for So. 500,000 for the 1959 elections and So. 1 million for reconstruction and restoration of public buildings and installations and extraordinary maintenance of public works. According to the Government explanation funds available for maintenance are generally insufficient.

172. As mentioned above, there is virtually no capital expenditure accounted for in the territorial budget. The AFIS budget earmarks So. 9.7 million for capital assistance to the Territory which are turned over to the Development Agency (ASDES) and the Development Fund (FVS). Expenditure of a capital nature is thus accounted for in the budgets of these agencies.

173. Under an arrangement made with the Administering Authority in 1957, a member of the Advisory Council's secretariat attends, as an observer, the meetings of the Development Agency (ASDES). In this respect the Council reiterates its observations made in its previous report<sup>1/</sup>.

#### Economic requirements and aid after 1960

174. At its twenty-second session the Trusteeship Council noted from a special report on the economic requirements of the Territory on the expiration of the Trusteeship Administration submitted by the Administering Authority that the overall annual budgetary deficit in 1961/62 would be \$5 million (So. 36 million)<sup>2/</sup> constituted as follows: \$2.2 million (So. 15.5 million) current deficit, \$1.4 million (So. 10 million) for foreign experts and technicians, and \$1.5 million (So. 10.5 million) for the public investment programme. The Administering

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<sup>1/</sup> See T/1372, para. 147

<sup>2/</sup> See Economic Requirements op. cit. page 5

Authority informed the Trusteeship Council that the estimates of requirements were subject to a continuous review in consultation with the Government of Somalia. The Trusteeship Council welcomed the information from the Administering Authority and the Government of Somalia that they were continuing, in close consultation, to explore possible sources of financial aid for the Territory after 1960 and would inform the Trusteeship Council when Somalia is next considered, regarding the results of these consultations.

175. The Administrator stated in a letter to the Prime Minister of the Government of Somalia dated 12 October 1958 that the Government of Italy was willing to provide Somalia, if the latter so desired, in the first years after independence with technical assistance of up to 250 technicians and 80 to 100 scholarships in Italy for a total annual amount not exceeding \$1,500,000 (So. 10.7 million) and an annual financial contribution of \$500,000 (So. 3.6 million). The Administering Authority would also consider the absorption of the Somali banana crop. A copy of the Administrator's letter noted above was transmitted to the Advisory Council on 13 October 1958<sup>1/</sup>.

176. The Administering Authority repeated the offer before the Fourth Committee of the General Assembly on 3 November 1958<sup>2/</sup> and the General Assembly welcomed by its resolution 1278 (XIII) of 5 December 1958 the statement of the Administering Authority in regard to the various sources from which assistance had been secured or was in prospect.

177. The representative of the United States in the Trusteeship Council<sup>3/</sup> read into the record the text of a letter sent by the United States Consul General in Mogadiscio on 11 July 1958 to the Prime Minister stating that the United States will be prepared to assist Somalia to maintain its economic stability and to achieve an appropriate level of development in the period of independence.

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<sup>1/</sup> A/AC.33/AA.247

<sup>2/</sup> Official records of the General Assembly, Thirteenth Session, Fourth Committee, 782nd meeting.

<sup>3/</sup> Verbatim record, 22nd session, 926 meeting.

178. The United Arab Republic delegate in the Trusteeship Council during the twenty-second session announced that his Government was ready to contribute to a special United Nations fund for Somalia after its attainment of independence. Assistance offered by the United Arab Republic in the form of Egyptian teachers, scholarships for study of Somalis in the United Arab Republic as well as assistance offered in the field of health services, as described in the Advisory Council's previous report<sup>1/</sup> increased to a value of \$420,000.

179. It was reported<sup>2/</sup> that the United Kingdom Consul General in Mogadiscio informed the Prime Minister that the United Kingdom was willing to participate in the financial assistance of the Territory after becoming independent as well as to assist it in its economic and social development.

180. Overall expenditure under the Expanded Programme of the United Nations Technical Assistance and its specialized agencies for Category I projects increased from \$35,000 in 1958 to \$118,700 in 1959. There were seven experts in Somalia by the end of 1958 and eight more experts are expected in 1959.

181. The mission of the International Bank for Reconstruction and Development in its report<sup>3/</sup> on the Territory in 1957 estimated the time period for which assistance would be required at twenty years. Later estimates reduced this period to ten and five years. Although the reduction of these estimates is a welcome and healthy sign of confidence in the future of the Territory, it should not be forgotten that in economic analysis such estimates are hard to make and are subject to appreciable margins of uncertainty.

182. In its report for 1957-1958<sup>4/</sup> the Advisory Council suggested that necessary economic aid for Somalia after 1960 should be channelled through an arrangement made under United Nations auspices. The Council wishes to reiterate its position. It wishes to recall that the overall deficit of Somalia after that year will also include a deficit in the ordinary budget. It appears that a United Nations scheme of assistance devised with imagination and establishing a simple structure capable to act promptly and to help to coordinate efficiently the various forms of assistance would greatly contribute to the internal political stability of the Territory. At the same time it would safeguard the conditions under which the various offers were made without interfering in their administration.

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<sup>1/</sup> T/1372, para. 261

<sup>2/</sup> Corriere della Somalia, 2 October 1958

<sup>3/</sup> T/1296, page 91

<sup>4/</sup> T/1372, para. 195



### Economic development

183. Progress in the fulfilment of the 1954-1960 economic development programme was on the whole satisfactory during 1958 and was consistent with the established targets. Five years of the programme have elapsed; consequently, on the average, 71.4 per cent of the envisaged projects had to be completed at the end of 1958. In fact the percentage of completion for total public as well as private investment projects<sup>1/</sup> was over the required rate. This was generally true also for the individual branches of industry. Apart from investments in commerce and handicrafts which present small sectors in the development plan, the only sizeable single category for which investments stayed below the required rate of completion were "communications". However, much of the public expenditure will be made in that direction during 1959<sup>2/</sup>. In private investments, expenditure during 1958 was well over the target figures both in housing and in industry even though expenditure in the former category stayed below the 1957 level.

### Public investment

184. The 1954-1960 Development Plan<sup>3/</sup> calls for So.22.4 million of public investments to be spent in the two remaining years, implying an annual rate of So.11.2 million. Financing for 1959 is safeguarded by an AFIS contribution to the Development Agency (ASES) of So.9.7 million out of which So.8.7 million will be spent on projects within the Plan; and a contribution of \$400,000 (So.2.8 million) by the United States to the Development Fund (FVS) of which \$250,000 (So.1.8 million) will be spent on the reconstruction and re-equipment of the Mogadiscio harbour.

185. The Official Bulletin of the Government of Somalia<sup>4/</sup> published the treaty establishing the European Economic Community as well as the Italian law ratifying the Treaty. The Territory of Somaliland under Italian Administration is associated

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<sup>1/</sup> See Annex VI, Table 7

<sup>2/</sup> See para.190 below

<sup>3/</sup> Economic Development Plan for Somalia, see T/1172, paras.155-161.

<sup>4/</sup> 4 June 1958.



with the European Economic Community through the Administering Authority for the period of its Trusteeship. In a declaration of intention annexed to the Treaty the contracting parties reserved to Somalia at its independence the right to confirm its association with the Community or to terminate it.

186. On the strength of this association the Territory is entitled to capital assistance from the Development Fund, established by the Community, of annually increasing amounts<sup>1/</sup> up to a total of \$5 million for the period 1958-1962; of this, a total of \$1,950,000 (So.13.9 million) will be available for the period up to independence. It was reported<sup>2/</sup> that the European Economic Community was requested to allot the available \$1,950,000 (So.13.9 million) of the Development Fund for the construction of a hospital near Mogadiscio.

187. For the years 1961 and 1962 the amounts available from the Development Fund will be \$1,125,000 (So.8.0 million) and \$1,925,000 (So.13.7 million) respectively. However, the latter availability apparently depends on whether the young State, after receiving independence in 1960, decides to continue its association with the European Economic Community.

188. The Advisory Council regrets that it has not been given official information regarding the Territory's association with the European Economic Community and thus cannot offer any comments on this subject.

189. During the year under review the Advisory Council learned<sup>3/</sup> that the Somali Credit Institute (Credito Somalo) had requested a loan from the Development Loan Fund of the United States for an increase of its working capital. The local paper reported that this loan up to an amount of \$2 million (So.14.3 million) was approved for a period of 15 years at an interest rate of 4 per cent per year.

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<sup>1/</sup> 1958 - \$500,000; 1959 - \$625,000; 1960 - \$825,000; 1961 - \$1,125,000; 1962 - \$1,925,000.

<sup>2/</sup> Il Corriere della Somalia, 28 November 1958

<sup>3/</sup> A/AC.33/AA.248/Add.1, Annex 7.

190. The Advisory Council received for its information the budget for 1959 of the Development Agency (ASES) indicating the general distribution of its funds among the various sectors of the economy. Out of the So.9.7 million contributed by AFIS, So.1 million will be spent on items outside the Development Plan. The remaining So.8.7 million will be distributed as follows:

	(in thousand Somalos)
Agriculture	1,000
Animal husbandry	2,496
Fishing	155
Port of Mogadiscio	2,400 <sup>a/</sup>
Other communications	500
Urban housing	625
Grant to housing loan fund	300
General expenses and counterpart for USA ICA exports	1,200
	<hr/>
Total	8,666

191. Table 8 in Annex VI, brings together various estimates of public and private investment for 1958 and the preceding years. Two significant changes appear in 1958 as compared to 1957: a 24 per cent increase in industrial investment and a 32 per cent decrease in private housing. Of less significance was a decrease in investments by the petroleum exploration companies from So.39.8 million to So.37.4 million.

192. In 1958 public investments within the Development Plan were So.12.1 million. Of these some So.1.4 million were spent directly by AFIS through its Planning Office<sup>1/</sup> and the remainder by the Development Agency (ASES) and the Development Fund (FVS). The expenditures of the last two agencies were divided over the sectors of the economy as follows:

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<sup>a/</sup> Payment to the Development Fund (FVS) as counterpart to the United States grant of \$250,000 (So.1.8 million) for the same purpose mentioned in para.184

<sup>1/</sup> See T/1311, paras.221-228.

	(in thousand Somalos)	
	<u>ASES</u>	<u>FVS</u>
Agriculture	1,314	3,296
Animal husbandry	2,836	684
Communications	714	67
Urban sanitation	499	-
Industry	156	22
Credit	600	24
Preparation of technicians	-	460
Total	6,120	4,552

193. During 1958 the Descok Uamo project referred to in the Advisory Council's report for 1957-1958<sup>1/</sup> was put into operation. This is a system of depressions in the Lower Giuba area which have been connected by canals with each other and with the river. Thus the project provides greatly increased means for storing water for agriculture and livestock. Work on the large irrigation project on the lower Uebi Scobeli continued. The work on well drilling and grain storage progressed during the year under review. The Government continued its efforts to organize the trade in incense.

#### Private investments

194. The 1954-1960 Development Programme contains certain targets for private investment in manufacturing, commerce and housing the attainment of which is left largely to private initiative. However, in a number of cases, the Government has taken measures intended to facilitate the development of and investments in certain industries. These measures may be divided in three groups: 1) measures to stimulate production and exports; 2) measures to stimulate investments through tax exemptions; and 3) arrangements to make capital available to private industries.

<sup>1/</sup> See T/1372, para.158.

195. A decree-law<sup>1/</sup> exempted from export tax bananas sent outside the contingents agreed with the Italian Banana Monopoly. This exemption intended to make the Somali banana more competitive. Two thousand tons of bananas were recently exported to Greece at competitive prices. Another decree-law<sup>2/</sup> exempted from export tax cotton produced in the Territory during the 1958/1959 season. The intention was to protect Somali cotton growers against the present unfavourable cotton prices and encourage them in continuing the growing of this crop which is important for the diversification of the Territory's economy.

196. In the second category, the Administering Authority communicated on 9 December 1958 to the Advisory Council a draft law concerning the granting of customs facilities for initial equipment imported by new enterprises<sup>3/</sup>. Under a previous ordinance<sup>4/</sup> certain important economic activities such as agriculture or the drilling of water wells did not benefit from these exemptions. The Government widened the scope of the exemption so as to include imports of equipment in connexion with all fields of economic and social development. The exemptions relate to initial equipment necessary for the establishment of new enterprises and to expansions where at least 30 per cent of the original capital will be newly invested.

197. In a communication of 22 September 1959, the Advisory Council received a draft law concerning the exemption from import duties for the importation of heavy trucks and trailers with a carrying capacity of not less than six tons<sup>5/</sup>. In an explanatory note, the Government stated that it wanted to grant this exemption in view of the need for replacement of old vehicles by more modern equipment.

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1/ Decree-Law No. 4 of 23 February 1959.

2/ A/AC.33/AA.257

3/ A/AC.33/AA.128/Add.8.

4/ 12 November 1950

5/ A/AC.33/AA.243 and Add.1

198. With regard to the third category it may be recalled that since 1954 the Government was making credit available mainly to small scale industries through the Credit Institute (Credito Somalo). In 1958 the Development Agency (ASES) granted to this institution So.600,000 as an addition to the housing loan fund. For 1959 another grant of So.300,000 is planned. The Credit Institute (Credito Somalo) lent during the first four and a half years of its existence about So.17.5 million to 13,675 small entrepreneurs out of which 13,610 with a total amount of loans of So.14.5 million were Somalis.

199. A new development in the field of credit facilities is the expansion of the Currency Agency (Cassa per la Circolazione Monetaria). The Advisory Council was informed<sup>1/</sup> that on 6 April 1959 the Currency Agency, at its office in Mogadiscio, will enter the banking field and will furnish medium and long term credit and thus supplement the activities of the Somali Credit Institute (Credito Somalo).

200. Table 8 in Annex VI shows the development in private investments. No data for 1958 were available to the Advisory Council for investments in agriculture. The figure for investments in manufacturing industries shows a considerable increase over 1957 made in connexion with the expansion of existing industries. No new industries, however, were established during the period under review. For the most part (So.1.4 million) the expansion took place in the sugar industry. So.1 million were spent for the establishment of new facilities for distribution of petroleum products. Fish and meat canning industries spent about So.700,000. So.600,000 were spent for the expansion of electricity production. Imports of heavy trucks reached a volume of So.1 million and showed the favourable effect of the customs exemptions granted to importers of new heavy trucks<sup>2/</sup>.

201. Expenditures within the Territory by the concession-holding oil companies somewhat decreased. A major development in this field was however the granting of a new exclusive concession to Frobisher Ltd. for exploration and exploitation of

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<sup>1/</sup> By letter of 31 March 1959 transmitted to the Council on 1 April 1959, the Acting Administrator gave particulars concerning the conversion of the Currency Agency noted above into a currency issuing institute. The matter will be dealt with in the supplementary report on the transfer of powers (see para.22).

<sup>2/</sup> See para.197.

mineral oils in the same area for which it had received a one year prospecting permit on 7 August 1957<sup>1/</sup>. The Advisory Council received a communication from the Administering Authority dated 25 February 1959 transmitting to it for information the copy of an agreement concluded between the Government of Somalia and Frobisher Ltd. and of a decree approving that agreement<sup>2/</sup>. The terms of the agreement went along similar lines as those accorded previously to the Società Mineraria Somala and the Sinclair Somal Corporation in 1952. The Company agreed to spend in the country a minimum amount increasing annually from £11,250 (So.225,000) to £112,500 (So.2,250,000). In the event petroleum is found the Company will pay a yearly rental of between £2,500 (So.50,000) and £1,250 (So.25,000) according to a certain schedule. A royalty during the first five years will be paid at twelve and a half per cent and subsequently fifteen per cent of all oil produced. The latter condition is subject to revision after ten years.

202. Regretting that its advice in this matter was not sought - although it had at previous occasions expressed its concern to the Administration about decisions granting concessions for exploitation of mineral oils - the Advisory Council reiterated its comments made previously with regard to the concession of the Società Mineraria Somala and the Sinclair Somal Corporation<sup>3/</sup>.

#### Economic Commission for Africa

203. By an amendment to Resolution 671A(XXV) adopted on 28 July 1958 the Economic and Social Council<sup>4/</sup> admitted the Trust Territory of Somaliland under Italian Administration as an associate member of the Economic Commission for Africa. The Commission met for the first time in Addis Ababa from 29 December 1958 to 6 January 1959, and two Somali officials attended. As the terms of reference of

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1/ A/AC.33/AA.240

2/ A/AC.33/AA.240/Add.2

3/ A/AC.33/AA.91/EC/Add.2; A/AC.33/AA.116/EC/Add.1

4/ 1042nd meeting.

the Commission are aimed at the economic development, the raising of the level of economic activity and of levels of living in Africa, the Advisory Council hopes that the establishment of the Commission will exert a favourable influence on the economy of the Territory during the Trusteeship period and after.



CHAPTER V  
SOCIAL ADVANCEMENT

204. Social advancement continued to make steady progress during 1958. Developments were particularly significant in labour legislation. The first Labour Code of Somalia was enacted on 15 November 1958.

205. During the period under review a progressing change in the traditional role of women in Somalia was evident. Signs of progress may be seen in the educational statistics, where the increase in the number of girls in the elementary day schools since the year 1954-1955 has been constantly moving up. A similar development may be noted in the elementary evening school, where the increase of women in 1957-1958 was almost double that of 1956-1957. The Labour Code established the principle that women are entitled to the same wages as men for work of equal value. Electoral laws for the municipal as well as the general elections established for the first time, the voting rights for Somali citizens of both sexes, in accordance with the recommendation of the Trusteeship Council adopted at its 20th and 22nd Sessions.

206. The presentation of a draft law on the abolition of arifato<sup>1/</sup> to the Legislative Assembly for its examination and discussion was a step forward taken by the Government.

207. The Advisory Council communicated in June 1958 its views thereon to the Administration thus:

"It is of the opinion that, although the institution of the arifato may have at one point in the Territory's social development served a useful purpose, it is now incompatible with the progress of Somaliland toward unification and independent democratic life.

"The Advisory Council therefore commends the Somali Government for the step it proposes to take to abolish the arifato. At the same time, however, the Council expresses the hope that, in eradicating an old traditional way of life, the enforcement measures will be such as to effect a smooth transition, avoiding any possible conflicts and misunderstanding among all who will be concerned."<sup>2/</sup>

It is to be regretted however, that no decision had as yet been taken although the measure has been on the agenda of two sessions of the Assembly.

Public health

(a) Policy

208. There has been no change in the Government's public health policy during the year 1957-1958. The influence of health education with the consequent growth

<sup>1/</sup> A/AC.33/AA.238. For "Arifato", see Glossary.

<sup>2/</sup> A/AC.33/AA.238/Add.1

in the awareness of the utility of medicine and an inclination to accept the preventive and curative methods advocated may be noted.

(b) Budget

209. The actual expenditure on public health in 1958 was So. 5.3 million representing 7.2 per cent of the total expenditure. This percentage did not include the expenditure on the anti-malaria service which amounted to So. 450,000. The 1959 health budget is estimated at So. 5,534,000, an increase of So. 256,700 over the 1958 figure. This shows a steady and welcome increase in the expenditure on public health.

210. The following table indicates the distribution of the expenditure for the years 1957-1958 and 1958-1959.

	<u>1958</u> So.	<u>1959</u> So.
Expenditure for the functioning of hospitals, infirmaries, dispensaries, and laboratories. Expenditure for food for in-patients.	2,760,000	3,160,000
Expenditure for the purchase of medicines and medical material, etc.	1,124,000	1,424,000
Balance of extraordinary funds	542,000	
Expenditure for hygiene, prophylaxis and social medicine	401,300	
National anti-malaria service	450,000	950,000
Total	<u>5,277,300</u>	<u>5,534,000</u>

(c) Principal health problems

211. The persistence with which the incidence of tuberculosis, malaria, intestinal and pulmonary diseases remains high, would soon not only warrant the increased health expenditure but to indicate the need for additional expenditure.

(i) Tuberculosis

212. Tuberculosis remains the most difficult health problem of Somalia. Some 4,000 to 5,000 T.B. unchecked cases in the Territory add considerably to the spread of the disease. The people are beginning to realize the benefits of medical aid and families are less resistant to sending or taking their relatives for treatment. The Forlanini hospital in Mogadiscio is the central institution for tuberculosis patients. A virtual "Shanty Town" of over 100 patients has grown up on the grounds of this hospital. In addition, some 300 out-patients visit the dispensary for examination and treatment. Injections administered daily number 600, and 100 X-rays are taken. Only three doctors and 13 partially trained nurses and medical assistants do all the work required at this hospital in addition to some other duties at other hospitals or institutions. The mortality rate of

tuberculosis patients which had fallen from 40 per cent in 1946 to somewhere between three and four per cent in 1956 has again jumped to somewhere between eight and nine per cent in 1958.

213. The seriousness of the tuberculosis situation requires urgent action. An all out anti-TB campaign including a national BCG vaccination programme should be undertaken and full use made of all the assistance that can be offered by WHO and UNICEF. In the future plans of health insurance, coverage might be extended to tuberculosis among all insured workers.

(ii) Malaria

214. Malaria remains a serious problem despite the fact that DDT residual spraying was started as far back as 1945. At the end of 1957 the pilot project operated by the Government in cooperation with WHO and UNICEF was incorporated in the general malaria control programme.

215. Spraying operations continued during 1958 when about 1,000 villages were sprayed giving direct protection to some 206,000 persons. The spraying operation ran into a snag as leaders of spraying squads reported that they found difficulty in obtaining permission to enter some villages and houses largely because of an increase of bed bug infestation which was associated with the spraying. This problem and the question of nomadism and its relation to malaria transmission need to be studied thoroughly.

216. A total budget of So. 630,950 has been approved for the malaria service in 1959 and the spraying operation for that year plans to protect about 230,000 people throughout the country.

(d) Medical and health personnel

217. There is an insufficient number of doctors. The present staff of doctors, as of March 1959, was 48; of these five were on leave and one was a patient in hospital, consequently the health service had only 42 doctors at its disposal. As a result, important services whether of prophylaxis or medical assistance were impeded. To organize an adequate medical service, a minimum of 90 doctors and additional health staff seem to be required.

218. An improved recruitment policy of medical personnel is necessary if this lack of doctors is to be remedied. While the first batch of Somali doctors is still in training, Italy remains the main source of doctors. The Advisory Council understands that among several Italian doctors who are prepared to come to Somalia only a few accept contracts because of what they consider inadequate salaries

offered. Some of those who accept are disappointed when they arrive because of hardships including unsatisfactory housing and limited means of transport. Invariably they resign on completion of their contracts and return home. Increased efforts and reasonable incentives should be made to find an early solution to this problem. It may be recommended that the Administering Authority invites other Member States of the United Nations to provide doctors who may be willing to work in Somalia.

(e) Training of medical and auxiliary health personnel

219. During 1958 there were 17 Somali students enrolled in the faculties of medicine in Italy. There was also one Somali student studying medicine in Cairo under a scholarship programme of the United Arab Republic. In addition, there were 35 medical assistants undergoing further training for the diploma of medical aide.

220. The in-service training of auxiliary health personnel in Somalia continued during 1958, under a WHO staff with the collaboration of the Somali Government and the Agency for the Economic Development of Somalia (AES). Plans for the construction of a training pavillion at the De Martino hospital calling for a total expenditure of So. 155,000 were approved in 1958. It is also planned to provide refresher courses for trained personnel working in remote parts of the country without proper supervision.

(f) Provision of medical facilities

221. The organization of medical facilities has made marked improvement. During the year, seventeen new dispensaries were opened in isolated localities in the interior. Drugs and medicines for 1959, supplied in the value of So. 1,016,457 have begun to arrive at the Central Medical Supplies Store. The Islamic Congress in Cairo maintains a free clinic in Mogadisho.

(g) Programmes of technical assistance by the United Nations and the specialized agencies

222. In the field of public health, programmes begun in 1956/1957 in collaboration with WHO and UNICEF continued during 1958, with an increasing number of experts, technicians, equipment and supplies being provided by these agencies.

223. The campaign against malaria continues with the assistance of WHO and UNICEF.

224. With respect to tuberculosis, the all out campaign is yet to be started but provisions for a WHO team comprising a senior medical officer, a public health nurse and two technicians envisaged in 1957 have been implemented in 1958/1959.

225. During 1958 a total of 6,095 cartons each weighing 24 kilos of powdered milk were distributed by UNICEF. While the UNICEF milk-feeding programme is no substitute for a thorough dietary improvement, it makes a useful contribution especially in the case of young children. The Advisory Council hopes that the UNICEF milk-feeding programme will be continued. By the end of 1958, the supplies of milk were all but exhausted. In view of the threatening drought referred to in para. 145, it appears that supplies for 1959 would be greatly welcomed in this possible emergency.

#### Status of women

226. Women who had been granted suffrage for the first time in the elections held in 1958 and 1959, exhibited great enthusiasm at the political rallies and on polling day. The municipal elections of 1958 resulted in the seating of a woman for the first time as councillor in the Capital of Somalia.

#### Housing

227. As yet there is no central housing authority in Somalia. With the setting up of municipal councils, attempts are being made to induce these municipalities throughout the country to concern themselves with housing, roads and other utilities for their towns and villages. Municipalities are rising to the challenge, and a number of parks and other public improvements are being provided. Within recent years efforts have been made in Mogadiscio to carry out a kind of slum clearance and relocation of a large number of huts to prepared sites on the outskirts of the city.

#### Town and Rural planning

228. Town and rural planning as such does not exist. The development of local government may well provide the stimulus for undertaking in the future such projects for social advancement. A programme of community development might also encourage leaders in established communities to assume an increasing share of the responsibility for the organization and development of their towns and villages.

229. With the assistance and cooperation of the United Nations Technical Assistance Administration, the Advisory Council, the United Nations Social Affairs Department and UNESCO, six Somali executive officials will participate in a community development study tour of six weeks duration which is expected to begin by May 1959, and will include visits to Uganda, Sudan and Pakistan with the consent and cooperation of the respective Governments. The tour will be conducted by the Social Affairs Officer of the Advisory Council assisted by the UNESCO expert on Fundamental Education in Somalia.

#### Labour

##### (a) The employment situation

230. There are no available statistical data from which a satisfactory picture could be drawn regarding the extent of employment. Nevertheless, there are known cases of unemployment. The present drought has temporarily worsened the unemployment situation. With the establishment of labour inspectorates it may be presumed that by the end of 1959, statistics regarding employment might be available.

##### (b) Conditions of Labour

231. The new Labour Code<sup>1/</sup> sets out legal provisions regarding minimum wages, hours of work, night work, employment of women and children, workers' houses and minimum standards for same, rest periods and vacations with pay. The code also provides for collective bargaining at the local, regional or national levels to determine the conditions of employment covered by the collective agreement. Collective accidents and cases of occupational diseases resulting from an undertaking must be reported to the appropriate labour inspectorates.

232. The Advisory Council in its communication to the Administering Authority dated 10 September 1958<sup>2/</sup> made, among others, the following observations: with reference to disciplinary sanctions against workmen, attention was drawn to ILO Conventions 65 and 104 and it was suggested that the "respective provisions should be re-examined in the light of the principle expressed in the above Conventions that penal sanctions for breaches of contract of employment should be abolished." The observation of the Advisory Council in this respect has been taken into account in the final draft of the Labour Code.

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<sup>1/</sup> Decree-Law No. 25 of 15 November 1958 published in the Bollottino Ufficiale on 24 November 1958 entered into effect on 1 January 1959.

<sup>2/</sup> A/AC.33/AA244/Add.1

(c) Worker's organization

233. Trade Unionism in Somalia, which had its beginning in 1949, is still in its formative stage. The Labour Code guarantees freedom of association and the right of trade unions, including their right to strike in defence of trade interests. In 1958 there were three trade unions known to be operating in the Territory. One of these unions with branches in several parts of the country claims an estimated membership of some 10,000 men and women of which some two or three thousand are paying members. This union, until the coming into effect of the Labour Code, was one big industrial type union. The requirements of the Labour Code have made it necessary for this Union to reform its organizational structure. By March 1959 it had been reorganized into a Confederation of several unions, five of which have been registered with the Ministry of Social Affairs. There is now a Union for industrial workers with approximately 1,200 members; a Union for commercial workers with a membership of about 200 workers; a Union for dock workers with 2,000 members; a Union for clerks (including Government and private employees) having some 1,500 members, and a Union for agricultural workers with some 4,000 members.

(d) Industrial relations

234. The Labour Code lays down specific provisions with respect to the negotiation of collective agreements and individual contracts. It makes it obligatory for all negotiated contracts to be committed in writing and to specify the period of the contract which should not exceed five years. This procedure will tend to narrow the area of grievances, making them specific and less difficult to settle. Where negotiation or conciliation fails, the courts will decide.

235. During the year 1958 the Mogadiscio District Labour Office recorded a total of 101 industrial disputes of which 41 were settled by conciliation and 60 in which conciliation failed. However, few of these disputes resulted in stoppages of work, there being only three significant strikes lasting about three days and involving some 3,000 workers. Long service allowances was the chief cause in the majority of disputes. Non-payment for holidays not taken, indemnity in lieu of notice of termination, and demands for housing allowances also figured in the grievances leading to disputes. Least of the grievances were concerned with wages.



(c) The Labour Code and the Labour Department

236. The Minister of Social Affairs in consultation with the Council of Ministers and the Central Labour Committee shall be responsible for the implementation of the Labour Code. The Labour Department which is under the Ministry of Social Affairs will be responsible to the Minister for the conduct of the day to day supervision of the regulations promulgated under the Labour Code. Provision is made for the establishment of a labour Inspectorate with district offices throughout the country under the direction of the Labour Department. These District Labour Inspectorates are required to keep lists of job applications from which employers may select workers as they are needed; they also inspect and ensure that proper safety and health conditions prevail in industrial establishments; and shall endeavour to effect a settlement by means of conciliation if grievances are submitted to them by workers or employers. In the observations referred to above, the Advisory Council, noting that the function of Labour conciliation was entrusted to the competent labour inspectorates or directly to the Ministry of Social Affairs, recalled to the Administration that ILO Recommendation 81 suggested that labour inspectors should not act as conciliators in labour disputes.

237. The Labour Code gives the Minister of Social Affairs and through him the Labour Department much wider powers of inspection and control in the organization and functioning of trade unions and of the relationships between employers and workers' representatives than is the case in most countries of developed trade unionism. However, a case may be made out to justify the present situation in Somalia, having regard to the relatively small number of industrial undertakings and the formative stage at which trade unions are at this time. The need for guidance and control might be not only in the interest of industrial harmony, but also very helpful to the future development of the trade unions themselves. The main problem here, however, is one of interpretation of the provisions of the Labour Code, the responsibility for which rests largely upon the Minister of Social Affairs. The extent to which the Minister exercises an impartial and fair interpretation of the code and in the use of his discretionary powers, to that extent will the Labour Code prove beneficial to both Labour and Industry in the Territory.

Social Security and Welfare

(a) Social Security

238. There is no national social security scheme in Somalia. There is, however, an industrial accident and health insurance scheme provided by the INAIL (National Institute of Insurance against Industrial Accidents). Employers in certain types of industries are required to insure their workers against accident in the performance of their work. Formerly, only European workers were eligible, but now Somali workers are covered as well through the establishment of a unified scheme of social protection called the Cassa per le Assicurazioni Sociali della Somalia (Somali Social Insurance Scheme.) At the end of 1958 there were 773 Europeans and 12,683 Somalis insured under the scheme. Excluded from the scheme are some 25,000 agricultural workers, and all domestic workers. Plans are under study for an expansion of this scheme and a contributory Health Insurance Scheme with a view to including a wider range of Somali workers.

239. During the year under review the transfer of the management of both schemes from INAIL to the Somali Government was discussed and is still in the preparatory stage. Lack of experience and training in the management of social security institutions will require a gradual process of transfer in accordance with the availability of trained Somali personnel.

(b) Ex-servicemen

240. The claims of the Ex-servicemen against the Italian Government were repeatedly heard by the Advisory Council and examined as petitions by the Trusteeship Council. In a resolution approved in July 1958 the Trusteeship Council recommended that the Administering Authority in consultation with the Advisory Council should "as far as possible within limits of existing and contemplated development programmes, evolve and implement a comprehensive scheme for the rehabilitation of unemployed ex-servicemen... and, to alleviate the conditions of orphans and destitute children of former servicemen"<sup>1/</sup>. According to the Official Bulletin of Somalia of 2 January 1958, the Italian Law No.1053 dated 27 October 1957 applied to Somalia Ex-servicemen the pension provisions previously accorded to Ex-servicemen in Eritrea and Libya.

241. The Advisory Council was informed that the office responsible for dealing with this matter had received by 31 March 1959 approximately 12,500 applications

from Ex-servicemen and the dependants of deceased Ex-servicemen. It estimated that 30,000 Ex-servicemen will have received either a lump sum gratuity or a pension when the processing of the applications is completed, possibly by the end of 1960. According to the information received, 148 Ex-servicemen having less than 25 years' service received a total of So. 100,022 in lump sum gratuity payments, between 23 February and the end of March 1959. For the same period, 52 Ex-servicemen, including two disabled cases, received So. 89,500 in pensions. While the papers of some Ex-servicemen, who are eligible for pensions, are being processed, allowances ranging from So. 50 to So. 150 per month are being paid. Those allowances amounted to So. 64,128 in February and So. 61,157 in March 1959 and concerned 912 and 884 Ex-servicemen respectively.

CHAPTER VI  
EDUCATIONAL ADVANCEMENT

Policy

242. There has been no change in policy with regard to education during the year. The Government has been making efforts to meet the expansion of education in the country and to solve the consequent problems arising from this expansion.

243. The five-year Education Plan for 1952-1956 prepared in collaboration with UNESCO was extended to the end of 1958. The objectives of this Plan, at least in some essentials, were practically realized by that date. Another five-year general programme of education for 1960-65 will get under study with the advent of a UNESCO expert in June 1959 who will collaborate in the preparation of the plan to be approved by the Government possibly late in 1959. The emphasis placed on improving the quality of locally trained teachers was perhaps the most refreshing development during the year in the implementation of education policy.

Budget

244. The 1958 education budget amounted to So. 5,380,326. The estimated education budget for 1959 calls for a total Government expenditure of So. 6,361,814. The distribution of the 1958 budget over the respective items is as follows:

Table 1 - 1958 Education Budget  
(Supplied by the Ministry of Social Affairs)

<u>Item</u>	<u>So.</u>
Expenditure for teaching material	144,006.00
Functioning of primary education	828,264.60
Functioning of secondary schools	474,243.40
Schools for adults	390,389.05
Qualification course for clerks	79,350.00
Hostels and orphanages	800,318.95
Textbooks	53,754.00
Subsidies	50,000.00
Studies and experiments in fundamental education	110,000.00
Total, Ministry of Social Affairs education expenditure	2,930,326.00
Ministry of General Affairs education expenditure	2,450,000.00
TOTAL	5,380,326.00

The proposed distribution of the 1959 budget is as follows:

Table 2

1959 Education Budget (estimate)

(Supplied by the Ministry of Social Affairs)

<u>Item</u>	<u>So.</u>
Expenditure for furniture, teaching materials and functioning of schools	750,000.00
Expenditure of all kinds for hostels and orphanages, for subsidies and scholarships	1,200,000.00
Salaries for temporary posts as headmasters or teachers: allowances for regular Italian teaching personnel in the primary schools and secondary schools of Somalia <sup>a/</sup>	2,000,000.00
Textbooks	80,000.00
Fundamental education	<u>80,000.00</u>
Total, Ministry of Social Affairs education expenditure	4,110,000.00
Ministry of General Affairs education expenditure	<u>2,251,814.00</u>
TOTAL	6,361,814.00

a/ Not including allowances to regular Italian teaching staff.

The budget does not reveal expenditure indicative of a school building programme. Nor does it suggest the possible expansion of secondary education to rural areas outside Mogadiscio.

The education structure and types of schools<sup>1/</sup>

245. Education in Somalia is structured along the following lines: a preparatory infant school to which the child enters at the age of 5 years prepares him in a year for entry into the regular primary schools. There are a few nurseries and Montessori schools which also cater to the pre-school child. The primary school provides basic education from the age of 6 to 11 plus, at the conclusion of which a school leaving certificate is awarded. Entry into the secondary schools depends upon a successful completion of the primary school course. There are four secondary schools of different types in Somalia, all located in Mogadiscio. There is a type of grammar school, the lower secondary school, at

<sup>1</sup> See tables 3 to 6, page 58.

which attendance is for three years. At the end of this course, students may continue for another three years at the superior secondary school, or they may enroll in the Italian-type secondary schools, the Scuola Media Inferiore or the Liceo Ginnasio. Students wishing to take up teaching may enter the Teachers Training Institute. Finally students intending to graduate as jurists of Moslem law and teachers may enter the School of Islamic Discipline. Graduates from the various types of secondary schools may according to their vocational or professional interests or abilities, enter any of the five vocational schools.

246. The Higher Institute of Law and Economics provides courses as a first step to university education, which is obtained abroad.

247. In addition to the above schools, there are private schools established and run through the initiative and efforts of private individuals and bodies. These schools provide regular and continuous courses of instruction for not less than 15 pupils<sup>1/</sup>. Committees of civic minded Somalis have established national schools in various parts of the Territory. They have requested assistance from the United Arab Republic which has been given in the form of teachers and books. During the year under review the number of these schools increased to nine and the number of teachers to sixty-seven. There were 1,532 boys and girls enrolled in day classes and 600 adults taking evening classes.

248. There is no law making attendance at school compulsory. However, it is generally understood that the percentage of attendance is relatively good. In the case of adult evening primary classes, it is quite high.

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<sup>1/</sup> Ordinance No.16 of 30 October 1952.

Table 3 - Number of schools and Enrolment in infant and primary schools<sup>1/</sup>

<u>Type</u>	<u>Number</u>		<u>Enrolment</u>			
	<u>1957</u>	<u>1958</u>	<u>1957</u>		<u>1958</u>	
			<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
Infant schools	6	12	159	142	...	...
Primary schools:	128	160				
Day pupils			10,477	2,925	12,206	3,766
Adult pupils			15,143	1,802	18,156	2,169
Military primary school (classes)	3	13	905	---	460	---
UAR-assisted primary schools	8	11	924	115	1,310	222
TOTAL	145	196	27,608	4,984	32,132	6,157

Table 4 - Number of secondary schools and enrolment

<u>Type</u>	<u>Number</u>		<u>Enrolment</u>			
			<u>1957</u>		<u>1958</u>	
			<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
Somali lower secondary	1		178	11	237 <sup>a/</sup>	
Somali higher secondary	1		56	1	135 <sup>a/</sup>	
Italian Scuola Media Inferiore	1		9	3	3	---
Italian Liceo Ginnasio	1		9	---	6	---
TOTAL	4		252	15	...	...

a/ Breakdown not available.

Table 5 - Types of vocational schools and enrolment

<u>Type</u>	<u>Enrolment</u>			
	<u>1957</u>		<u>1958</u>	
	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
Technical Industrial School	257	---	301	---
Agricultural school (two)	97	---	75	---
Domestic science	---	72	---	51
Maritime and fisheries school	100	---	75	---
Commercial	189	40	71 <sup>a/</sup>	---
TOTAL	683	112	...	...

a/ Breakdown not available.

Table 6 - Professional schools and enrolment

<u>Type</u>	<u>Enrolment</u>			
	<u>1957</u>		<u>1958</u>	
	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
School of law and economics	58	4	32	---
Political and Administrative School	88	---	49	---
Teachers Training Institute	33	---	91	---
School of Islamic Discipline	270	---	247	---
TOTAL	449	4	419	---

<sup>1/</sup> Somali schools only.



### Languages of instruction

249. The official languages of instruction are Italian and Arabic. Other languages taught as curriculum subjects are English and French in secondary schools.

### Female education

250. There was a notable rise in female school enrolment. This has been for example the case in the primary evening classes with increases for the last three years, being 292, 346 and 569 respectively. There were 4,868 women and girls enrolled in 1958/1959 in the three types of Somali Government schools (infant, daily elementary and evening elementary). These figures do not include Somali girls attending recognized private schools and those attending Italian schools.

251. At the secondary level the picture was not so encouraging. Apart from 72 enrolled in the Domestic Science School in Mogadiscio there were, for example, none in the School of Law and Economics, and only one for the first time enrolled in the Teachers Training Institute.

### Teachers and teacher-training

252. From 1958/1959 Somali teachers will be trained locally. The most able of the students graduating from the local training institute will be allowed to proceed to Italy for further training. Hitherto there was need to produce teachers rapidly, hence an emergency training scheme in Italy was adopted. This need no longer arises, thus the new policy is to provide a more thorough training of teachers over a three year period at the local Teachers Training Institute. The fact that for the first time, women students have been admitted to the Teachers Training Institute is indicative of an enlightened trend in educational advancement.

Table 7

Schools	Number of Teachers in Somali Government Schools					
	1957			1958 <sup>b/</sup>		
	Italian	Somali	Total	Italian	Somali	Total
Pre-Primary and Primary	--		557	...	...	578
Secondary	44	6	50	...	...	50
Vocational	62	12	74 <sup>a/</sup>	...	...	79
Professional	15	3	25 <sup>a/</sup>	...	...	21
TOTAL	121+	21+	726			728

<sup>a/</sup> Seven being Egyptian teachers.

<sup>b/</sup> Breakdown not available.

253. The Teachers Training Institute showed an enrolment of 85 and an output of only about 20 teachers annually. This demonstrates that a more concerted... attack on this problem is needed.

Scholarships and fellowships

254. During the year under review scholarships and fellowships have been provided from various sources. An impressive number of new scholarships have been given by AFIS, the most significant being the following: (a) six students who finished the lower secondary school have been awarded scholarships to the Higher Secondary School for the academic year 1958/1959; (b) nineteen graduates from the Higher Institute of Law and Economics have been awarded scholarships to the Faculty of Political Science at the University of Rome; (c) the same number of graduates from the Political and Administrative Institute, and 21 selected primary school teachers have been granted travelling scholarships of three months duration to Italy. The purpose of these travelling scholarships was to enable these students to visit and observe the organization and administration of schools, factories and other establishments in the most important towns in Italy. In addition, a plan has been worked out for providing scholarships to graduates of the Industrial Technical School, the Maritime and Fisheries School and the Agricultural School, for courses of further study in Italy.

255. UNESCO made available in 1958 a scholarship for specialized study in fundamental education at the Institute of Education, London. Two other teachers were awarded UNESCO scholarships during the year.

256. In 1958, ILO made available to the Somali Government three scholarships in the field of vocational education. In April 1959, a graduate of the Technical school will begin a three month course in vocational education in Rome. A labour inspector will take a three month course in factory safety and industrial relations at Istanbul beginning in May 1959.

257. The Secretary-General of the United Nations, in his report<sup>1/</sup> on the use of scholarship for the year 1957-58, noted that there were two Somali students studying at Universities in the United States in 1957-58 on scholarships offered by the United States Government. There were also two Somalis included among the African Government Officials taking a six months training course in economics at United Nations Headquarters, New York in 1957-1959.

258. There were nine new scholarships awarded by the United Arab Republic to Somali students for study in Egypt, four of which were to technical schools and one for factory training. These brought the total number of Somali students in Egypt in 1958 to 167. Among these, 23 reached university level; one is studying medicine; one, pharmacy; one, science; one, engineering; two, agriculture; three, the arts and literature; five, law and nine economics.

259. It was reported that the Ethiopian Government has furnished 19 scholarships to Somali students.

260. Seven Somali students who were studying abroad under the United States International Cooperation Administration (ICA) programme returned home in 1958, two did meteorology in Puerto Rico, three, education and two, public administration in the United States. During the same year, 12 other students were attending Universities in the United States, six taking courses in public administration, five in education and one in engineering, under an ICA training programme.

Technical Assistance by the United Nations and the specialized agencies

261. In addition to its assistance by the granting of scholarships and fellowships, UNESCO continued the two education projects each under the direction of a UNESCO expert.

262. The Dinsor Fundamental Education Project (DAUFEP) has operated since 1954 on a yearly budget of So. 100,000 appropriated by the Somali Government and with a staff of 14. In 1958, in consultation with the Minister of Social Affairs and UNESCO experts, a plan was agreed upon for expanding this project to other parts of the region. A new training center will be established in 1959 at Baidoa accommodating 40 village trainees (20 men and 20 women) for periods of training lasting from four to nine months. The training offered would be largely practical with the aim of improving the techniques of village artisans and craftsmen and of preparing them as progressive promoters of social and economic development among their people.

263. The UNESCO Fundamental Education Center (SUFEC) in Villabruzzi was inaugurated in August 1958. The number of students has risen from the intended 20 to 30 who follow the courses. It is also intended to coordinate the work of the two centers DAUFEP and SUFEC more effectively, and to place the emphasis on subjects of a more practical nature.

264. The ILO programme of technical training at the Industrial School continued to make a useful contribution to vocational education in Somalia. In 1958 the project ran into some administrative difficulties, but it is hoped that these will soon be overcome. In November 1958 an additional ILO instructor came to Somalia to assist the other ILO expert who directs the project.

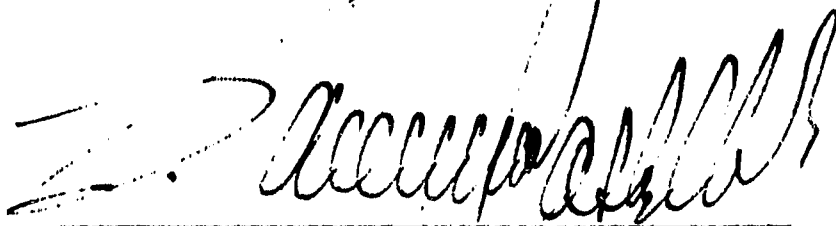
#### UNESCO

265. The Advisory Council is pleased to note that Somalia was admitted as an associate member of UNESCO at its General Conference in Paris in November 1958. Attending the Conference as part of the Italian delegation were the Somali Minister of Economic Affairs and four other Somali officials. This closer association with the international community, it is hoped, will not only bring improvements to the planning of education policy in Somalia but will also strengthen its contacts with the outside world, widen its horizon, and prepare it for the day when it will take its place as a member of the United Nations.

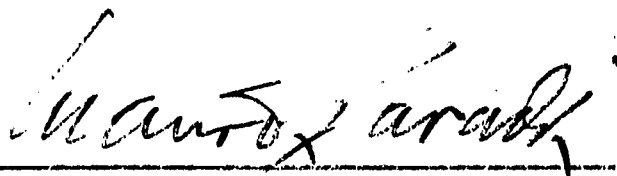
# ADOPTION OF THE REPORT

The present report was approved and signed by the representative of Colombia, the representative of the Philippines and the representative of the United Arab Republic at the Headquarters of the United Nations Advisory Council, Mogadiscio, on 6 April 1959.

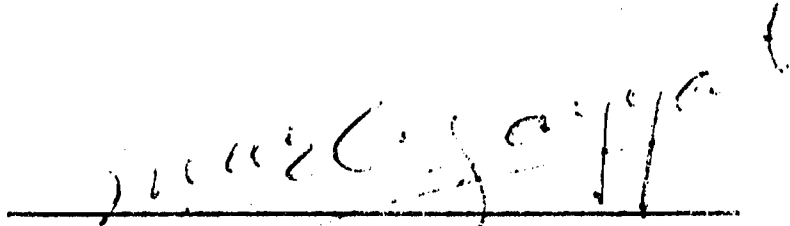
The representatives of Colombia, the Philippines and the United Arab Republic reserve their right, under the second paragraph of article 11 of the Trusteeship Agreement, to make to the Trusteeship Council such oral statements or submit such written reports or memoranda as they may deem necessary for the Council's consideration on any question specifically relating to the Trust Territory of Somaliland under Italian Administration.



Edmundo de HOLTE CASTELLO  
(Colombia)



Mauro BARADI  
(Philippines)



Mohamed Hassan EL ZAYYAT  
(United Arab Republic)

ANNEX I

ADMINISTRATIVE ELECTIONS OF 20 OCTOBER 1958

Municipality	Number of Councillors	Registered electors	Number of electors who voted	VOTES	Percentage between column 5 and 4
BOSASO	21	4,452			
ALULA	11	1,491			
BEREDA	11	1,622			
BENDER MERAGNO	15	2,392			
EIL	11	1,453			
GAROE	11	1,376			
GARDO	15	1,105	805	782	98.3
BENDER BEILA	11	1,297			
CANDALA	11	1,641			
SCUSCIUBAN	11	756			
BARGAL	11	1,610			
GALCAIO	21	1,689	1,577	1,542	97.8
OBBLA	11	1,154			
HARARDERA	11	310			
EL BUR	11	1,383			
EL DERE	11	306			
BELET UEN	21	4,750			
BULO BURT	15	1,799			
GIALALASSI	11	838			
MOGADISCIO	25	30,513	28,958	28,356	97.9
MERCA	21	24,773	20,577	19,811	96.3
AFGOI	21	8,141	6,517	6,150	94.4
AUDEGLE	15	3,862	3,002	2,898	96.5
VILLABRUZZI	21	8,229	6,506	6,136	94.3
MAHADDEI	15	1,867	1,729	1,634	94.5
HAUADLEI	15	2,683	1,719	1,518	88.3
BRAVA	15	3,199	2,246	2,202	98.0
ITALA	11	458			
BALAD	11	587	547	516	94.3
UANLE UEN	15	3,355	2,859	2,715	95.0
BAIDOA	21	6,181	6,043	6,013	99.5
BARDERA	15	2,668	2,347	2,309	98.4
DUGIUMA	11	406	349	340	97.5
SACO	11	828	790	786	99.5
LUGH FERRANDI	15	1,314	1,272	1,239	97.4
DOLO	11	1,020	968	947	97.8
ODDUR	11	844	775	760	98.1
UEGIT	11	303	252	248	98.4
TIJEGLO	11	412	365	344	94.2
BUR ACABA	21	4,425	3,641	3,404	93.5
DINSOR	15	1,050	765	719	94.0
CHISIMAI	21	3,707	2,857	2,752	96.3
MARGHERITA	21	8,268	7,410	7,031	94.9
GELIB	21	5,392	3,491	3,414	97.8
AFEMDO	11	727	630	618	98.1
TOTAL	663	156,636	108,997	105,184	96.5

2/ - This figure includes: 29,088 electors in Municipalities where no voting took place.  
127,548 electors in Municipalities where voting took place.  
GRAND TOTAL 156,636

Percentages have been calculated only for those Municipalities where voting took place.

ADMINISTRATIVE ELECTIONS OF 20 OCTOBER 1958

Votes obtained by each list

Municipality	H.D.M.S.	U.G.B.	P.L.G.S.	G.S.L.	S.Y.L.	G.F.S.
BOSASO						
ALULA						
BEREDA						
BENDER MERAGNO						
ETIL						
GAROE						
GARDO				318	464	
BENDER BEILA						
CANDALA						
SCUSCIUBAN						
BARGAL						
GALCAIO				612	930	
OBBIA						
HARARDERA						
EL BUR						
EL DERE						
BELET UEN						
BULO BURTI						
GIALALASSI						
MOGADISCIO	5,556	4,325	5,758	4,085	8,632	
MERCA	6,782	1,997	1,961	2,850	6,221	
AFGOI	3,614		518		2,018	
AUDEGLE	2,310				588	
VILLABRUZZI	741		1,702		3,693	
MAHADDEI			221		1,413	
HAUADLEI			567	268	683	
BRAVA	1,617			33	552	
ITALA						
BALAD			182		334	
UANLE UEN	1,902		95		718	
BAIDOA	3,278				2,735	
BARDERA	1,593				716	
DUGIUMA	220				120	
SACO	434				352	
LUGH FERRANDI	706				533	
DOLO	398				549	
ODDUR	408				352	
UEGIT	123				125	
TIJEGLO	259				85	
BUR ACABA	2,677				727	
DINSOR	479				240	
CHISIMAIO	433			938	1,040	341
MARGHERITA	3,153			785	3,093	
GELIB	1,531				1,883	
AFMEDO				236	382	
TOTAL	38,214	6,322	11,004	10,125	39,178	341



ADMINISTRATIVE ELECTIONS 20 OCTOBER 1958

Seats obtained by each list

Municipality	H.D.M.S.	U.G.B.	P.L.G.S.	G.S.L.	S.Y.L.	G.F.S.
BOZASO					21	
ALULA					11	
BEREDA					11	
BENDER MERAGNO					15	
EIL					11	
GAROE					11	
GARDO				6	9	
BENDER BEILA					11	
CANDALA					11	
SCUSCIUBAN					11	
BARGAL					11	
GALCAIO				8	13	
OBBIA					11	
HARADERA					11	
EL BUR					11	
EL DERE					11	
BELET UEN					21	
BULO BURTI					15	
GIALALASSI					11	
MOGADISCIO	5	4	5	3	8	
MERCA	7	2	2	3	7	
ANGOI	12		2		7	
AUDEGLE	12				3	
VILLABRUZZI	2		6		13	
MAHADDEI			2		13	
HAUADLEI			5	3	7	
BRAVA	11				4	
ITALA					11	
BALAD			4		7	
UANLE UEN	10		1		4	
BAIDOA	11				10	
BARDERA	10				5	
DUGIUMA	7				4	
SACO	6				5	
LUGH FERRANDI	9				6	
DOLO	5				6	
ODDUR	6				5	
UEGIT	5				6	
TIJEGLO	8				3	
BUR ACABA	17				4	
DINSOR	10				5	
CHISIMAIO	3			7	8	3
MARGHERITA	10			2	9	
GELIB	9				12	
AFMEDO'				4	7	
TOTAL	175	6	27	36	416	3



ANNEX II

OBSERVATIONS OF THE ADVISORY COUNCIL ON THE LAW  
GRANTING TO THE GOVERNMENT EXTRAORDINARY POWERS  
IN THE FIELD OF PUBLIC SECURITY AS APPROVED BY  
THE LEGISLATIVE ASSEMBLY

Mogadiscio, 7 January 1959

Excellency,

I have the honour to refer to your communication No. 10467 of 11 December 1958, with which you have transmitted to the Advisory Council the text of a draft law approved by the Legislative Assembly on 9 December 1958 concerning the granting of extraordinary powers to the Government in the field of public security.

The Advisory Council considered the draft law at its 195th and 196th meetings on 5 and 6 January 1959. It considers your letter as having been transmitted under article 8 of the Trusteeship Agreement and article 5 of its Annex as the subject matter of the draft law deals indeed with very important matters regarding which prior consultation with the Advisory Council is mandatory.

The Advisory Council gave serious thought to the draft law and its possible impact on the developments in the Territory including the "plan for the orderly transfer of all functions of government to a duly constituted independent Government of the Territory". It examined thoroughly the various aspects of the question and noted that its Chairman had several opportunities to discuss the proposal with Your Excellency in order to obtain clarifications.

The following are the salient points which the Council took into consideration in commenting on the draft law:

(a) Question of emergency

1. Modern legislative systems recognize the problem of temporary emergencies and have sought to provide adequate powers for overcoming exceptional circumstances.

H.E. Mario di Stefano  
Administrator of Somalia  
MOGADISCIO

Such measures are not invoked lightly; they presuppose an imminent and effective threat against public order and security.

2. Possibility of "exceptional circumstances" was in the mind of the Administering Authority and the United Nations when the Trusteeship Agreement was discussed and approved. Rigid rules were laid down in article 5 of the Annex and in the last paragraph of article 8 of the Trusteeship Agreement authorizing the Administrator to make and promulgate ordinances in exceptional circumstances after consultation with the Advisory Council.

3. First of all it should be examined whether there are at present "exceptional circumstances" in the Territory in the field of public security justifying the enforcement of the measure under consideration. An unbiased observer will find that the present situation in the Territory does not seem to present a threat of this nature. In fact, the text of the draft law referring to "any possible perturbation of public order" does not state the existence of an imminent danger in the field of public security. Under these circumstances it is proper to question the justification of the enactment of the contemplated measure.

4. The Council wishes also to recall Your Excellency's statement at the opening of the last session of the Legislative Assembly when you emphasized that the recent municipal election "took place in a climate of accomplished democracy"; the statements of the Prime Minister, the President of the Legislative Assembly and the Minister of the Interior made at the closing meeting of the Legislative Assembly in which the maturity of the people in political affairs was reaffirmed; the favourable comments of the Trusteeship Council on the peaceful and rapid political development of the Territory; and the impressions of the members of the Advisory Council which conform to those expressed by the Somali officials. It is thus obvious that conditions

for adopting extraordinary measures for the protection of public order are at present absent.

5. The proposed law might have had this actual situation in mind but visualized a possible danger for public security during the period when the old Legislative Assembly is dissolved and the new Legislative Assembly is not yet convened, namely from January to March 1959. The draft law is in fact a delegation of extraordinary powers to the Government to adopt supplementary police measures by means of special decrees; the delegation of these powers for a period of twelve months - according to article 1 thereof - is however not consistent with the fact that the new Assembly will convene after the March 1959 elections.

6. If the draft law presumes a possible danger for public security in the future and is to be interpreted as a mandate to the Government for future emergencies, it should be examined very carefully; this with a view to ascertaining whether it is in conformity with the provisions and principles of the Trusteeship Agreement as well as with territorial legislation.

(b) Responsibility for public order

7. Under the present territorial legislation and under the terms of the Trusteeship Agreement, the Administrator of Somalia is exclusively entrusted with powers to maintain order. Under article 2 of the Trusteeship Agreement "the Administering Authority shall be responsible to the United Nations for the peace, order and good government of the Territory in accordance with the terms of this Agreement". Under article 5 of the Annex to the Trusteeship Agreement "in exceptional circumstances the Administrator may, after consultation with the Advisory Council, make and promulgate such ordinances as in his opinion the circumstances demand. These ordinances shall be laid before the Territorial Council [Legislative Assembly] as soon as may be practicable...". In matters relating to defence and foreign affairs as in other matters, the Administering Authority is accountable to the Trusteeship Council of the

United Nations (article 6 of the Annex to the Trusteeship Agreement).

8. The Council is aware of the fact that, in general, the Administering Authority transferred the responsibility in internal matters to the Somali Government and that the Legislative Assembly has, under law, the powers proper to the legislature. The Administering Authority was commended by the Trusteeship Council for its efforts in establishing Somali governmental organs, and the Advisory Council - in its reports to the Trusteeship Council - was happy to note this development.

There are however, cogent limitations on the authority of these organs which are imposed by territorial legislation and which pertain mainly to matters for which the Administering Authority is responsible under the Trusteeship Agreement. The Council refers particularly to the legal enactment defining the powers of the Legislative Assembly and the Government which stipulate that in the discharge of their duties, they must conform to the principles and provisions of the Trusteeship Agreement (article 1 of Ordinance No. 2 of 5 January 1956 and article 1 of Law No. 1 of 7 May 1956). Furthermore, article 8 of Ordinance No. 2 of 5 January 1956 reserves the power to issue extraordinary measures exclusively to the Administrator.

9. The primary responsibility for the maintenance of public order rests therefore with the Administrator and not with the Somali Legislative Assembly or Government. In exercising his responsibility in the sphere of public order, the Administrator is bound by the terms of the Trusteeship Agreement.

(c) Powers of the Legislative Assembly

10. The draft law adopted by the Legislative Assembly concerning the granting of extraordinary powers to the Somali Government states that for the purpose of preventing penal offences and any possible perturbation of public order "the Government may adopt supplementary police measures" and that these measures "shall be defined and regulated by the Government by means of special decrees".

11. The delegation of emergency powers by the Legislative Assembly to the Government is however in contradiction with the organic law defining the competence of the Legislative Assembly. Ordinance No. 2 of 5 January 1956 provides that the Assembly may delegate to the Administrator the power to issue, in particular matters and for a limited time, decrees having the force of law (article 7). Furthermore, in accordance with the provisions of article 8, the Administrator may issue in case of necessity and of urgency, decrees having the force of laws; these latter decrees shall be submitted to the Assembly to be transformed into laws not later than the beginning of the session of the Assembly immediately following the date of their publication.

12. It appears therefore that the issuance of emergency decrees has been reserved by law exclusively to the Administrator, and that the Assembly has not been given the power to delegate this right to the Government. This corresponds to the provisions of the Trusteeship Agreement where emergency decrees issued by the Administrator are mentioned (article 5 of the Annex and article 8 of the Trusteeship Agreement).

13. Furthermore, the suggested delegation of extraordinary powers to the Somali Government "for a period of twelve months" contradicts the mandatory clause of article 8 of Ordinance No. 2 of 5 January 1956 under which special decrees issued in exceptional cases must be transmitted to the Legislative Assembly not later than the beginning of the session following the date of their publication. As the new Assembly shall be convened soon after the March 1959 election it would be mandatory to transmit to it promptly the proposed law as well as any measures taken by virtue of its mandate. It is not necessary to point out that otherwise the powers of the new Assembly would be seriously impaired.

(d) Conclusions

14. Should the Administrator - in spite of the Advisory Council's observations -



sanction the proposed law, his action would imply a de facto delegation of his responsibility for the "maintenance of peace, order and good government", and of his right to issue emergency decrees, to the Somali Government.

15. It is obvious that emergency powers exercised by the Somali Government, would be governed by the same rules as if exercised by the Administrator who delegated them. There should be no doubt whatsoever that in issuing special decrees under article 2 of the draft law the Government, functioning under the responsibility of the Administrator, would be bound to conform to the principles and provisions of the Trusteeship Agreement, in particular to article 8 thereof and article 5 of the Annex, and to article 1 of Ordinance No. 2 of 5 January 1956 and article 1 of Law No. 1 of 7 May 1956, mentioned above. Under no circumstances could such special decrees be considered as regulations (regolamenti) in the sense of article 10 of Decree No. 78 of 18 May 1956 concerning the establishment of the Somali Government.

16. Consequently, the Government, through the Administrator, would be obliged in connexion with any and all special decrees which it would propose to issue under the draft law in question:

- (a) to seek the advice of the Advisory Council;
- (b) to make such decrees as in its opinion the circumstances demand, after consultation with the Advisory Council;
- (c) to lay these decrees before the Legislative Assembly, as soon as may be practicable;
- (d) to propose such measures only if and when emergency in the Territory arises.

17. The Administrator, on his part, would continue to be responsible to the United Nations and accountable to the Trusteeship Council for the peace, order and good government of the Territory in accordance with the terms of the Trusteeship Agreement,

The decision whether these decrees should be enacted and promulgated would rest with him (article 8 of the Trusteeship Agreement and article 5 of the Annex).

Accept, Excellency, the renewed assurances of my highest consideration.

(Signed) Mauro Baradi  
Chairman



ANNEX III  
LAW ON POLITICAL ELECTIONS

THE ADMINISTRATOR

TAKING NOTE of the approval of the Legislative Assembly  
HEREBY SANCTIONS AND PROMULGATES  
the following law:

Title I - General

Art.1

General features of the elections

The Deputies are elected by universal suffrage.

Every elector has one vote and votes for lists of candidates presented in each electoral area.

The vote is free, direct and secret.

Art.2

Electoral area

The territory of each District shall constitute an electoral area.

Art.3

Number of Deputies

The Legislative Assembly is composed of 90 Deputies.

The number of Deputies to be elected in each electoral area is set forth in the table attached to this law.

In each electoral area, the Deputies shall be assigned to each list of candidates proportionally to the number of votes secured by the list, using the method of the natural quotient and the highest remainders.

Art.4

Areas where only one list has been presented

No vote shall be taken where only one list has been presented.

The Minister of the Interior is authorised to enact provisions in order to prevent that electors from one electoral area should go and vote in another area.

Art.5

Electoral organs

The electoral organs are the following:

- the polling offices;
- the electoral office of the area;
- the district electoral office.

The last two offices shall have their seat in the chief town of the District.

Art.6

Date and duration of the elections

The elections shall last five days and shall begin on 1 March 1959.

Art.7

Moral obligation to vote

Voting is a moral obligation that no one can evade without failing in his duty towards his country.

Art.8

Hours of opening of the offices serving the elections

For the purpose of the elections, district and municipal offices shall remain open daily during the sixty days preceding the date of beginning of the elections from 7.30 a.m. to 12.00 p.m. and from 4.30 p.m. to 6.00 p.m.; on holidays, they shall be open from 8.00 a.m. to 12.00 noon only.

On voting days the above-mentioned offices shall remain open without interruption from 7.00 a.m. until the electoral operations have been completed.

Title II - The electorate

Art.9

Qualifications of the electors

Somali citizens of both sexes are entitled to vote in the elections who:

- 1) Have completed eighteen years of age in the year in which the elections are held;
- 2) Are not under a judicial disability or mentally deranged and are not debarred from holding public office;
- 3) Are not serving a court sentence.

The Minister of the Interior is hereby authorized to issue provisions meant to ensure that, in general, the electors usually domiciled in an electoral area should vote therein.

Art.10

Verification of the electoral status of electors

The electoral status of the electors shall be verified by the polling office, by summary process, in accordance with the provisions of article 44.

Title III - Eligibility and Lists of Candidates

Art.11

Qualifications of candidates

Electors of both sexes may be candidates for election to Deputy who:

- 1) have completed 25 years of age in the year in which the elections are held;
- 2) prove that they know how to read and write in Arabic or in Italian by passing a special test;
- 3) have not been condemned to imprisonment for more than three years for wilful offence.

Art.12

Ineligibility

The following persons shall not be eligible for election to Deputy:

- 1) the Magistrates;
- 2) members of the armed forces or groups organized on a military basis;
- 3) the Prefects, District Commissioners and District Delegates.

The above-mentioned causes of ineligibility shall have no effect if the person concerned has ceased to exercise his functions at least sixty days before the date of beginning of the elections.

The employees of public administrations and of bodies and institutions under State control who have been elected as Deputies shall be temporarily discharged from their functions for the duration of their term of office as Deputies.

The period spent in temporary discharge shall be fully taken into account for the purpose of possible promotions and periodical salary increments; during this period, however, the person concerned shall only be paid the emoluments due him in his capacity as Deputy.

Art.13

Incompatibility

The Office of Deputy is incompatible with that of District or Municipal Councillor.

The person elected shall enjoy the right of option, which he shall exercise within fifteen days of the date of the proclamation. If, after the expiry of this time-limit, the Deputy has not exercised his right to choose he shall be relieved of his functions as District or Municipal Councillor.

Art.14

Lists of candidates

The candidates shall be grouped in district lists comprising a number of candidates not less than twice the number of deputies to be elected in each electoral area and not more than thrice that number.

The lists shall state the name, father's name, paternal grandfather's name, date and place of birth, the nickname, if any, of the candidate.

The names of the candidates shall be assigned numbers in a progressive order of priority.

No candidate may accept the candidature in lists having different denominations and distinctive devices.

Art.15

Denominations of the lists of candidates

The lists shall have a denomination.

Lists having a denomination ethnic in character may not be presented.

Art.16

Signatories of the lists of candidates and delegates

The lists shall be signed, in the presence of suitable persons chosen by the District Commissioner from among employees of the public administration of the area with the exception of those who work at the Office of the District, by a number of electors not less than two hundred and not more than three hundred.

In this particular case, the verification of the status of the electors is made by the above-mentioned persons by summary process.

It shall be forbidden to sign more than one list.

The list shall indicate the names and places of residence of three electors delegated to:

- (a) present the list;
- (b) take any further step of a purely procedural and executive nature.



Art.17

Deposit of security

The presentation of each list of candidates shall be accompanied by a deposit of So. 1,000 for each seat assigned to the electoral area.

The deposit shall be restored if the list obtains at least the number of votes necessary for the election of one Deputy or when there is only a single list. In cases where this does not take place, the deposit shall be retained by the Administration.

Art.18

Distinctive devices of the lists of candidates

Each list shall be presented with its distinctive device in four copies.

This distinctive device must not be liable to confusion with the devices of lists previously presented or adopted by parties already in existence.

It may be in the form of a drawing.

It may not contain any features which refer to emblems or flags of foreign states or to ethnic characteristics.

Art.19

Other documents to be attached to the lists of candidates

Subject to the provisions of the preceding articles, the lists must be accompanied by the following documents:

- 1) Declaration by the person mentioned in the first paragraph of article 16 to the effect that the signatures of the signatories of the list were affixed by electors in his presence or in the presence of a person delegated by him;
- 2) Declaration of each candidate to the effect that he accepts to present his candidature; his signature must be certified by a Mayor or a person delegated by him.

Art.20

Presentation of the lists

The lists of candidates shall be presented to the District Commissioner not before the fifty-fifth day and not after 12 o'clock noon of the fiftieth day prior to the beginning of the elections.

After having ascertained that the candidates possess the prescribed qualifications and after having crossed out those who may not possess these qualifications, the District Commissioner shall verify the regularity of the documents produced in accordance with the preceding articles.

The District Commissioner shall, on the spot, assign to each list a number in progressive order of priority, issuing a receipt; he shall return the other lists, indicating in writing the reasons why they were not accepted.

In any case, the lists which, by twelve o'clock noon of the fiftieth day prior to the beginning of the elections, are still irregular shall be declared to be rejected by the District Commissioner.

Art. 21

Rejected lists - Appeals

Before the forty-fifth day prior to the beginning of the elections, the delegates of the signatories may lodge appeal, in writing, to the District Judge against the rejection of a list of candidates or against any decision taken by the District Commissioner with regard to the list.

The District Judge shall take a decision thereon before the fortieth day prior to the beginning of the elections. His decision shall be final.

If the District Judge does not take any decision within this time-limit, the appeal is considered as being accepted.

Art. 22

Copies of lists

By the thirty-fifth day prior to the beginning of the elections, the District Commissioner shall forward to the Minister of the Interior, the Prefect and the District Judge copies of the lists of candidates received and found in good order, numbered according to the order of presentation together with a copy of the respective distinctive devices.

Art. 23

Public notices containing the lists of candidates

The District Commissioner shall ensure the compilation of the public notice containing the lists of candidates, arranged according to the order of presentation, and of the respective distinctive devices; he shall also ensure that, by the thirtieth day prior to the elections, the notice is affixed on the district and municipal notice boards and in other public places, and shall see that it is made known to the public by public criers.

Art.24

Representatives of the lists

The delegates mentioned in article 16 are entitled to designate a representative of the list for each polling office and Electoral Office, choosing him from among the electors of the electoral area.

The representative shall be entitled to attend all the operations taking place in the polling or electoral office to which he has been assigned.

His declarations shall be inserted in the report.

The act of designation must be presented not later than ten days prior to the date of the beginning of the elections to the District Commissioner who shall issue a written authorization to each representative.

Title IV - Polling and electoral offices

Art.25

Polling offices: their number and location

By the thirtieth day prior to the beginning of the elections, the Minister of the Interior, on the proposal of the Prefects, shall fix the number and location of polling offices in each District, taking into account the latter's area and presumed population number. The above-mentioned proposals must be at the Minister's disposal not later than the fortieth day prior to the beginning of the elections, and must indicate the presumed number of electors for each polling office; as a general rule, not more than two thousand electors should be assigned to each polling office.

In any case, not less than five polling offices should be organized in each District.

Art.26

Polling offices: their composition

The polling offices shall be composed of a Chairman and two scrutineers, the older of whom shall act as Vice-Chairman.

Every polling office shall have a secretary.

The Chairman and the scrutineers shall be chosen from among electors; the secretary may be chosen from among persons who are not electors.

All shall be appointed by the District Commissioner who shall also, whenever necessary, provide for their substitution.

The Chairman of the polling office shall provide, whenever it appears necessary, during the elections, for the substitution of the scrutineers or the secretary and shall choose their replacements from among persons who possess the prescribed requisites.

Art.27

Electoral Office of the area

The electoral office of the area shall be composed of the Chairman and two members.

Each office shall have a Secretary and two Computers.

The President and the members shall be chosen from among electors; the Secretary and the Computers may not be chosen from among electors.

All of them shall be appointed by the District Commissioner who shall also, whenever necessary, provide for their substitution.

Art.28

District electoral office

The District electoral office is composed of the Chairman, who shall be the District Judge, and two members.

Each office shall have a Secretary and two Computers.

The members shall be selected from among electors, the Secretary and the computers may be chosen from among non-electors; they shall be appointed by the Prefect.

In case of obstacles which arise in such a way as to prevent the normal substitution from taking place, the replacements shall be appointed by the District Commissioner.

Art.29

Compulsory nature of the appointments;  
notification thereof; taking of the oath

The appointments mentioned in this Title are of a compulsory nature.

Nobody can be exempted except for compelling and proven reasons.

The appointments shall be effected and notified to the persons concerned at least ten days prior to the beginning of the elections.

Before assuming his functions, each member of a polling or electoral office shall take the oath before the Qadi or the Regional Judge according to the following form:

"I swear in the name of God to discharge the electoral functions which are entrusted to me conscientiously, fairly and strictly observing the law".

Art.30

Official nature of the appointments: incompatibilities

All the members of the polling and electoral offices and the representatives of the lists shall be considered for all legal purposes public officials during the exercise of their functions.

The candidates, the military and the members of groups organized on a military basis, the heads of the administrative circumscriptions, the mayor and District Councillors may not be appointed to the above-mentioned functions.

Art.31

Equipment of polling and electoral offices

The District Commissioner or the District Delegate shall see to it that the polling and electoral offices have the necessary equipment. In municipal areas they may, for this purpose, use the services of the municipal administrations.

The polling office and its equipment must be suitable for the carrying out of the electoral operations.

Two voting booths must be installed therein, in such a way as to ensure the secrecy of the vote.

Art.32

Notices indicating the polling and electoral offices

By the twentieth day prior to the beginning of the elections, the District Commissioner shall communicate to the public the number and location of the polling offices and electoral offices by means of public notices to be affixed on the municipal and district notice board and in other public places, and by means of public criers.

Art.33

Payments to be made to the members of the  
polling and electoral offices

The following daily payment shall be made to the members of the polling and electoral offices:

Chairmen .....	So.40
Secretaries; Members of the electoral offices, computers ...	So.30
Scrutineers .....	So.20

Payment shall be made for each day of actual work in the operations of the polling and of the electoral offices.

For each day during which they are obliged to remain away from their normal place of residence the above-menionted persons shall receive as a mission allowance:

Chairmen .....	So.25
Socrotaries; Members of the electoral offices, computers ...	So.20
Scrutineers .....	So.15

#### Title V - Electoral propaganda

##### Art.34

##### Beginning and development of electoral propaganda

The electoral propaganda, which must be carried out strictly within the limits fixed by and in accordance with the provisions of law, shall begin thirty days prior to the date fixed for the beginning of the elections.

On the day proceeding the elections and during those in which the elections take place, any form of electoral propaganda, either direct or indirect, shall be forbidden.

##### Art.35

##### Meetings

For meetings and public gatherings for propaganda purposes, the provisions contained in Ordinance No. 1 of 20 Febraury 1954 shall apply.

In the same district not more than two meetings or public gatherings may take place on the same day.

Processions shall be forbidden.

##### Art.36

##### Placards and loaflets

Placards, posters and loaflets for electoral propaganda purposes shall be deposited at least 24 hours in advance in the District Office.

They are exempt from any financial charges.

It shall be forbidden to affix posters on buildings intended for religious worship and on private buildings unless the owner's consent has been obtained.

### Art. 37

#### Uniforms

The use of uniforms of a military type or that could be mistaken for those shall be forbidden.

### Titlo VI - Voting

### Art. 38

#### Admission to the polling office

In addition to the members of the polling office and the representatives of the lists, only those who have the right to vote may enter the polling office.

The electors shall enter one at a time and may not carry arms or other instruments that can be used as weapons.

### Art. 39

#### Police powers of the Chairman of the polling office

The Chairman has the duty of maintaining order in the voting hall.

He may call upon the police force to eject and arrest any person who disturbs the regular process of the voting operations or who commits any other offence.

The police may not enter the polling office without being requested to do so by the Chairman.

Civil authorities and military commanding officers are bound to comply with the Chairman's request in order to ensure the free entrance of the electors into the polling office and to prevent unwarranted gatherings in the immediate vicinity thereof.

Such action shall be recorded in the report.

Chairmen of the electoral offices shall have the same powers, as far as these are applicable.

### Art. 40

#### Provision to the polling and electoral offices of the necessary voting material

The Ministry of the Interior shall provide the following electoral material to the polling offices:

- 1) a sealed package containing the stamp of the office;
- 2) a sealed package containing the ballot papers;
- 3) a ballot box;
- 4) a box where the ballot papers shall be kept before use;
- 5) a suitable number of printed forms for the compilation of the lists of voters;



- 6) a suitable number of printed tables for registering the votes;
- 7) two printed forms for the report on the process of the voting operations;
- 8) a suitable number of indelible pencils for the voters to mark the ballot papers;
- 9) a small bottle of indelible ink;
- 10) the necessary stationery and other similar material.

The Ministry shall also provide for the distribution of the necessary material and printed matter to the electoral offices of the areas and the district electoral offices.

The material for each polling or electoral office shall be enclosed in a special box that the Ministry shall, at the appropriate time, send to the District Commissioners after having closed and sealed them.

The Ministry shall also provide for the sending to the District Commissioners, in a sealed envelope, of a suitable number of spare ballot papers, for distribution to the polling offices, should the number of ballot papers put at their disposal prove insufficient. The District Commissioner shall use these spare ballot papers on the written request of the polling stations, stating the reasons therefor, and after the District Judge has authorized him to do so.

#### Art.41

##### Stamps, ballot papers, ballot boxes

The stamps used in the polling and electoral offices, the ballot papers, the ballot boxes and the other boxes shall be identical for the whole Territory.

The stamps shall be consecutively numbered in one series.

The ballot papers shall be of thick paper, of the same type and colour and shall reproduce in facsimile the distinctive devices of all the lists presented, according to the order of presentation.

#### Art.42

##### Delivery of the voting material to the polling and electoral offices

The District Commissioner shall ensure that, at 7 a.m. on the day on which the elections begin, the box intended for each polling office is delivered to this office at the place where it is located.

Moreover, the District Commissioner shall provide for the distribution, by 8 a.m. of the last day of the elections, of the boxes intended for the electoral offices of the areas and the district electoral offices.

To each box he shall join:

- 1) two copies of the notice showing the lists of candidates;
- 2) a copy of the measure appointing the members of the polling or electoral office;
- 3) a copy of the authorizations delivered to the representatives of the lists.

Art.43

Constitution of the polling office;  
Opening of the voting

After having received the box and the electoral material, mentioned in article 42, the Chairman shall:

- 1) Constitute the polling office, requesting the scrutineers and the secretary to discharge their functions as members of the office;
- 2) Invite the representatives of the lists to attend the operations;
- 3) After having ascertained and had it ascertained that the seals closing it are unbroken, he shall open the box and take out and check the material contained therein;
- 4) After having ascertained and had it ascertained that the seals are unbroken which close the package containing the stamp of the office and that containing the ballot papers, he shall open said packages and put the ballot papers in the box provided for that purpose; the number of the stamp and that of the ballots shall be entered in the record;
- 5) After having ascertained and had it ascertained that the ballot box is empty, he shall close and seal it, leaving open only the slit for the introduction of the duly completed ballot papers;
- 6) Provide for the posting, outside the office, near the entrance to the voting hall, of the notice showing the lists of candidates, in such a way that it will be easily visible;
- 7) Hand the rest of the electoral material to the secretary.

All these operations must be completed in the shortest time possible.

After this, the Chairman shall declare the voting open.

Art.44

Voters

Adhering to the provisions which shall be issued in this respect by the competent Authorities, every elector shall have the right to vote in the polling office of his choice after:

- 1) Having given his full particulars and his place of residence which shall be noted, by the secretary, in the list of the voters;
- 2) Having had his electoral status verified by the polling office which, for this purpose, after having consulted the representatives of the lists, shall decide immediately by summary process, on the basis of the documents, testimonies and any other means of ascertainment;
- 3) Having placed his fingerprint on the list of voters, in front of the mention of his particulars.

Before the elector has voted, a large and visible sign shall be made on one of his hands or arms with indelible ink, according to the directions which will be issued by the Minister of the Interior for the purpose of enacting this law.

Art.45

Electors prevented from voting

Only the electors who present themselves in person at the polling office shall be entitled to vote.

Any elector who, through an evident physical handicap which is recognized as such by the members of the polling office, is unable to express his vote shall be allowed by the Chairman to do so with the assistance of another elector trusted by the incapacitated person.

The secretary shall indicate in the report the specific reason for which an elector has been authorized to obtain assistance in casting his vote and the name of the person who assisted him.

Should a medical certificate have been presented, it must be attached to the report.

Art.46

Voting procedure

Electors are admitted to vote in the order in which they enter the office.

However, priority shall be given to the members of the polling office, the representatives of the lists, the military and members of groups organized on a military basis who are present to preserve order, and the employees of the Public Administration.

Once the operations mentioned in article 43 above have been completed, the Chairman shall initiate the voting operations and shall give, one by one, to each elector, whose status has been ascertained, an indelible pencil and a ballot paper from the box, on the recto of which the stamp of the office has been printed.

The elector shall go to one of the voting booths and, without being approached by anybody, shall vote by making a sign with the pencil on the distinctive device of the list chosen by him or on the rectangle which contains it.

All other signs or indications are forbidden.

The elector shall then fold the ballot following the lines printed on it and shall close it by wetting the gummed label.

After having voted, the elector shall hand the Chairman the sealed vote and the pencil. The Chairman ascertains that the ballot is closed and, if it is not, he shall invite the elector to close it. He shall also verify that the ballot is of the prescribed type and that it bears the stamp of the polling office. He shall then put it in the ballot box.

One of the members of the polling office shall certify that the elector has voted by placing his signature beside the elector's name in the appropriate column of the list of voters.

Unstamped ballot papers or ballot papers not of the prescribed type are not placed in the ballot box and the electors who presented them may not vote again (unless the absence of stamp is due to a mistake made by the Chairman or another member of the office). Such ballots shall be immediately countersigned by the Chairman and by at least one scrutineer and shall be attached to the report, in which mention shall also be made of the names of the electors who, after having received the ballot paper, did not return it.

If an elector notices that the ballot paper given to him is damaged or if he himself by negligence or ignorance spoils it, he may request the Chairman to give him another one; he shall return the first one which is to be placed in an envelope after the Chairman has written on it "Damaged ballot paper" and has signed it, together with at least one scrutineer.

The fact that a second ballot paper has been given to an elector shall be noted in the appropriate column of the list of voters.

The Chairman may decide that the electors who unnecessarily prolong their stay in the voting booth or do not reply to the invitation of handing back the ballot paper be expelled from the office after having given back the ballot paper, and be allowed to vote again only after all the other electors present have voted.

Such incidents shall be fully noted in the report, together with the names of the electors concerned.

#### Art.47

##### Duration of the elections

The voting operations shall continue from 7.00 a.m. to 6.00 p.m., without interruption.

Every day, after the end of the voting operations, all the electoral material, after having been checked, and including the unused ballot papers whose number shall be noted in the report, must be gathered and placed back into the box mentioned in article 40.

This box shall again be closed and sealed in the presence of all the members of the office and watch shall be kept over it by members of the police force, chosen for this purpose by the Chairman himself.

On the following day, the operations shall be resumed at the point where they had been interrupted, after reconstitution of the office.

In the last day of the elections, the electoral operations shall continue until twelve o'clock noon; they shall go on, however, until all the electors who, at that time, are present in front of the polling office have voted.

Art.48

Provisional pronouncements of the Office

The Office, by a majority vote, shall make, subject to the provisions of article 56 hereafter, provisional pronouncements concerning the protests, even oral ones, the difficulties and the incidents arisen from the operation of the Office itself.

Title VII - Counting of the ballots

Art.49

Preliminary operations

Once the electors have voted, the Chairman, after having cleared the table of papers and objects not necessary for the counting of the ballots shall:

- 1) Declare the voting closed;
- 2) Ascertain the number of the voters as resulting from the attestations of votes inscribed in the pertinent column in the list of voters;
- 3) Count the number of unused ballots left in the box and place them in an envelope (No.1);
- 4) Countersign with his own signature and with that of at least one scrutineer all the sheets of the list of the voters and place the list in an envelope (No.2);
- 5) Countersign, if it has not already been done, with his own signature and that of at least one scrutineer, the ballot papers taken away from the electors under article 46 because they were damaged or not of the prescribed type or did not bear the stamp of the polling office, and place them in an envelope (No.3).

## Art.50

### Counting of the votes

When the operations mentioned in article 49 have been completed, the Chairman shall:

1) Proceed to count the votes.

To that end, a scrutineer designated by drawing of lots shall remove one by one the ballot papers from the box and hand them to the Chairman. The latter shall read aloud the name of the list to which the vote has been given, shall, show the ballot paper to the representatives of the lists and shall pass the ballot to the other scrutineer who, together with the secretary, notes in the special voting table the vote obtained by the list and puts the ballot which has just been checked, into the box from which the unused ballots have previously been withdrawn.

It shall be forbidden to take a ballot paper from the ballot box as long as the one which is being checked has not been placed in the special box.

Ballot papers can be handled only by the members of the polling office.

- 2) Compute the number of checked ballot papers and ascertain whether it corresponds both to the number of voters and to the number of votes secured by all the lists of candidates after adding to that number that of the ballot papers which are null, void or contested and which represent votes which have not been assigned to any list;
- 3) Ascertain that the figures inscribed in the various columns of the tables annexed to the report correspond to each other, as indicated in the report itself, and, in case of disparity, indicate the reasons therefor;
- 4) Countersign with his own signature and that of at least one of the scrutineers:
- the ballot papers corresponding to votes which are void or contested under article 52;
  - the documents concerning claims and protests, and placed them in an envelope (No.4);
- 5) Collect and place in an envelope (No.5) the other checked ballot papers;
- 6) Ascertain and declare the number of voters, the number of valid votes and the number of votes secured by each list.

## Art.51

### Miscellaneous provisions, reports, envelopes

The operations described in articles 49 and 50 above shall be carried out without interruption and in the order indicated until they have been completed.

The report shall mention these operations together with all the necessary numerical data and other information.

All the envelopes mentioned in articles 49 and 50 shall be stamped with the stamp of the polling office and they shall be signed on the outside by the Chairman and at least one of the scrutineers.

Likewise, the contents of these envelopes must be inscribed on them.

#### Art.52

##### Votes null and void, and contested votes

The votes are null and void when the ballot papers

- are not those prescribed,
- do not bear the stamp of the polling office.

The votes may be declared null and void when the ballot paper

- show any trace of writing or unnecessary signs which appear to have been made deliberately,
- do not show any vote for a list or do not permit to identify the list chosen by the voter.

These votes shall be declared null and void by a common decision of the Chairman and of both the scrutineers, after consultation with the representatives of the lists.

Should there be a difference of opinion, the ballot paper shall be declared contested.

Decisions regarding the contested ballot paper shall be taken by the Regional Judge, in accordance with article 56.

#### Art.53

##### Adjournment of the ballot-counting operations

If the ballot-counting operations cannot be completed during the last day of the elections, the Chairman shall adjourn those operations to the following day, taking the measures stipulated in article 47 above.

#### Art.54

##### Reports of the polling office

The report of the polling office shall be prepared in two copies.

The first copy, together with all documents listed in it, shall be kept in the special box, together with the rest of the electoral material, at the electoral office of the area, in order that the provisions of the following article may be carried out; the second copy shall be forwarded to the District Commissioner.



Art.55

Duties of the electoral office of the area

The electoral office of the area receives the boxes from the polling offices - checking that all proscribed electoral documents are contained therein - and takes from them the reports and all other documents necessary for the performance of its duties.

Then, it shall:

- 1) Compute the number of voters in all the polling offices and determine the number of votes secured by each list, summing up all the valid votes obtained by each list in all the polling offices;
- 2) Ascertain the void or contested votes;
- 3) Finally, determine the results of the ballot.

A report on all these operations shall be compiled in duplicate.

The first copy shall be forwarded - the box received from the District Commissioner under article 42, second paragraph - to the District electoral office, together with all pertinent documents.

The second copy shall be forwarded to the District Commissioner.

Once these operations have been completed, the electoral office of the area shall ensure that its own electoral box and all the boxes sent in by the polling offices, each being accompanied by the pertinent documents and electoral material, are forwarded, closed and sealed, to the District electoral office.

Art.56

Duties of the District electoral office

The District electoral office receives the boxes of the various polling offices and of the electoral office of the area - checking that all proscribed electoral documents are contained therein - and takes from them the reports and all other documents necessary for the performance of its duties.

Then, the District Judge, assisted by the members of the office, shall:

- 1) Compute the number of votes secured by each list;
- 2) Take decisions concerning protests and contested ballot papers, correcting the results accordingly;

- 3) Compute the electoral quotient, dividing the total number of votes obtained by all the lists by the number of Deputies to be elected;
- 4) Allot to each list a number of seats equal to the number of times the quotients are contained in the total number of votes and the remaining seats to the lists which have obtained the highest remainders, taking into account also the votes secured by the lists which have not obtained the quotient; in cases where the remainders are equal, the decision shall be taken by drawing lots;
- 5) Declare elected, following the order indicated in each list, a number of candidates equal to that of the seats attributed to each list.

When only one list has been presented, the candidates inscribed therein are declared elected up to the number of Deputies to be elected in the electoral area.

The electoral boxes of the polling offices and electoral office of the area shall be placed in a special room indicated by the District Commissioner, closed and sealed and kept there, in custody, at the disposal of the Regional Judge, until the confirmation of the elections.

A report on the above-mentioned operations shall be compiled in triplicate.

The first copy shall be forwarded to the Regional Judge, within the time limit and according to the procedure set forth in the following article.

The second copy shall be forwarded to the Prefect.

The third copy shall be forwarded to the District Commissioner.

#### Art. 57

##### Transmission of the electoral documents to the Regional Judge

The District Judge shall ensure that, within fifteen days of the proclamation of the results, the Regional Judge receives, together with the first copy of the report compiled by the District electoral office, all the reports of the polling offices and the electoral office of the area, in a special sealed envelope, accompanied by the complaints which may have been received.

#### Art. 58

##### Confirmation of the elections

The Regional Judge shall have the exclusive right to confirm the elections.

He shall take the final decision on complaints, protests, and, in general, on all claims submitted to the polling offices and the electoral offices during the activity in connexion with the elections or after

Complaints and claims which have not been submitted directly to the aforementioned offices must be forwarded to the Regional Judge within 15 days from the date on which the proclamation was made by the District Judge.

No proclamation may be confirmed prior to 30 days after the date on which the proclamation itself was made.

Art. 59

Substitution for those elected

Should, for any reason, the seat of Deputy become vacant, even if this happens unexpectedly, it shall be attributed by the District Judge to the candidate whose name immediately follows that of the last candidate elected on the same list.

Art. 60

Candidates elected in more than one electoral area

The candidate who is elected in more than one electoral area shall, within five days from the date on which he receives the last notification concerning the various proclamations regarding his candidatures, declare which area he chooses.

If he does not exercise his option, the decision shall be taken by drawing lots.

The drawing of lots shall take place at the Ministry of the Interior before an official delegated by the Minister; three representatives of the political party concerned may attend this operation.

The seats which remain vacant shall be filled according to the provisions of the preceding article.

## Title VIII Penal provisions

### Art.61

#### Attempts to interfere with the right of propaganda

Whoever, in any way hinders or disturbs an electoral meeting, either public or private, or impedes the posting of bills by the public authorities concerning the electoral operations, or prevents the distribution and the posting of printed matter regarding electoral propaganda or destroys bills and printed matter which are posted or meant to be posted or distributed, shall be liable to imprisonment up to two years or a fine up to So.2,400.

Whoever uses means and methods of electoral propaganda which are not allowed by this law shall be liable to the same penalties.

### Art.62

#### Signing of more than one electoral list

Any elector who signs more than one list of candidates shall be liable to imprisonment up to one month or a fine up to So.100.

### Art.63

#### Attempts to interfere with the right to sign lists and the right to vote

Whoever, with a view to obtaining, for his own or another person's advantage, a signature for the presentation of a list of candidates, or an electoral vote,

or an abstention from voting, offers, promises or gives a sum of money, or valuables, or any other grants, or promises or uses his influence to procure situations in public or private concerns, shall be liable to imprisonment up to one year or a fine up to So. 1,200.

Voters who, to give or refuse their signature for the presentation of a list of candidates, or to give or refuse their electoral vote, accept offers or promises or receive money or any other valuables, shall be liable to the same penalties.

Whoever uses violence, threats, tricks, expedients and any other illegal means so as to fulfil the aims mentioned in the first paragraph of this article, shall be liable to imprisonment up to two years and a fine up to So. 2,400.

Art. 64

Attempts to interfere with the  
regular carrying out of the elections

Whoever by threat or violence disturbs the regular carrying out of the electoral operations or interferes with the free right to vote shall be liable to imprisonment up to two years and a fine up to So. 2,400.

Art. 65

Illegal access to the polling stations

Whoever, without having the right to do so, enters the polling office or the premises of the electoral offices and remains therein when he is invited to leave, shall be liable to imprisonment up to one month or a fine up to So. 100.

If the person is armed, he shall be liable to imprisonment up to one year or a fine up to So. 1,200.

Art. 66

Abusive voting practices

Whoever, being aware that he is not entitled to vote, or having assumed false identity, presents himself in a polling office for the purpose of voting, or whoever votes in more than one polling office or, when acting as a deputy for an elector who is unable to vote, casts the vote for a candidate or for a list different from the one he has been instructed to vote for, shall be liable to imprisonment up to six months or to a fine up to So. 600.

Whoever facilitates the voting of a person who is not entitled to vote or helps in preventing from voting a person entitled to vote, or gives to the polling office a false testimony regarding the identity of an elector, shall be liable to the same penalties as above.

This penalty shall be increased to imprisonment up to two years and a fine up to So. 2,400 if the offences listed in the preceding paragraphs are committed by an employee of the public administration.

Art. 67

Failure to hand over the marked ballot paper

A voter who, with intent, does not hand over his ballot or tears it or soils it so as to render it unusable, shall be liable to a fine up to So. 600.

Art. 68

Falsification of documents and alterations of electoral data

Whoever prepares, in whole or in part, false lists of candidates, ballot papers or other documents to be used during the electoral operations in accordance with this law, or alters authentic documents of this kind, or substitutes or destroys, in whole or in part, one of the same documents, or knowingly makes use of falsified or altered or substituted documents, even if he has not participated in the act itself of falsification or alteration or substitution, shall be liable to imprisonment up to two years and a fine up to So. 2,400.

Whoever in any way alters the results of the elections shall be liable to the same penalties.

Art. 69

Acts or omissions contrary to the law  
committed by members of the polling and electoral offices

Whoever, being a member of a polling office or of an electoral office, commits one of the offences mentioned in the preceding articles of this Title, shall be liable to the penalties provided for such offences increased by a third at the maximum.

If the same person commits acts or omissions not contemplated by the preceding articles but in any way contrary to this law and such as rendering impossible the normal process of the electoral operation or their regular carrying out or such as jeopardizing the validity of the elections, shall be liable to imprisonment up to three years and a fine up to So. 3,000.

Art.70

Unjustified refusal to be a member of  
a polling or electoral office

All persons who, being appointed as members of a polling office or of an electoral office, refuse, without any valid reason, to serve as such or are not present when the office is called to order, shall be liable to a fine up to So. 600.

Members of a polling office or of an electoral office who, without any valid reason, leave the said office before the end of the electoral operations shall be liable to the same penalty.

Art.71

Loss of political rights

Electors found guilty of offences under the electoral law, where the judge has applied a sentence of imprisonment of not less than two years, shall be deprived of their right to vote and to be elected for a period of five years.

Persons who commit such offences, shall be judged immediately, without judicial enquiry.

Title IX - Final and temporary provisions

Art.72

The Prefect shall see to it - and in case of necessity directly ensure - that all the functions entrusted by this law to the Heads of the areas are discharged within the time limits and with the procedures prescribed.

Art.73

If, as a result of the enactment of the Administrator's Decree No. 7 of 22 March 1958, the District Commissioner also discharge the functions of District Judges, the functions entrusted by the present law to the District Judges, shall be discharged by suitable persons appointed by the competent Regional Judge by decree on the proposal of the Prefect.

Art.74

In order to perform the duties requested from them by this law in far-away localities which are not chief-towns of District Delegations, the District Commissioners may request a mayor or an official of the Public Administration to represent them.

In the Delegations, this representation shall be entrusted to the District Delegate.

Art.75

The Legislative Assembly which will be elected under this law shall remain in office for five years reckoning from the date of its first convocation.

Art.76

The Assembly shall be convened for the first time not later than one month after the date of the proclamation of the elected deputies.

The date of convocation shall be fixed by decree of the Administrator.

Art.77

This law shall come into force upon the date of its publication in the Official Bulletin of Somalia. As of the same date, Ordinance No. 6 of 31 March 1955 shall be abrogated.

This law shall be inserted in the Official Compendium of Laws and published in the Official Bulletin. It is the duty of all concerned to observe it and have it enforced as a Law of Somalia.

DISTRIBUTION OF SEATS

Midjertoin

1. Bosaso	2 seats
2. Candala	1 "
3. Alula	1 "
4. Scusciuban	2 "
5. Gardo	3 "
6. Eil	4 "

Total seats 13

Mudugh

1. Galcaio	4 seats
2.. El Bur	4 "
3. Dusa Mareb	3 "
4. Obbia	2 "

Total seats 13

Hiran

1. Belot Uon	5 seats
2. Bullo Burti	7 "

Total seats 12



Benadir

1. Mogadiscio	2 seats
2. Merca	3 "
3. Villabruzzi	3 "
4. Itala	3 "
5. Brava	3 "
6. Afgoi	2 "
7. Uanle Uen	1 "
8. Balad	1 "

Total seats 18

Upper Giuba

1. Baidoa	6 seats
2. Bur Acaba	6 "
3. Oddur	4 "
4. Dinsor	2 "
5. Bardera	2 "
6. Lugh Ferrandi	2 "

Total seats 22

Lower Giuba

1. Chisimaio	3 seats
2. Afmedo	4 "
3. Margherita	3 "
4. Gelib	2

Total seats 12

RECAPITULATION

1. Midjortcin	13 seats
2. Mudugh	13 "
3. Hiran	12 "
4. Benadir	18 "
5. Upper Giuba	22 "
6. Lower Giuba	12 "

GRAND TOTAL 90 seats

ANNEX IV

Note received from the PLGS, HDMS, SNU and the GSL by the Advisory Council on 11 January 1959 at 10 a.m.

1. Government officials and district commissioners should not interfere with the affairs of the parties.
2. Officials who have used their position arbitrarily in favour of the SYL should be transferred.
3. Ministers and under-secretaries should, at the time of electoral campaigning, be considered as equal to other citizens and prevented from using Government powers to their personal benefit.
4. There should be freedom of movement of members of the parties throughout the Territory.
5. The sending of Somalis in exile from one locality to another should be suspended.
6. The Government should recognize the Central Committee of a party as the higher and responsible authority in the peripheral sections of that party.
7. Lists of candidates should be presented by and accepted only from the Central Committee of a party or by the local committee, recognized by the Central Committee. In case of disputes, the valid list will be the one sponsored by the Central Committee of each party.
8. Lists presented by dissident elements who do not belong to the party should be annulled.
9. The deposit should be accepted directly by the Minister of the Interior.
10. The counting of ballots should be effected daily during the electoral operations so as to enable the representatives of the parties to be kept informed of the progressive results.
11. Lists should be accepted in all districts, whether or not the relevant party has an established section in that district.
12. Government vehicles should not be used by the parties.
13. There should be complete freedom of telegraphic communications.
14. The Government, through radio and all other possible means, should inform the people that the elections are free and democratic and that each citizen has the right to vote for the party of his choice.
15. The President of the SYL should officially support the request of the four parties that the United Nations send observers during the political elections.

Signatures: PLGS; HDMS; SNU; GSL.

## ANNEX V

T/1444  
English  
Annex V  
Page 1

POLITICAL ELECTIONS 4 - 8 MARCH 1959

Electoral Circumscription	No. of deputies	No. of electors who voted (women voters in parenthesis)	No. of valid votes	Percentage of invalid votes	Remarks
JOBALO	2				Sole list
ALULA	1				"
EIL 1/	4				"
GARDO	3				"
CANDALA	1				"
SCUSCIUBAN	2				"
GALCAIO2/	4				"
OBBLA	2				"
EL BUR	4				"
DUSA MAREB	3				"
BELET UEN	5				"
BULO BURTI	7				"
MOGADISCIO	2	34,538 (11,412)	31,845	7.8	
MERCA	3	43,201 (13,252)	41,872	3.1	
AFGOI	2	11,416 ( 3,120)	10,900	4.5	
VILLABRUZZI	3	68,014 (14,745)	67,167	1.2	
BRAVA	3				Sole list
ITALA	3				"
BALAD	1	10,888 ( 3,408)	10,184	6.5	
UANLE UEN	1	26,295 ( 6,121)	25,760	2.0	
BAIDOA	6				Sole list
BARDERA	2				"
LUGH FERRANDI..	2	28,313 ( 7,771)	27,733	2.0	
ODDUR	4	22,315 (5,468)	21,369	4.2	
BUR ACABA	6	42,615 (12,614)	42,082	1.3	
DINSOR	2				Sole list
CHISIMAIO	3	17,324 (5,905)	16,658	2.7	
MARGHERITA	3				"
CELIB	2	18,152 ( 6,047)	17,900	0.9	
AFMEDO	4				"

1/ Two lists were presented: SYL and GSL. G3L candidates resigned before elections  
2/ Two lists were presented: SYL and GSL. G3L candidates resigned on 3rd day of elections

POLITICAL ELECTIONS 4-8 MARCH 1959

Electoral Circumscription	Votes obtained by each list			Seats obtained by each list				Notes
	S.Y.L.	H.D.M.S.	P.L.G.S.	S.Y.L.	H.D.M.S.	P.L.G.S.		
BOSASO				2				Sole list
ALULA				1				"
EIL				4				"
GARDO				3				"
CANI ALA				1				"
SCUSCIUBAN				2				"
GALCAIO				4				"
OBBIA				2				"
EL BUR				4				"
DUSA MAREB				3				"
BELET UEN				5				"
BULO BURTI				7				"
MOGADISCIO	17,676		14,169	1		1		
MERCA	35,096	1,107	5,669	3				
AFGOI	10,073	827		2				
VILLABRUZZI	57,926		9,241	3				
BRAVA				3				"
ITALA				3				"
BALAD	3,494		6,690			1		
UANLE UEN	18,107	7,653		1				
BAIDOA				6				"
BARDERA				2				"
LUGH FERRANDI	21,325	6,408		2				"
ODDUR	12,351	9,018		2	2			
BUR ACABA	30,804	11,278		4	2			
DINSOR				2				"
CHISIMAI	12,657	4,201		2	1			
MARGHERITA				3				"
GELIB	17,625	365		2				
AFMEDO'				4				"
<b>TOTAL</b>	<b>237,134</b>	<b>40,857</b>	<b>35,769</b>	<b>83</b>	<b>5</b>	<b>2</b>		

ANNEX VI

TABLE I  
Exports (value)

	(in thousands of somalos)	
	<u>1957</u>	<u>1958</u>
Bananas	46,090	59,415
Cotton	1,473	4,064
Animals	1,980	2,652
Canned meat	831	1,421
Canned fish	1,193	1,772
Dried fish	449	876
Oil seeds	1,418	315
Charcoal	3,444	2,276
Hides and skins	5,452	3,933
Other	14,370	18,776
TOTAL	<u>76,700</u>	<u>95,500</u>

TABLE 2  
Trade Balance  
(in millions of somalos)

	<u>1951</u>	<u>1952</u>	<u>1953</u>	<u>1954</u>	<u>1955</u>	<u>1956</u>	<u>1957</u>	<u>1958</u>
Exports	29.7	46.6	34.7	62.3	73.8	65.0	76.7	95.5
Imports	95.4	105.2	78.6	81.9	100.8	114.9	116.8	101.6 <sup>a/</sup>
Trade deficit	65.7	58.6	43.9	19.6	27.0	49.9	40.1	6.1 <sup>a/</sup>

<sup>a/</sup> Preliminary figures.

TABL 3 3

<u>Territorial Revenue</u>	<u>1956</u> act.	<u>1957</u> est.	<u>1957</u> act.	<u>1958</u> est.	<u>1958</u> act.	<u>1959</u> est.	<u>1961/62</u> est.
	44.2	45.6	48.9	52.0	60.0	60.5	59.1
<u>Current Territorial Expenditure</u>							
Ordinary	56.1	53.2	55.4	60.5	67.0	69.0	73.3
Extraordinary	1.9	0.7	1.3	0.5	1.4	1.5	1.0
	58.0	53.9	56.7	61.0	68.4	70.5	74.3
<u>Territorial Deficit</u>	13.8	8.3	7.8	9.0	8.4	10.0	15.2
<u>AFIS Budget</u>							
Grant for Territorial deficit	14.6	8.7	9.1	8.9	8.9	10.0	15.5
Current expenditure on behalf of territory )		28.7	29.1	20.4	..	14.6 <sup>b/</sup>	10.0 <sup>b/</sup>
Capital assistance to territory )	45.6	10.0	9.1	10.0	..	9.7	10.5
Expenditure for the Trusteeship Adminis. )		6.7	6.3	17.8 <sup>c/</sup>	..	5.7	-
<u>Total Expenditure</u>	60.2	54.3	53.6	57.1	..	40.0	36.0
ITALIAN GRANT	57.1	54.3	51.4	57.1	..	40.0	34.3 <sup>d/</sup>

a/ Of which 1.9 will be discontinued and 1.8 transferred to the territorial budget in 1960

b/ Cost of 250 foreign technicians and 80-100 scholarships

c/ Including 11.4 for repatriation

d/ Offer of technical assistance up to 10.7 million somalos and of cash assistance of 3.6 million somalos.

Revenue (in millions of shallos)

	<u>1950</u>	<u>1951</u>	<u>1952</u>	<u>1953</u>	<u>1954</u>	<u>1955</u>	<u>1956</u>	<u>1957</u>	<u>1958</u> est.	<u>1958</u> act.	<u>1959</u> est.	<u>1962</u> est.
Direct Taxes	0.6	1.7	2.3	2.8	5.9	4.8	5.9	6.2	7.0	8.2	8.2	9.0
Indirect Taxes	16.4	27.0	25.4	22.0	23.5	37.2	31.3	36.0	37.9	44.2	43.9	43.3
Miscellaneous Receipts	4.8	8.5	8.6	6.7	7.4	7.3	6.3	6.6	7.1	7.6	8.4	6.8
<b>TOTAL</b>	<b>21.8</b>	<b>37.2</b>	<b>36.3</b>	<b>31.5</b>	<b>36.8</b>	<b>42.3</b>	<b>44.0</b>	<b>48.9</b>	<b>52.0</b>	<b>60.0</b>	<b>60.5</b>	<b>59.1</b>

TABLE 5

Revenue

Most significant increases in thousands of somalos.

	<u>1958 estimate over 1957 est.</u>	<u>1958 actual over 1958 est.</u>	<u>1959 estimate over 1958 est.</u>	<u>1959 estimate over 1958 act.</u>
Income tax	900 *	1,400	1,200 *	- 200
Hut tax	250 *	- 250	- 150	100
Shamba	100	- 28	+ 100	128
Slaughter	200 *	+ 12	50	8
Registration	50	- 12	100	112
Stamp duty	200 *	- 15	300 *	315
Motor vehicles	175 *	130	200	70
Imports	1,000	3,100	2,000	- 1,100
Exports	250	830	650	20
Sugar	1,250	550	770	220
Fuel	800	1,074	1,500 *	426
Monopoly	750 *	626	460	- 166
Services	390 *	910	1,325	115
Unaccounted for	38	- 357	95	452
<b>T O T A L</b>	<b>6,400</b>	<b>8,000</b>	<b>8,500</b>	<b>500</b>

\* - New taxes or increased rates



TABLE 6

Budgeted expenditures by Ministry

	<u>1958</u>	<u>%</u>	<u>1959</u>	<u>%</u>
Presidency of the Council	2.4	3.9	2.5	3.6
Ministry of the Interior	21.6	35.8	24.6	35.7
'of which Police	17.3	29.0	20.5	29.8
Ministry of Justice	2.8	4.6	2.8	4.0
Ministry of Social Affairs	11.6	19.2	15.1	21.9
Ministry of Economic Affairs	12.3	20.4	12.9	18.7
Ministry of Financial Affairs	4.3	7.2	5.4	7.8
Ministry of General Affairs	5.4	8.9	5.7	8.3
	<u>60.5</u>	<u>100.0</u>	<u>69.0</u>	<u>100.0</u>

TABLE 7

Status of 1954-1960 Economic Development Plans, as of 31 December 1958

(in millions of shmalos)

<u>Sector</u>	<u>Amount programmed</u>	<u>Expenditure</u>	<u>Rate of completion<sup>a/</sup> (percent)</u>
Agriculture	30.5	22.7	74.4
Animal husbandry	24.1	19.6	81.3
Communications	30.6	19.6	64.0
Urban housing	7.0	7.9	112.9
Public	3.0	3.1	103.3
Private	4.0	4.8	120.0
Handicrafts	0.4	0.2	47.6
Industry	23.7	20.0	84.4
Public	0.7	0.6	85.7
Private	23.0	19.4	84.3
Commerce	2.1	1.4	66.6
Credit	5.9	6.1	104.3
Public	4.7	5.7	121.3
Private <sup>b/</sup>	1.2	1.2	100
Preparation of technicians	-	0.8	100
Total public investment	96.1	73.7	76.7
Total private investment	28.2	25.4	90.0
	<u>124.3</u>	<u>99.1</u>	<u>79.7</u>

Source: Agenzia Sviluppo Economico Somalia (ASES)

a/ Rate of completion required for five out of seven years of the programme 71.4%

b/ Consists of capital of Credito Somalo, of So.1,200,000 provided by private banana-producers' cooperatives.

TABLE 8

Public and Private Investment in Somalia, 1950 - 1958 (in millions of somalos)

<u>I. Public Investment</u>	<u>1950</u>	<u>1951</u>	<u>1952</u>	<u>1953</u>	<u>1954</u>	<u>1955</u>	<u>1956</u>	<u>1957</u>	<u>1958</u>
1. New investment									
(a) In 1954-1960 Plan	-	-	-	-	13.1 <sup>a/</sup>	19.1	15.5	13.9	12.1
(b) Outside 1954-1960 Plan	0.7	1.2	2.2	4.3	1.9	2.1	1.2	0.2	1.8
2. Extraordinary reconstruction and rehabilitation	1.6	4.9	3.3	4.1	3.9	3.9	3.3	1.8	1.1
3. Investment by municipalities	0.9	1.8	2.5	2.9	3.2	3.2	...	...	...
(a) Mogadiscio	0.9	1.5	1.7	1.8	2.0	1.9	2.1	1.6	3.1
4. Total Public Investment	3.2	7.9	8.0	11.4	22.1	28.3	22.1	17.5	18.1
<u>II. Private Investment</u>									
1. Agriculture	-----	26.0	-----	-----	5.0	4.5	5.5	4.2 <sup>b/</sup>	...
2. Industry	-----	25.0	-----	-----	4.0	4.6	2.3	3.8	4.7
3. Housing	...	...	...	...	...	...	1.2	5.3	3.6
(a) Slum clearance	-	-	-	-	...	...	1.0	2.1	1.7
(b) Other private housing	...	...	...	...	...	...	0.2	3.2	1.9
4. Total 1+2+3	-----	51.0	-----	-----	9.0	9.1	9.0	13.3 <sup>b/</sup>	8.3 <sup>c/</sup>
5. Petroleum	-	-	-	-	11.7	22.0	40.4	39.8	37.4
(a) Sinclair Somal	-	-	-	-	7.3	16.5	30.3	29.8	28.1
(b) Mineraria Somala	-	-	-	-	4.4	5.5	10.1	10.0	9.3
6. Total private investment	-----	51.0	-----	-----	21.9 <sup>d/</sup>	31.1	49.4	53.1	45.7 <sup>c/</sup>
<u>III. TOTAL ALL INVESTMENTS</u>	-----	81.5	-----	-----	44.0	59.4	71.5	70.6	63.7 <sup>c/</sup>

Source: Agenzia Sviluppo Economico Somalia (ASES)

<sup>a/</sup> Includes So.4,700,000 allocation of capital to Credito Somalo

<sup>b/</sup> Six months

<sup>c/</sup> Excluding private investments in agriculture

<sup>d/</sup> Including So.1,200,000 of private capital invested in Credito Somalo



ANNEX VII

LIST OF COMMUNICATIONS RECEIVED BY THE ADVISORY COUNCIL FROM  
THE ADMINISTRATING AUTHORITY

<u>Date</u>	<u>Subject</u>	<u>UNAC Document</u>
1 April 1958	Public Morality	A/AC.33/AA.226/Add.4
1 April 1958	Income Tax	A/AC.33/AA.223/Add.9
3 April 1958	Modifications to the budget estimates of the Government of Somalia for the financial year 1957	A/AC.33/AA.217/Add.12
23 April 1958	Draft law modifying the rates of pay of military and para-military personnel	A/AC.33/AA.201/Add.4
23 April 1958	The practice of law	A/AC.33/AA.186/Add.11
23 April 1958	Draft law on administrative (municipal) elections	A/AC.33/AA.242
9 May 1958	Draft law concerning deep-sea fishing concession	A/AC.33/AA.239
12 May 1958	Draft law on the abolition of the arifato	A/AC.33/AA.238
12 May 1958	Decree concerning research permit for hydrocarbons	A/AC.33/AA.240
23 May 1958	Customs exemption for industrial and agricultural development	A/AC.33/AA.128/Add.7
29 May 1958	Draft law concerning exemptions from customs duties of imports of heavy trucks and trailers	A/AC.33/AA.243
29 May 1958	Motion adopted by the Legislative Assembly on 26 May 1958	A/AC.33/AA.241
21 June 1958	Tax on fuel consumption	A/AC.33/AA.215/Add.4
25 June 1958	Draft law to extend the duration of the Legislative Assembly until 31 July 1958	A/AC.33/AA.241/Add.1
25 June 1958	Draft Labour Code	A/AC.33/AA.244
2 July 1958	Draft law to extend the duration of the Legislative Assembly until 31 July 1958	A/AC.33/AA.241/Add.2
9 July 1958	Draft law on the practice of law	A/AC.33/AA.186/Add.14
9 July 1958	Incidents along the Somalo-Ethiopian border	A/AC.33/MISC.95
14 July 1958	Draft law to extend the duration of the Legislative Assembly until 31 December 1958	A/AC.33/AA.241/Add.3
20 August 1958	Memorandum concerning draft Maritime Code of Somalia	A/AC.33/AA.245

<u>Date</u>	<u>Subject</u>	<u>UNAO Document</u>
9 September 1958	Law on administrative (municipal) elections	A/AC.33/AA.242/Add.1
22 September 1958	Draft law concerning exemptions from customs duties of imports of heavy trucks and trailers	V/AC.33/AA.243/Add.1
23 September 1958	Draft decree-law on the press	A/AC.33/AA.246
7 October 1958	Communication received from the Prime Minister of the Government of Somalia	A/AC.33/AA.248
7 October 1958	Communication received from the Prime Minister of the Government of Somalia	A/AC.33/AA.248/Add.1
13 October 1958	Offer of assistance by the Government of Italy to Somalia after 1960	A/AC.33/AA.247
29 October 1958	Speech by the Administrator of Somalia at the opening meeting of the second session of the Legislative Assembly for 1958	A/AC.33/MISC.96
8 November 1958	Establishment of new items in the Somali Government budget for 1958	A/AC.33/AA.230/Add.4
8 November 1958	Draft budget estimates of the Government of Somalia for the financial year 1959	A/AC.33/AA.249
17 November 1958	Labour Code of Somalia	A/AC.33/AA.244/Add.2
29 November 1958	Decree-law increasing the tariffs of certain medical benefits	A/AC.33/AA.250
3 December 1958	Law on administrative (municipal) elections	A/AC.33/AA.242/Add.3
4 December 1958	Law on political (general) elections	A/AC.33/AA.237/Add.4
6 December 1958	Draft law establishing a tax on the granting and renewal of licences to sell monopoly goods	A/AC.33/AA.253
6 December 1958	Draft law concerning export tax exemption on cotton produced in the Territory up to 31 December 1959	A/AC.33/AA.251
6 December 1958	Draft law governing the temporary importation and exportation of motor-vehicles in Somalia	A/AC.33/AA.252
9 December 1958	Draft law concerning the granting of customs facilities to initial equipment imported by new industrial and agricultural undertakings ...	A/AC.33/AA.128/Add.8
9 December 1958	Draft law concerning the remaining in function of the office of the presidency of the Legislative Assembly	A/AC.33/AA.256

<u>Date</u>	<u>Subject</u>	<u>UNAC Document</u>
11 December 1958	Law on political (general) elections	A/AC.33/AA.237/Add.6
11 December 1958	Draft law granting to the Government extraordinary powers in the field of public security	A/AC.33/AA.254
13 December 1958	Law concerning the budget estimates of the Government of Somalia for 1959, as approved by the Legislative Assembly	A/AC.33/AA.249/Add.2
14 December 1958	Draft law on the establishment of an autonomous body for the port of Chisimaio	A/AC.33/AA.255
24 December 1958	Law for the establishment of the autonomous body for the port of Chisimaio	A/AC.33/AA.255/Add.2
24 December 1958	Law on the press as approved by the Legislative Assembly	A/AC.33/AA.246/Add.2
24 December 1958	Motion of the Legislative Assembly dated 15 December 1958 concerning alleged interferences in the internal affairs of the Territory	A/AC.33/AA.257
24 February 1959	Decree approving the Maritime Code	A/AC.33/AA.245/Add.2
25 February 1959	Agreement between the Government of Somalia and the Trobisher Ltd. for research, exploration and exploitation of mineral oils and other liquid or gaseous hydrocarbons	A/AC.33/AA.240/Add.2





ANNEX VIII

LIST OF LETTERS OF ADVICE TRANSMITTED TO THE  
ADMINISTERING AUTHORITY

<u>Date</u>	<u>Subject</u>	<u>UNAC Document</u>
30 April 1958	Draft law on political (general) elections	A/AC.33/AA.237/Add.1
11 June 1958	Modifications of the Judicial Regulations	A/AC.33/AA.186/Add.13
11 June 1958	Draft law on the practice of law	A/AC.33/AA.186/Add.12
11 June 1958	Draft law modifying the rates of pay of military and para-military personnel	A/AC.33/AA.201/Add.5
11 June 1958	Draft law on the abolition of the aristocracy	A/AC.33/AA.238/Add.1
11 June 1958	Decree concerning a research permit for hydrocarbons	A/AC.33/AA.240/Add.1
10 September 1958	Draft Labour Code	A/AC.33/AA.244/Add.1
1 October 1958	Draft law concerning tax on fuel consumption	A/AC.33/AA.215/Add.5
1 October 1958	Law on administrative (municipal) elections	A/AC.33/AA.242/Add.2
1 October 1958	Draft law concerning exemptions from customs duties of imports of heavy trucks and trailers	A/AC.33/AA.243/Add.2
1 October 1958	Draft Maritime Code of Somalia	A/AC.33/AA.245/Add.1
1 October 1958	Decree-law on the press	A/AC.33/AA.246/Add.1
10 November 1958	Modifications to the budget of the Somali Government for the financial year 1958	A/AC.33/AA.230/Add.5
10 November 1958	Reply of the Advisory Council to communication received from the Prime Minister of the Government of Somalia	A/AC.33/AA.248/Add.2
17 November 1958	Draft law on political (general) elections	A/AC.33/AA.237/Add.3
29 November 1958	Draft budget estimates of the Government of Somalia for the financial year 1959	A/AC.33/AA.249/Add.1
3 December 1958	Draft law increasing the tariffs for certain medical benefits	A/AC.33/AA.250/Add.1
4 December 1958	Conversion into law of a decree-law on administrative (municipal) elections	A/AC.33/AA.242/Add.4
5 December 1958	Draft law on political (general) elections	A/AC.33/AA.237/Add.5
9 December 1958	Draft law concerning export tax exemption on cotton produced in the Territory up to 31 December 1959	A/AC.33/AA.251/Add.1

<u>Date</u>	<u>Subject</u>	<u>UNAC Document</u>
13 December 1958	Draft law governing the temporary importation and exportation of motor-vehicles in Somalia	A/AC.33/AA.252/Add.1
13 December 1958	Draft law establishing a tax on the granting and renewal of licences to sell monopoly goods	A/AC.33/AA.253/Add.1
17 December 1958	Law concerning budget estimates of the Government of Somalia for 1959	A/AC.33/AA.249/Add.3
17 December 1958	Draft law on the establishment of an autonomous body for the port of Chisimayo	A/AC.33/AA.255/Add.1
22 December 1958	Draft law concerning the remaining in function of the office of the presidency of the Legislative Assembly	A/AC.33/AA.256/Add.1
27 December 1958	Draft law concerning the granting of customs facilities to initial equipment imported by new industrial and agricultural undertakings ...	A/AC.33/AA.128/Add.9
6 January 1959	Letter of the Advisory Council to the Prime Minister of Somalia concerning the question of the frontier with Ethiopia	A/AC.33/AA.248/Add.3
7 January 1959	Motions adopted by the Legislative Assembly concerning the alleged interference in the internal affairs of the Territory	A/AC.33/AA.257/Add.1
7 January 1959	Law granting to the Government extraordinary powers in the field of public security as approved by the Legislative Assembly	A/AC.33/AA.254/Add.1
7 January 1959	Draft law establishing a tax on the granting and renewal of licences to sell monopoly goods	A/AC.33/AA.253/Add.2
7 January 1959	Draft law governing the temporary importation and exportation of motor-vehicles	A/AC.33/AA.252/Add.2
7 January 1959	Draft law concerning tax exemption on cotton produced in the Territory up to 31 December 1959	A/AC.33/AA.251/Add.2
7 January 1959	Law for the establishment of an autonomous body for the port of Chisimayo as approved by the Legislative Assembly	A/AC.33/AA.255/Add.3
7 January 1959	Draft law on the press as approved by the Legislative Assembly	A/AC.33/AA.246/Add.3
7 January 1959	Draft law concerning political (general) elections	A/AC.33/AA.237/Add.7

<u>Date</u>	<u>Subject</u>	<u>UNAC Document</u>
8 January 1959	Draft law concerning the remaining in function of the office of the presidency of the Legislative Assembly	A/AC.33/AA.256/Add.2
8 January 1959	Draft law for the establishment of an autonomous body for the port of Chisimaio	A/AC.33/AA.255/Add.4
8 January 1959	Draft law concerning the granting of customs facilities to initial equipment ...	A/AC.33/AA.128/Add.10
10 March 1959	Agreement concluded between the Government of Somalia and Frobisher Ltd.	A/AC.33/AA.240/Add.3
11 March 1959	Letter of the representative of the Philippines acknowledging receipt of the text of the Decree approving the Maritime Code of Somalia	A/AC.33/AA.245/Add.3

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