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Chairman: Mr. L. N. PALAR (Indonesia).

AGENDA ITEMS 13 AND 39

Report of the Trusteeship Council (A/4100, A/4262; A/C.4/434; A/C.4/L.613, 614; T/PET.3/95, 96 and Add.1, 97, 98) (continued)

Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Trusteeship Council (A/4100, part I, chap. VII, sect. D) (continued)

**CONSIDERATION OF DRAFT RESOLUTIONS
 (A/C.4/L.613, 614) (continued)**

Draft resolution on the date of independence of the Trust Territory of Somaliland under Italian administration (A/C.4/L.613)

At the invitation of the Chairman, Mr. Mauro Baradi (Philippines), Chairman of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, took a place at the Committee table.

1. Mr. KENNEDY (Ireland), introducing draft resolution A/C.4/L.613, said that all members of the Committee were agreed that Somaliland under Italian administration should accede to independence and nationhood as soon as possible; that was the fundamental reason for the draft resolution. The Trusteeship Agreement for that Territory was unique in that it had envisaged a final date, namely 2 December 1960, on which Somaliland should become independent. The Administering Authority, however, had informed the Committee at its 944th meeting that it was the desire of the Legislative Assembly and the Somali Government, expressed in the Legislative Assembly's motion of 25 August 1959, ^{1/} that the Trusteeship Agreement should be terminated at the earliest possible date so that the Territory could become independent some months earlier than had been envisaged. Mr. Folchi,

the Italian Under-Secretary for Foreign Affairs, had stated that the Administering Authority was prepared to support that request. ^{2/}

2. The draft resolution had been framed against the background of orderly progress and co-operation which prevailed in Somaliland. In operative paragraph 4, it was proposed that the Trusteeship Agreement should cease to be in force on a date not later than 2 December 1960. He would emphasize the fact that in any case independence must be granted not later than that date; the purpose of the draft resolution was to enable it to be granted earlier. As had been emphasized by both Mr. Folchi and the Chairman of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, it was necessary that all the final steps such as the completion of the plan for the transfer of powers and the approval of the constitution should be completed beforehand by the Italian and Somali Governments.

3. He congratulated Italy on the manner in which it had carried out the undertaking it had given in 1950. The Legislative Assembly itself, in its resolution of 25 August, had referred to the loyal and effective observance by the Administering Authority of its commitments under the Trusteeship Agreement, and the degree of political maturity reached in the Territory was a tribute to the way in which Italy had administered it. It was satisfactory to recall that the Administering Authority had often said that it would be prepared to terminate the Trusteeship Agreement before 2 December 1960 if the people so wished and if it was satisfied that its work had been completed and its commitments towards the United Nations fulfilled. He would also extend his congratulations to the Government and people of Somaliland on their political maturity and on the way in which their free and democratic institutions had been developed, which was a credit to the people of Africa as a whole and constituted a heartening example to the dependent peoples of Africa and Asia. Somaliland had shown that a target date could be kept and even advanced. A tribute was also due to the United Nations itself for its achievements in Somaliland, and particularly to the Trusteeship Council and the Advisory Council; the experience of the past ten years had been an encouraging symbol of the United Nations in action.

4. He felt sure that the Committee would not refuse the very reasonable request of the Prime Minister of Somalia, who had referred to it as being the unanimous wish of the people; ^{3/} that had been confirmed by the petitioners at the 957th meeting. A few months might seem a small matter in the history of an ancient people—his own country had had to wait for independence for many long centuries—but the advancement of the date of independence by a few months would be an example of how the United Nations could

^{1/} See A/4262, annex I.

^{2/} *Ibid.*, annex II.

^{3/} *Ibid.*, annex III.

surpass the target date which it had set itself and would have a significant effect on the whole question of target dates.

5. The sponsors had come to the conclusion that a paragraph reading "Having heard the views of the petitioners" should be added to the preamble, after the fourth paragraph. They had also decided that it was inappropriate to say that the Government of Italy would initiate the necessary procedure for the admission of Somalia to the United Nations; accordingly, the last two paragraphs of the preamble would be replaced by a single paragraph reading:

"Noting the wish expressed by the Government of Somalia that, on the date of attainment of its independence, Somalia should be admitted to membership of the United Nations, and noting further that the Government of Italy has expressed its readiness to sponsor the application that will be made by the Government of Somalia to be admitted to membership of the United Nations."

6. He hoped that Hajji Farah Ali Omar and the other representatives of the Trust Territory would be able to return there and report that the United Nations supported and encouraged their desire to attain the objectives of trusteeship several months before the target date.

7. Mr. VITELLI (Italy) said that those revisions to the draft resolution improved the text. The change in what had originally been the last preambular paragraph was particularly appropriate, since it would not, of course, be the Italian Government which would initiate the necessary procedure for the admission of the new State to membership of the United Nations.

8. He thanked the Committee for the appreciation that had been expressed concerning the achievements of the people and Government of Somalia and the Administering Authority. He was confident that his gratitude was shared by the Somali members of his delegation, including Hajji Farah Ali Omar, to whose wisdom and efficiency he would like to pay a special tribute.

9. He recalled that at the 944th meeting, in submitting the request of the people of Somaliland for the advancement of the date of their accession to independence, he had observed that it was incumbent upon the Committee to ascertain whether the request was in conformity with the fundamental objectives of the Trusteeship System. If the Committee was to be able to reach a definitive conclusion, his delegation would of course have to provide adequate information regarding the degree of progress achieved, particularly in the plan for the transfer of powers. He now had before him the report of the Italian authorities in Somaliland concerning the measures which were being taken for the purpose of implementing the plan of transfer of powers and the recommendations of the Trusteeship Council. The report stated that at its second session, which had been inaugurated on 31 October 1959, the Legislative Assembly had the task of discussing draft laws for the enactment of those measures and that the Administering Authority and the Somali Government were confident that they would soon be approved. The report then dealt successively with a number of important points.

10. Firstly, there was the matter of the draft law conferring constituent powers on the Legislative Assembly: his delegation had been informed that on 2 November the Council of Ministers had approved

that law and that it was to be introduced shortly in the Legislative Assembly. Article 1 conferred on the Legislative Assembly full constituent powers relating to the drafting and approval of a constitution. Article 2 empowered the constituent assembly to adopt its own rules of procedure. Article 3 provided that it should not be subject to rules 5 and 6 of Ordinance No. 2 of 5 January 1956 concerning the powers of sanction and promulgation normally vested in the Administrator. Article 4 provided that once the constitution had been adopted the mandate of the constituent assembly would be terminated. Article 5 provided that during and after the period in which it would be sitting as a constituent assembly the Legislative Assembly should continue to exercise its normal functions.

11. Secondly, as stated by the Italian Government in the plan for the transfer of the functions of government (T/1477) and subsequently confirmed by the Italian representative in the Trusteeship Council, the Administering Authority had taken the position that the elaboration and promulgation of the constitution constituted a matter within the specific competence of the constituent assembly. The attention of the Government, the Legislative Assembly and the Somali people had, however, repeatedly been drawn to the basic principles set forth in the Trusteeship Agreement and in the Declaration of Constitutional Principles annexed to it and the Administrator had stated in opening the second session of the Legislative Assembly that he would like to stress the advisability of the constituent assembly's taking into account the fundamental moral value attributed by all civilized countries to the Universal Declaration of Human Rights and the Declaration of Constitutional Principles drawn up in conformity with the recommendation in General Assembly resolution 289 (IV). In consideration of the heavy schedule confronting the representatives in the constituent assembly and the relatively short time at their disposal the Somali Government had decided to appoint a minister without portfolio, who would be in charge of all matters relating to the constitution. His delegation had just received a cable announcing the name of the deputy who had been appointed to that post and the Advisory Council had likewise been informed of the appointment.

12. Thirdly, there was the question of broadening the composition of the Political Committee and the constituent assembly and obtaining popular confirmation of the constitution. The attention of the Government and the Legislative Assembly had been duly drawn to those points; indeed, the Administrator had considered them sufficiently important to warrant his reading out the text of the recommendations appearing on page 66, paragraph 39, of the Trusteeship Council's report (A/4100) in his speech to the second session of the legislature. The Somali Government had stated that it was in favour of broadening the composition of the Political Committee: a bill drafted by the Council of Ministers provided that two representatives of each political party should be appointed to serve on the Political Committee. The Government had also expressed itself in favour of a popular confirmation of the constitution by means of a referendum. Serious consideration had been given to the possibility of broadening the composition of the constituent assembly; in view of the difficulties entailed, however, it had been decided to leave it to that body itself to decide. It should be pointed out that in Government circles and in the Legislative Assembly it was felt that the

agreement to implement the recommendations concerning popular confirmation of the constitution and the broadening of the Political Committee eliminated many of the reasons for broadening the constituent assembly.

13. Fourthly, the Administrator was confident that the constitution would be drafted and approved in time to be enacted simultaneously with the proclamation of independence. The Government had decided, with the concurrence of the Legislative Assembly, that the constitution should have priority over all other laws or problems to be considered by the constituent assembly. The following procedures had been outlined for the promulgation of the constitution: if the constitution had been approved and confirmed by means of a referendum by the date on which the Territory attained independence, it could enter into force immediately on a definitive basis; if at that time the constitution had not been completed or popular confirmation had yet to be obtained, that part which had been approved by the constituent assembly could be applied on a provisional basis. In any case the constitution would be promulgated by the Head of State as his first official act.

14. Fifthly, high priority had been given to the drafting of provisions relating to the election and powers of the Head of State. On that point the constituent assembly might find itself confronted with a choice between one of the following alternatives: once the constitution had been approved by the constituent assembly and confirmed by a referendum the Legislative Assembly might incorporate that chapter which provided for the nomination and functions of the Head of State in a special law, on the basis of which it could then proceed to carry out the election; or in the event of a provisional constitution being enacted the Legislative Assembly might elect a Head of State on a provisional basis in accordance with a special law which would include all or part of the relevant provisions of the constitution. Consideration was also being given to a special temporary solution under which the functions of a provisional Head of State might be exercised by a board or directorate. In any case, the election of the Head of State would take place immediately before the termination of the Trusteeship Agreement. The budget for 1960 provided for the setting aside, in a reserve fund, of an amount earmarked for the expenses to be incurred by the Head of State.

15. Sixthly, the Italian Administration had continued its endeavours to achieve a reconciliation among the various political groups. In his inaugural speech before the Assembly the Administrator had expressed confidence that the constituent assembly would contribute to better understanding among the parties and to deeper harmony in the country on the eve of momentous events. It would appear that those efforts had not been in vain; the political situation appeared much less tense than it had been in the first half of the current year. There had recently been a noticeable improvement in relations between the majority party and the thirteen dissenting deputies. On 9 November the Central Committee of the Somali Youth League had decided to readmit them to the party, and that decision had since been put into effect.

16. Seventhly, with regard to the electoral law, it would be the task of the constituent assembly when deliberating on the constitution to decide if and how the general principles regulating elections should be

modified. As far as provisions for holding new elections when the result of an election had been annulled by a competent judge were concerned, Act No. 4 of 1 August 1959 had filled the gap which had been pointed out by the Advisory Council. Under the new law, if an election were declared invalid new elections would be held within one year from the date of the decision. In compliance with that new law elections would take place on 11 to 15 January 1960 in the Lugh Ferrandi District, the March 1959 elections there having been declared null by the competent regional judge. According to a provision adopted by the Somali Government all citizens who had the right to vote would be listed in special registers under the responsibility of the district commissioners.

17. Eighthly, the Legislative Assembly would take into consideration in the course of its present session a bill concerning the acquisition of citizenship, which would be sent to the Assembly for consideration within the next few days.

18. Ninthly, the Government of Somalia had decided to resume operations for a census of the population of the extra-municipal areas, as provided by Act No. 6 of 30 September 1956.

19. Tenthly, a minister without portfolio would establish a ministry of foreign affairs. He would select the personnel and provide facilities to enable the ministry to begin operating officially upon the termination of the Trusteeship Agreement. A number of diplomatic and consular appointments were being considered. The budget for 1960 provided for the setting aside of an adequate sum for the establishment and operation of a ministry of foreign affairs and a number of offices abroad.

20. The eleventh point was the Somalization of government services. Five departments out of nineteen were still entrusted by the Somali Government to Italian experts. The question there was not whether or not to proceed to further Somalization, because all the departments in question were dependencies of ministries headed by Somalis; it appeared to be rather a matter of appointments which could only be made by the Somali Government on the basis of professional qualifications.

21. Twelfthly, special courses would be held at the Court of Justice for the training of personnel with a view to making them available as soon as possible to the thirty district judicial offices.

22. The thirteenth point concerned medical facilities: thirteen new doctors—twelve Italian and one from the United Arab Republic—had recently joined the medical staff working for the Somali Government.

23. The fourteenth point concerned livestock. The Somali Government was seriously considering the introduction of a tax on livestock. At present government revenues included receipts from the sales of livestock on local markets, for slaughtering and for the export of livestock.

24. The fifteenth point related to the agency for monetary circulation. As provided for in the plan for the transfer of functions, a special law would transform the Somalccassa into a central bank for Somalia. Another law would regulate credit operations. At present nine Somali officials were taking special training courses with banks in Italy.

25. The report was evidence of the fact that the final preparations for the day of Somaliland's independence were well advanced. The Committee could be assured that they would be completed well before 2 December 1960. For that reason his delegation accepted the procedure set forth in draft resolution A/C.4/L.613, which in its opinion would permit the General Assembly to make a decision fully in accordance with the basic principles of the Trusteeship System and with the best interests of the Somali people.

26. Mr. BARADI (Philippines), Chairman of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, said that the Advisory Council's memorandum on the transfer of governmental functions in Somaliland (A/C.4/434) should be read in conjunction with his present statement. As could be seen from that document, the Administering Authority had entrusted the task of fulfilling the prerequisites of independence almost entirely to the Somali Government and Legislative Assembly. The Advisory Council could not but have full confidence in the Somali people's ability to carry out that task successfully. The Somalis had made great progress and he sincerely hoped that the months ahead would be months of constructive action in which all Somalis, regardless of their affiliations and political opinions, would participate. It was obvious, however, that the United Nations, the Administering Authority and the Advisory Council could not shake off their responsibility in that connexion as long as the Trusteeship Agreement remained in force.

27. In a memorandum transmitted to the Advisory Council on 13 November 1959, the Administering Authority envisaged two possible methods for the promulgation of the new Somali constitution: its entry into force on a definitive basis on the date of independence, and its entry into force on a provisional basis on that date. With regard to the Head of State, it was contemplated that he would be elected, on either a definitive or a provisional basis, under the terms of a special law. The memorandum of the Administering Authority also mentioned the possibility of entrusting to a collective body the functions of a provisional Head of State. It seemed to the Advisory Council that further clarification of both those matters would be useful.

28. The referendum recommended by the Trusteeship Council for the purpose of giving popular sanction to the constitution could take place either before or after the date of independence. The Advisory Council understood that the intention was to hold a referendum before the date of independence and it considered that to be the proper method. If that method was chosen, the first step would be the adoption of the constitution by the constituent assembly and the second a popular referendum. The constitution would have full force and effect on the date of independence, upon promulgation by the Head of the Somali State. Should the referendum take place after independence, the constitution would have provisional effect from the date of independence until confirmation by referendum or, alternatively, it would enter into full force upon confirmation by referendum without a prior period of provisional application. The Advisory Council had been informed that the principle of popular confirmation of the constitution had been accepted by the Somali Government and that Mr. Abdullahi Issa, the Prime Minister of Somalia, intended the confirmation to be truly free and democratic.

29. Regarding the election of the Head of State, whether a person or a collective body, the Advisory Council assumed that Somalia was to have its own Head of State on the date of independence. Although he would presumably not take office until the day of independence, the necessary processes for his selection would, of course, have to be completed sufficiently in advance of that date.

30. Owing to financial and administrative considerations, the Administering Authority had deemed it advisable to confer on the present Somali Legislative Assembly the powers of a constituent assembly to draft and approve the constitution. It was the understanding of the Advisory Council that the Trusteeship Council's recommendations concerning the broadening of the composition of the Political Committee and of the constituent assembly had been accepted by the Somali Government. The Advisory Council hoped that the opposition parties would seize that opportunity to participate constructively in the preparation of the constitution. The United Nations had already offered Somaliland the services of experts who had assisted the Technical Committee in preparing preliminary studies for the constitution. It was to be hoped that the Somalis would not deprive themselves of any further assistance they might require from the United Nations and the Administering Authority.

31. The question of the laws defining Somali citizenship and its acquisition was closely connected with constitutional issues. The Advisory Council was happy to report that certain progress had been made and that the present Somali Legislative Assembly would soon deliberate on a draft law on the acquisition of Somali citizenship.

32. Turning to the question of the territory on which the future Somali State would exercise governmental functions, he recalled article 1 of the Trusteeship Agreement and said that the present provisional line, as defined in document T/484, remained, in the opinion of the Advisory Council, the limit of the Somali territory until an accepted solution of the question of the frontier was reached.

33. One of the governmental functions of the independent Somali State would be that of ensuring the external security of the country. It had been suggested that a vacuum in the arrangements for the country's external security would be created by the withdrawal of the trusteeship authorities. It was the Advisory Council's firm belief that the vacuum could only be filled by the same moral forces that had created the new nation and by the good will of all the peoples of that part of Africa. The United Nations could and should remain interested in that question and its assistance in the matter would, it was hoped, always be given. The Administering Authority considered, however, that the question of external security required further consultation. The Advisory Council hoped that in its next report to the Trusteeship Council it would be able to report further satisfactory developments.

34. Somaliland was luckily free from any racial problems. Democracy was natural to the people and to their way of life. Social traditions in the country augured well for its future solidarity and stability.

35. With respect to the economic security of the country, the Advisory Council felt that assistance to the future Somali State should be provided through a

United Nations scheme. Nevertheless, the offers made by the Governments of Italy, the United States, the United Kingdom and the United Arab Republic of technical, cultural or financial assistance were well appreciated by the Advisory Council, and the help given by the specialized agencies was especially welcome.

36. On the question of the early termination of the trusteeship, he recalled that the Administering Authority had stated that it would give the closest consideration to any aspiration expressed by the Legislative Assembly and the Somali Government with regard to the transfer of powers before the end of the trusteeship, and that the Advisory Council had welcomed the prospect of earlier independence for Somaliland. He wished, however, to bring the following facts to the Committee's attention. Firstly, the Administering Authority and the Somali Government had declared that certain prerequisites should be met before the termination of the trusteeship. Secondly, the Trusteeship Council at its twenty-fourth session had made certain recommendations regarding the plan for the transfer of all the functions of government (A/4100, p. 66). Lastly, article 21 of the Trusteeship Agreement provided for the possible alteration or amendment of the Agreement "in the interests of the Territory or for reasons not inconsistent with the basic objectives of the International Trusteeship System". To help in satisfying those requirements, the Advisory Council was ready to give the Administering Authority and the Somali authorities its aid and advice, to study any suggestion that might be put forward in the Fourth Committee, and, if requested, to give its opinion thereon. The General Assembly might, at its present session, approve in principle the request for an early termination of the Trusteeship Agreement provided that the prerequisites of independence were met and that such termination was in the interests of the Territory and was not inconsistent with the basic objectives of the International Trusteeship System.

37. The Advisory Council would fully support the admission of Somalia to the United Nations, in accordance with Article 4 of the Charter.

38. Recalling the historical conditions in which Somaliland had been placed under United Nations trusteeship, he observed that the Territory's future had been clearly and unequivocally defined by the United Nations since the beginning of the trusteeship. The Advisory Council, established at the same time as the Trusteeship Agreement, had accepted the responsibility of aiding and advising the Administering Authority and was glad to note that the Administering Authority intended to avail itself fully of the Advisory Council's assistance during the remaining period of trusteeship. He hoped that by the time Somaliland was next considered by the Trusteeship Council all pending matters would have been satisfactorily completed and that in future sessions Somaliland would take its place in the Fourth Committee as a Member of the United Nations.

39. U TIN MAUNG (Burma), supported by Mr. ASHA (United Arab Republic), proposed that the statement made by the Chairman of the Advisory Council should be reproduced in full and circulated as a Committee document.

40. Mr. VITELLI (Italy) expressed his appreciation of the lucid and exhaustive statement made by the Chairman of the Advisory Council and supported that proposal.

41. Mr. RASGOTRA (India) proposed that the Italian representative's statement, too, should be reproduced in full and circulated as a Committee document.

The proposals were adopted.^{4/}

42. Mr. TATSUKE (Japan) recalled that the Italian representative had supported the request of the Somali Government and people, expressed in the Legislative Assembly's motion of 25 August 1959, that the date of the Territory's independence should be advanced. The statement of Hajji Farah Ali Omar at the Committee's 944th meeting had confirmed that that was the unanimous wish of the people of Somaliland. Although the constitutional structure of the future State had yet to be finally approved, there was every indication that the constitution would have been drafted and approved, and that Somaliland would be ready for independence well before 2 December 1960. Since it was therefore incumbent on the General Assembly at its current session to take the necessary steps to meet the legitimate wishes of Somaliland, his delegation had joined with several others in sponsoring draft resolution A/C.4/L.613, which would enable Somalia to achieve independence on a date not later than 2 December 1960, to be agreed upon between the Government of Italy and the Somali Government. The draft resolution also recommended that the independent Somali State should be admitted to membership of the United Nations.

43. The draft resolution would be the last, and perhaps the most striking, token of the trust placed by the United Nations in the capabilities of the Somali Government and people. The political maturity shown by the people of the Territory during the period of trusteeship and especially during the past few months had been a source of general satisfaction. His delegation was convinced that the independent Somali State would be able to contribute to the common cause of the States Members of the United Nations when it joined the Organization at the next session of the General Assembly.

44. The Administering Authority, too, deserved congratulations. Despite many difficulties, Italy had faithfully carried out the Trusteeship Agreement and had applied all its political, economic, social and cultural resources to the benefit of the Territory. Soon that work would be crowned with success and with the help of Italy Somaliland would, he hoped, accede to independence in the most auspicious circumstances.

45. It was his Government's hope that the friendship of all Member States would be extended to the sovereign and independent Somali State and that the new State would maintain peaceful and friendly relations with its neighbours in Africa. The Japanese Government and people desired to co-operate on a footing of equality with the Government and people of the new State in the common cause.

46. Mr. LAFRENIERE (Canada) said that his delegation was happy to be one of the sponsors of draft resolution A/C.4/L.613. It considered the reasons for the proposal to be wise and sensible. As the representative of Italy had said, the ten-year period established in the Trusteeship Agreement had been intended as a safeguard for Somaliland and not as an irre-

^{4/} The statements by the representative of Italy and by the Chairman of the United Nations Advisory Council were subsequently circulated as documents A/C.4/435 and A/C.4/436, respectively.

vocable barrier. The Somali people, through the motion approved by their own elected legislative body, had announced that it was their unanimous wish to become independent at the earliest possible date, and the Administering Authority had supported that wish. The representative of Italy had assured the Committee that the date of independence could be advanced, thanks to the substantial progress achieved by the Territory. The Minister of Industry and Commerce, speaking on behalf of the Somali Government, had given the Committee a solemn pledge that his country would do everything it could to accomplish the tasks that remained before independence. It was therefore reasonable to think that the transfer of powers, the drafting and ratification of a constitution and other tasks would have been concluded well before 2 December 1960, in an atmosphere of co-operation and conciliation. That belief had been strengthened by the assurances given to the Committee by the Chairman of the Advisory Council.

47. The only question which still remained was the exact date on which independence would be achieved. It had been explained that it was impossible to determine in advance the precise date on which a legislative body would have completed its task. In his delegation's view, what was much more important was that the people of Somaliland should not be obliged to wait for independence once the necessary preliminaries had been accomplished; the Somali Government had given an undertaking and the Administering Authority and the Advisory Council had given their consent. His delegation would like Somalia to be present as a sovereign Member State at the fifteenth session of the General Assembly.

48. His delegation believed that it expressed the wishes of all the sponsors in saying that the approval of the draft resolution would be the best way of expressing the pleasure felt by all members of the Committee at the good relations which had prevailed between the Somali people and the Administering Authority since 2 December 1950. Those good relations had been due, on the one hand, to the devotion, understanding and sense of duty and responsibility shown by the Italian Government in carrying out its tasks and, on the other hand, to the patience, co-operation and dignity of the people of Somaliland during their long period of apprenticeship. There had been no better example of that than the way in which Hajji Farah Ali Omar had stated the views and wishes of his Government before the Committee.

49. Mr. RAHNEMA (Iran) expressed his delegation's pleasure at the fact that the Italian Government was prepared to comply with the desire of the Somali Government that the trusteeship should be terminated before the date originally anticipated. That decision corresponded with the political progress made in the Territory; during the past ten years the Somali people and Government, together with the Administering Authority, had done their utmost to prepare the country for independence.

50. His delegation had carefully studied the situation in Somaliland because it wished to be sure that there was every guarantee that the Territory's independence would be placed on a firm foundation. It had felt some concern about the disturbances that had taken place in February 1959, but from information received later and from the statements made by the petitioners it appeared that the situation was now normal.

51. One reason why his delegation had joined in sponsoring the draft resolution was that the Trusteeship Agreement for Somaliland, unlike any other Trusteeship Agreement, established a date for independence without laying down any conditions. In view of that fact, the draft resolution welcomed the proposal to terminate the Trusteeship Agreement in advance of the date fixed and requested the Government of Italy to notify the Secretary-General of the date on which the Trusteeship Agreement would cease to be in force.

52. In his delegation's view the amendment submitted by the delegation of Nepal (A/C.4/L.617) was acceptable and completed the text of the draft resolution. He had, however, one reservation in that respect: if independence for Somaliland were to be proclaimed before the twenty-sixth session of the Trusteeship Council, it would not be proper for the Administering Authority to furnish a report at that session on the implementation of the Council's recommendations, since the Territory would no longer be under trusteeship. He therefore asked the delegation of Nepal to consider adding at the end of its amendment some such phrase as "unless the Trusteeship Agreement has ceased to be in force by that time".

53. He hoped the Somali Government would continue to take steps to improve the situation in various fields, that all political parties and all important social and cultural organizations would be represented in the Government, that the Legislative Assembly and the Government would submit the constitution to popular ratification, that general elections for the Legislative Assembly would be held as soon as possible after the achievement of independence, that Somaliland would become in the very near future a sovereign and independent State, free of all political, economic and other trammels and, lastly, that a peaceful and just solution of the frontier problem would be solved in co-operation with the Government of Ethiopia.

54. He commended the draft resolution to the Committee. His delegation looked forward to welcoming the representatives of the new independent State of Somalia when they took their place as representatives of a Member State at the fifteenth session of the General Assembly.

55. He hoped that the example of the Italian Government would be followed by other Administering Authorities.

56. Mr. ALWAN (Iraq) said that he would like to know what steps had been taken by the Administering Authority, in accordance with the Trusteeship Council's recommendation, to broaden the composition of the Political Committee and the constituent assembly to include representatives of all existing political parties. He also had misgivings about some of the major provisions of the new Somali electoral law, under which the elected Assembly would remain in office for a term of five years. He wondered whether the Italian representative could give any clarification concerning the electoral shortcomings pointed out in the Trusteeship Council's report. A further question on which his delegation would like some information was that of a general census, the taking of which was of great importance to all modern States and particularly to States about to become independent.

57. Referring to the statement made by the Italian representative at the 944th meeting, he asked for a more detailed description of the activities of the

so-called extremists during the general elections of March 1959. He also wished to know how many seats in the Legislative Assembly had been won in the elections by the following parties: the Somali National Union, the Somali Independent Constitutional Party, the Great Somalia League and the Liberal Somali Youth Party; if no members of those parties had been elected, he would like to know the reason.

58. His delegation's position with respect to draft resolution A/C.4/L.613 would be formulated in the light of the replies given.

59. Mr. THAPA (Nepal) said that in his delegation's view there could be no objection to advancing the date of Somaliland's independence and that he would support any measure designed to that end. Nevertheless, it should be remembered that the Trusteeship Council had made certain recommendations concerning various matters of vital importance. Those recommendations and observations had been accepted by the Administering Authority and, he understood, by the Somali Government. In the light of those facts his delegation had proposed the addition of a further paragraph (A/C.4/L.617) to the draft resolution.

60. With regard to the suggestion made by the representative of Iran, he felt it was unlikely that Somaliland would obtain independence before May 1960, when the Trusteeship Council would hold its twenty-sixth session. He therefore saw no need to add the phrase suggested by the representative of Iran. He would like to have the views of the Italian delegation on that point.

61. If the Nepalese amendment were accepted by the sponsors his delegation would be glad to join in sponsoring the draft resolution.

62. Mr. VITELLI (Italy) pointed out that according to operative paragraph 1 of the draft resolution it was envisaged that the preparation for, and the attainment of, independence would be achieved several months in advance of 2 December 1960. He did not think that that preparation could be made before the twenty-sixth session of the Trusteeship Council and he therefore considered that the amendment submitted by the delegation of Nepal could be left, except for certain modifications, as it stood.

63. Mr. RASGOTRA (India) observed that in the present instance the Committee had a special reason for welcoming the imminent termination of a Trusteeship Agreement, in that Italy as the Administering Authority for the Territory concerned had from the beginning discharged its responsibilities in an exemplary manner. If despite that fact the people of the Territory had asked that the date of their accession to independence should be advanced, the United Nations could only be grateful that they had thus justified its faith in them.

64. There were, however, certain important considerations which should not be overlooked. In accordance with the provisions of article 25 of the Trusteeship Agreement a plan for the transfer of the functions of government had been submitted to the Trusteeship Council, which had studied it carefully and suggested certain changes before transmitting it to the General Assembly. There had been a general feeling in the Council that, while the plan was a good one and could be expected to serve as a basis for the peaceful and orderly transfer of powers, there was a missing link: namely, the procedure for electing the Head of State to whom the powers now exercised by the Adminis-

trator would be transferred. It was therefore felt that the decision on that vital matter should be taken as quickly as possible. If the decision was to be related to the drafting of the constitution, that was all the more reason why the constitution should be completed and promulgated before the attainment of independence.

65. On the basis of all those considerations the Trusteeship Council had drawn up certain carefully considered recommendations, in one of which it had expressed the hope that steps would be taken to broaden the composition of the Political Committee and the constituent assembly to include representatives of all existing political parties and other important social and cultural organizations of the Territory. As the Italian and Somali representatives who had been present at the time had participated in the discussion of that recommendation and in its unanimous adoption, the other members of the Council had anticipated that they might hear a report from the Administering Authority at the present session to the effect that the recommendation had been carried out. Similarly, the Italian delegation had taken part in the unanimous vote on the recommendations concerning popular confirmation of the constitution, the improvement of the present electoral law, the enactment of legislation defining citizenship and the census enumeration. As the representative of the Somali Government had likewise been present when those recommendations had been adopted it was clear that his Government approved them and presumably it would take steps to implement them before the Trusteeship Agreement was terminated. Indeed, the Prime Minister of Somalia had said that the Council of Ministers was aware of the difficulties still to be overcome before the attainment of independence and had expressed the view that it would be preferable if the constitution could be approved and the provisions concerning the election and powers of the Head of State adopted before that date. In the light of that statement his delegation was somewhat disappointed to hear the Italian representative say that the constitution might have to be approved and enacted by stages and that a provisional collective Head of State might have to be installed. The Prime Minister had also stressed the need to accelerate the current work of the legislature so that the most important laws of the new State could be approved at the earliest possible date. For those reasons he had stated in his letter to the Administrator dated 1 October that it was not yet possible to give an opinion concerning the date on which the Territory would be ready to accede to independence.

66. It was encouraging to note from those statements that there was no question of terminating the Trusteeship Agreement before the necessary preparatory work had been completed. His delegation hoped, however, that by now Hajji Farah Ali Omar, as a member of the Italian delegation, would be in a position to give the Committee an approximate idea concerning the date. The Italian representative had indicated that it was not likely to be earlier than the summer of 1960. That being the case, the addition proposed by Iran to the Nepalese amendment was unnecessary. The amendment itself would improve the original draft resolution and he hoped it would be unanimously adopted.

67. In the light of the foregoing observations he would like to suggest certain changes in the draft resolution which would enable him to give it his unreserved support. The fourth preambular paragraph could be made more precise by the addition of a specific

reference to the meetings at which the statements of the Chairman of the Advisory Council had been heard. In the final preambular paragraph as orally revised by the sponsors the words "on the attainment of its independence" should be altered to read "as soon as possible after the date of attainment of its independence", since in its present form it might give the impression either that the Security Council and the General Assembly would meet on the date on which Somalia attained independence in order to admit it to membership or that it would attain independence only after the opening of the fifteenth session.

68. With regard to operative paragraph 3 he observed that, while it was true that under the Trusteeship Agreement it was the function of the Advisory Council to aid and advise the Administering Authority, it went without saying that it might well have been anticipated at the time the Trusteeship Agreement was drawn up that a Somali Government would come into being and that it too would receive the assistance and advice of the Advisory Council, as had, indeed, been the case. The words "and to the Government of Somalia" should therefore be added to that paragraph.

69. The change he would like to suggest in operative paragraph 4 was of considerable substantive importance. If the Trusteeship Agreement was to be terminated between the end of the next session of the Trusteeship Council and the beginning of the fifteenth session of the General Assembly it was important to ensure that nothing should be done which would have the effect of transferring to the Administering Authority the powers of the General Assembly in relation to the termination of the Trusteeship Agreement. He would therefore suggest that the Advisory Council, as the representative of the United Nations in the Territory, should be brought into the picture in something more than a consultative capacity. The relevant clause in the paragraph might accordingly be altered to read "to be agreed upon between the Government of Italy, the Government of Somalia and the United Nations Advisory Council". The words "and the United Nations Advisory Council" would, of course, be added to paragraph 5 after the words "the Government of Italy", and in paragraph 6 the words "of the Government of Italy" could be deleted. He hoped that the sponsors would agree to incorporate those changes in their text.

REQUESTS FOR SUPPLEMENTARY HEARINGS

70. The CHAIRMAN informed the Committee that he had received a letter from the Somali petitioners whom the Committee had heard at the 957th meeting, requesting permission to address the Committee again. If he heard no objections he would assume that the Committee was willing to hear them at its next meeting.

It was so decided.

Tribute to the memory of Mr. Alfonso Lopez, former President of Colombia

71. Mr. AZNAR (Spain) said that his delegation had just been informed of the death in London of Mr. Alfonso López, former President of Colombia and at one time a member of the Colombian delegation to the United Nations. He wished to express his delegation's deepest sympathy to the Colombian delegation and to Mr. López' family.

72. Mr. RASGOTRA (India) observed that the Colombian delegation had been associated with the work of the Trusteeship Council and the Fourth Committee in a particularly important way in that it had been represented on the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration and had thus made a significant contribution to the successful experiment which was culminating in the current discussion of that Territory's future. It was therefore with particular regret that he heard the news of Mr. López' death. He requested the Colombian representative to convey his delegation's condolences to the Colombian Government and to Mr. López' family.

73. The CHAIRMAN said that he thought he was speaking for all the members of the Committee in associating himself with the remarks made by the representative of India.

74. Mrs. PONCE DE LEON (Colombia) thanked the Chairman and the Committee for their expressions of sympathy, which she would convey to her Government and to Mr. López' family.

The meeting rose at 6.40 p.m.