

*Prefatory fascicule*



UNITED NATIONS

# TRUSTEESHIP COUNCIL

## OFFICIAL RECORDS

**ELEVENTH SESSION**

(Held at Headquarters, New York)

**3 JUNE—24 JULY**  
**20 NOVEMBER—3 DECEMBER** **1952**

## ANNEXES

NEW YORK

## N O T E

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates reference to a United Nations document.

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UNITED NATIONS  
**TRUSTEESHIP  
COUNCIL**  
OFFICIAL RECORDS



*Agenda item 2*  
*Report by the Secretary-General*  
**ANNEXES**  
ELEVENTH SESSION  
NEW YORK, 1952

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**Agenda item 2: Report by the Secretary-General on credentials**

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**DOCUMENT T/1008**

**Letter dated 5 June 1952 from the Director-General of the United Nations Educational, Scientific and Cultural Organization to the Secretary-General**

[Original text: English]  
[11 June 1952]

I have the honour to state that copies of the administering Authorities' reports for 1951 on seven African Trust Territories reached me on various dates between 19 and 27 May 1952.

As in previous years, UNESCO would have wished to forward its comments on these reports to the Trusteeship Council in compliance with the terms of Trusteeship Council resolution 47 (IV) of 1 March 1949.

In view of the date of receipt of these reports and of the dates at which they are to be examined by the Trusteeship Council at its current session, it is unfortunately impossible for my Secretariat to prepare comments on all these reports.

I have consulted the Executive Board of UNESCO, at present in session, on this difficulty. As you know, the Executive Board attaches great importance to this

function of UNESCO in commenting on those aspects of Trust Territory affairs which are relevant to its own fields of action, and has for sometime past made arrangements itself to examine the draft comments before they are transmitted to the United Nations.

The position of the Executive Board, which I have the honour to bring to your attention herewith, is that UNESCO should this year not attempt to comment on the reports for Somaliland under Italian administration and Ruanda-Urundi. An attempt will be made to prepare considered comments on the report for Tanganyika, and comments in the usual form will be drawn up for Togoland under French and Togoland under British administration and the Cameroons under

French and the Cameroons under British administration. All these comments will be examined in draft by a committee of the Executive Board set up for the purpose, and transmitted to the United Nations in good time for the discussion of the corresponding reports by the Trusteeship Council.

I understand that the Council and its committee on procedural questions have given attention to the suggestions in this matter which were adopted by the Executive Board at its 29th session and which I had the honour of transmitting to you in my letter XR/NSGT/245.152 of 28 May 1952.

(Signed) Jaime TORRES BODET  
Director-General

### DOCUMENT T/1012

#### Observations of the United Nations Educational, Scientific and Cultural Organization on the reports for 1951 on the Trust Territories of Tanganyika, Togoland under British administration, Togoland under French administration, the Cameroons under British administration and the Cameroons under French administration

*Note by the Secretary-General:* The following observations were approved by an *ad hoc* committee of the Executive Board of UNESCO and were communicated to the Secretary-General by a letter dated 13 June 1952 from the Director-General of UNESCO.

#### TANGANYIKA

##### *Educational policy*

The most significant event described in the report<sup>1</sup> is the adoption of a revised ten-year plan for African education (quoted in appendix II of the 1950 report<sup>2</sup>).

While the target for 1956 remains the same — to have 36 per cent of the village-school-age group in school, and one in five of the pupils to continue further — more accurate population figures have shown the totals involved to be much higher. The revised plan takes these new totals into account in allowing for teaching staff, buildings and the general financial provision. One effect on school organization is the adoption of a 4-4-4 plan (primary, middle, secondary schools, each of four years' duration) instead of the previous 6-6 plan. UNESCO notes that this structure is reasonable, especially when applied after careful consideration of the means available for the extension of education; however, it wishes to draw attention to the likelihood that a four-year village-school will not ensure permanent or functional literacy. (See Report of the United Nations Visiting Mission, T/946, para. 331.)

The success of the plan would seem to depend on three factors: the extent to which the village schools

can retain their pupils for the full four years; the quality of teaching; and the supply of printed material for community use. Each of these is a serious difficulty in itself.

In this connexion, UNESCO awaits with interest the outcome of the project undertaken by the Secretary of State for the Colonies and the Nuffield Foundation to study educational policy in tropical Africa. The project report should throw more light on the question of permanent literacy than is now available.

##### *Administration*

The Administering Authority's report for 1951 shows the growing strength of the Department of Education. The establishment for 1951 has 1,804 posts (including administrators, inspectors and teachers in public schools) as against 1,326 in 1948 — a rise of 36 per cent. In addition a technical training section (total staff, 61) previously under the Department of Labour is now placed under Education. UNESCO notes with interest this step towards the uniform control of education.

Financial tables show a total increase, from 1950 to 1951, of 40 per cent in government expenditure on education. The percentage of the territorial budget devoted to education rises sharply, partly to compensate smaller funds available under Colonial Development and Welfare grants and partly as a result of the education tax levied on non-Africans. The purpose of expenditure in 1951 may be summed up as follows:

Government expenditure on government and Native Authority schools:

African .....	£653,470
All non-African .....	£585,422
<b>TOTAL .....</b>	<b>£1,238,892</b>

Grants-in-aid to voluntary agencies:

African .....	£325,923
All non-African .....	£374,868
<b>TOTAL .....</b>	<b>£700,791</b>

<sup>1</sup> See Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika under United Kingdom Trusteeship for the year 1951.

<sup>2</sup> See Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika under United Kingdom Trusteeship for the year 1950, London: His Majesty's Stationery Office, 1951, Colonial No. 278.

This shows that 64 per cent of the total budget of almost £2 million is spent on State education, and 36 per cent on private education. In terms of ethnic groups, some 50 per cent of the total budget is devoted to African schooling. The latter figure is interesting, in view of the overwhelming majority (over 98 per cent) of the African population. As the Territory has to rely more and more on its own resources for education, expenditure will depend on the ability of the community to pay. During 1951, the European and Asian communities made direct contribution through the education tax; on the other hand, expenditure by Native treasuries shows scarcely any rise (£119,428 in 1950; an estimated £123,913 in 1951). It is clear that educational advancement for the African population is possible only as the result of economic progress and the growth of local government institutions. The figures above are inaccurate to the extent that fee-paying (i.e., an essentially local contribution to education) has not been taken into account. However, UNESCO wishes to point out one of the difficulties arising from a multiplicity of ethnic groups: while separate school systems are maintained and related to the direct or indirect education levies from separate communities, the contributions of each group to every economic enterprise are very fully integrated.

#### *Organization*

The new African system on a 4-4-4 pattern makes direct comparison with previous years difficult. The enrolment figures for African schools show an increase in 1951 over 1950 of 9.7 per cent in the number of schools, 15.3 per cent in the number of pupils. Much of this expansion has occurred at the middle-school and teacher-training level (Standards V to VIII). Since the plan calls for a 10 per cent per annum rise, these figures are proof of achievement. The structure of the first six classes has some interest in view of the new pattern. Enrolments for these classes, expressed each time as a percentage of the first class, were in 1951 and the two previous years:

1951.....	100	69	51	40	13	10
1950.....	100	69	52	39	14	10
1949.....	100	63	48	36	14	9

These indices give some indication, though not an exact one, of the retaining power of the school. Although the Administering Authority stresses wastage as a major problem, the present figures compare favourably with other educational systems facing similar difficulties.

There appears to be a steady expansion of the middle school and a somewhat slower growth in the secondary enrolment. Of the two special goals the Administration has set itself, one—increased education for girls—shows little change in 1951, presumably because the policy will take time to produce results. The second—more vocational education—can be measured already. Enrolment for vocational education was 786 in 1950 and 1,091 in 1951—a rise of 39 per cent. UNESCO notes with considerable interest the project for a natural resources school; both the funds provided (£300,000 up to 1956) and the scope of the programme (training agricultural, forestry and veterinary personnel along with rural teachers) indicate an experiment which may influence educational practice far beyond the borders of Tanganyika Territory.

Any review of African schooling has to mention the item of “bush schools” (unregistered schools maintained by missionary societies, mainly for religious instruction); these are estimated in 1951 at 5,100 with an enrolment of 210,000, thus equalling the figures given for the registered school system (1,629 schools with 210,949 pupils). As these schools do not fall under government control and receive no grants, it may be impossible for the Administration to make a detailed study of the situation. In the opinion of UNESCO, this second, “unofficial” school system is some measure of the public demand for education (at whatever level) and it would be interesting to know whether certain elements of the government ten-year plan, especially teacher training, could be expanded so as to produce a “surplus” of teachers—and whether this would improve the quality of the bush schools.

In the field of non-African education, the 1951 report records advances over 1950; Asian schools increase by 3.4 per cent, enrolment by 3.2 per cent; European schools increase by 9 per cent, enrolment by 17 per cent. Increased taxation in respect of education is planned, so that this rise is likely to be maintained.

#### *Teachers*

For African schools the pupil/teacher ratio appears to be rising: in 1950, there were 39 pupils per teacher; in 1951, almost 44. The government policy is to allow the figure to rise to 50. The training of African teachers in 1951 cannot be compared with earlier years, since middle schools and teacher-training centres were reported together in 1950. However, even the general figures are significant. In 1950, there were 55 middle and teacher-training establishments, with an enrolment of 3,110. In 1951, 77 middle schools (some ex-primary) enrolled 5,938 pupils; 35 teacher-training centres enrolled 1,144 pupils. UNESCO notes with satisfaction this statistical separation of the two streams in the 1951 report, since it throws more light on the question of teacher supply.

During 1951 the schools were staffed by 4,849 certificated teachers; some 564 new certificated teachers passed out; and the roll of training centres shows that the level of increase (one-ninth) is likely to be maintained. The Administration has therefore ensured an adequate supply of teachers to implement the ten-year plan.

UNESCO notes with interest the existence of a Tanganyika African Teachers' Association.

#### *Adult and community education*

The 1951 report reveals a close link between the activities undertaken by the Departments of Education and of Social Development. The latter Department maintains 36 community centres in urban and semi-urban areas, and these are developing programmes of adult education which make them complementary agencies to the schools.

The pilot fundamental education scheme in the Pare District has proved most successful, with whole-hearted co-operation from the people themselves. Literacy tests and the awarding of certificates began in January 1951; successful candidates were encouraged to attend a second-stage school where, in addition to further reading and writing, they attend demonstrations and carry out practical work in agriculture, public health and hygiene.

UNESCO notes with interest the broad interpretation given by the Administering Authority to "community development" or fundamental education, and also draws attention to the use of the project technique. It would seem from the 1951 report that the work begun in Pare is having effects throughout the Territory.

#### TOGOLAND UNDER BRITISH ADMINISTRATION

##### *Educational policy*

During 1951 an accelerated development plan for education was worked out in the Gold Coast, to come into effect in January 1952. Because of administrative links between the Gold Coast and the Territory and the uniformity of their school systems, this new plan will have important effects on the Territory. There are two aspects to the policy: speeding up the extension of free primary schooling and changing the present school structure. These reforms do not, of course, show results in the 1951 report.<sup>3</sup>

##### *Administration*

The 1951 report indicates that the size and scope of administrative services have continued as before. Due regard has been paid in the accelerated plan to the appointment of new assistant education officers (13 in the Territory) so that inspection will keep pace with the expansion of the school system.

UNESCO notes with interest the continued efficacy of education committees (1951 report, paras. 692-697). The Central Advisory Committee serves both the Gold Coast and the Territory and it contains substantial Togoland representation. At a local level the district education committees play an increasingly important part in shaping policy. One committee serves the Southern Section of the Territory, and its composition (1951 report, para. 696) is proof of the active role given to education by the Administration and the public alike.

For the financing of education, a sum of £201,846 is the estimated public expenditure in 1951. This represents 19.5 per cent of the territorial total—a considerable figure. Further revenue was raised and devoted to education at the Native Authority level, but it is not possible to isolate the sum involved.

In the Southern Section most of the schools are maintained by missions and churches, aided by Government grants totalling £59,994; a further grant of £36,331 was made in respect of capital costs for buildings. A few schools in the south and all of those in the Northern Section are run by Native Authorities.

It is noted that under the accelerated plan no fees will be charged by primary schools in 1952.

##### *Organization*

In reviewing educational development for the different school levels, one has to bear in mind the general population figures. The 1951 report gives (appendix I) the figure of 84,900 for the 5-14 age group. The entire population increases by about 7,000 or 1.75 per cent per annum; this growth has to be set off against rises in school enrolment. One other factor is the different

stage and rate of development in the two sections of the Territory; in 1951 the 5-14 year age group numbered 38,100 in the north, 46,800 in the south.

The infant-junior school now becomes the primary school, with a six-year basic course. In 1951 there were 287 schools (of which 10 were in the north), an increase of 7 per cent on 1950. The number of senior primary schools (to become middle schools) remains constant at 51 (one in the north). Enrolments are shown for both types of school together—a total of 28,875 (of which 577 in the north) making an increase of 3.3 per cent.

These primary school figures reveal the sharp difference between the two sections of the Territory; if school enrolments are equated roughly with the 5-14 year age group we find 62 per cent of southern children and less than 2 per cent of northern children in school. In the 1951 report the Administration stresses this problem of differential development; because the educational system in the north is of much more recent foundation, the rate of expansion is correspondingly slower than in the south. A somewhat similar situation occurs in the Gold Coast and it appears from paragraph 648 of the report that an energetic attack is being made on the northern problem as a whole.

The other conclusion to be drawn from the school statistics is the slowness of the upward trend. Presumably the accelerated plan has been designed with this in mind.

The Territory now has one secondary school with an enrolment of 198 boys, of whom 72 are of Togoland origin. Considerable use is also made of secondary schools in the Gold Coast, so that the effective secondary enrolment in 1951 is 238, as against 174 in 1950. One further secondary school is to be sited in the Territory under the accelerated plan, and the reorganization of the school structure will lead progressively to a lowering of the entrance age until the secondary school follows immediately on the six-year primary stage. Some of the present senior primary schools (of which the Territory has 51) will become middle schools with a terminal post-primary course. With these facts in mind the expansion of secondary education may be regarded as fairly rapid.

UNESCO notes the difficulty in establishing vocational education facilities in the Territory. In two directions steps are being taken to meet the need: Togoland students (numbering 37 in 1951) are admitted to the technical training centres of the Gold Coast; and the curriculum of the existing senior primary schools is made as practical as possible. In this regard, while the 1951 report stresses the place of housecraft in the curriculum, no mention is made of agriculture. However, the 1950 report<sup>4</sup> refers (para. 632) to school farms and to practical work in gardening. It would be interesting to know whether the reorganized middle schools are to have a curriculum based on agricultural and housecraft sciences or are to remain incomplete secondary schools of an essentially academic nature.

<sup>3</sup> See *Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Togoland under United Kingdom Trusteeship for the year 1951*.

<sup>4</sup> See *Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Togoland under United Kingdom Trusteeship for the year 1950*, London: His Majesty's Stationery Office, 1951, Colonial No. 274.

### Teachers

The Territory has 1,025 teachers (an increase of 25 on 1950) for some 28,875 pupils, which gives the rather low ratio of 28 pupils per teacher. Two training colleges within the Territory have an enrolment of 102 students (a drop from the 171 of 1950) while a considerable number of Togoland students (104 in 1951) are enrolled in training colleges of the Gold Coast. The supply of new teachers is thus likely to be less than 100 a year, since the minimum training course is of two years' duration, and it is clear from the 1951 report that the accelerated plan will require an increase of this supply.

UNESCO notes with interest the references to the Gold Coast Teachers' Union and the active part it plays in the development of education in the Territory.

### Adult and community education

The 1951 report shows a rapid growth in activity under this heading. Earlier work in 1948 and 1949 by means of mobile teams has led to the appointment of assistant mass education officers who stimulate and guide the organization of literacy classes. Two posts were provided in 1950; in 1951 these were increased to five; some 120 classes were recorded with an average membership of 40. While progress in such adult classes is very difficult to measure, the assistant mass education officers were satisfied with results; the scope of the classes goes considerably beyond simple literacy in the vernacular and English. Further evidence of the success of the campaign may be seen from the diffusion of reading matter: 8,000 copies of the Ewe primer and readers were sold during the year, and a monthly Ewe newspaper started in October 1951 circulates 10,000 copies.

At the other end of the scale is the programme of the University College's Department of Extra-Mural Studies. Two of the Department's resident tutors supervise work in the Territory. The adult students for whom the Department caters belong to a voluntary movement, the People's Educational Association, membership of which is open to adults of the Gold Coast and Togoland alike. A list of the classes, short and long courses and library service in progress during 1951 (1951 report, paras. 755 to 762) is proof of the vigour of this movement.

The meeting point of both activities—literacy classes and adult courses—is to be found in the concept of community development. The 1951 report described (para. 523 f) how popular support for the idea was expressed by the Legislative Assembly; and as a result a plan for mass education has been incorporated as part of the general development plan.

## TOGOLAND UNDER FRENCH ADMINISTRATION

### Advancement of education

The 1951 report<sup>5</sup> shows the progress along the lines described below. With particular regard to the Trusteeship Council recommendation (A/1856, p. 199), it is noted (1951 report, p. 71) that in 1951 several important constructions were completed: the two buildings for the *collège* of Lomé; the normal school at Atakpamé comprising six classes; and the first

stage of a plan for increasing district primary schools. This progress has continued in 1951 in the following fields.

The budget for education shows an increase on 1950 both as an absolute figure and as a percentage of the total territorial budget. In 1950, public expenditure on education was 124,972,000 CFA francs, or 14.4 per cent of the total budget. In 1951, the allocation was 146,252,850 CFA francs (a rise of 9 per cent), which represents 15.4 per cent of the territorial budget.

The 1951 report notes that 23 new public schools have been built, comprising 54 classes. As the total number of primary schools is not given, progress can be measured only in terms of classes: these have increased by 92 (or 13 per cent) at the primary level while remaining constant at the secondary.

The enrolment of pupils in primary schools reaches 43,151 (of whom 20 per cent are girls), which makes an increase of 2,318 (or 5 per cent) on the previous year. Secondary school pupils number 955 (18 per cent are girls), a rise of 120, or 14 per cent, on 1950 figures. At both primary and secondary levels the public schools have slightly more classes and pupils than the private schools have. The number of pupils passing the primary school certificate is 1,252, a modest total compared with school enrolment and lower than the 1950 figure.

Enrolment in technical education is 164 (of whom 38 are girls).

Teaching staff now number 874, a rise of 113 (or 14 per cent) on 1950. The increase is most pronounced for the lower primary teachers or *moniteurs*; but there are also 15 qualified secondary school teachers instead of the 7 of 1950.

### Administration

The *académie* inspector who is in charge of the Directorate of Education is assisted by an Education Council of ten members representing the main administrative and technical aspects of the school system. UNESCO notes with interest the structure of the Council as an example of co-ordination. The control of primary education is assured by two inspectors and seven specialist advisers. The administrative staff shows a small increase over 1950.

### Organization

The 1951 report emphasizes that courses have the same duration as in metropolitan France: six years of primary school, seven of secondary divided into two cycles. Pupils may take certificates at various levels—the *brevet élémentaire* (B.E.), the *brevet d'études du premier cycle* (B.E.P.C.) at the end of the lower secondary course, and the *baccalauréat* upon completing the second cycle.

However, it may be noted that the proportion of successful candidates is extremely low: of 43,151 primary school pupils, 1,252 (or 3 per cent) obtained the primary school certificate. The entrance examination to secondary schools eliminated over 80 per cent of the candidates. The B.E. and B.E.P.C. between them produced only 65 passes; for the *baccalauréat* there were nine successes in part one, two in part two. While the maintenance of standards and the usefulness of a uniform system of certificate are unquestioned,

<sup>5</sup> See *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Togo placé sous la tutelle de la France, année 1951.*

UNESCO feels that attention should be drawn to the severity of this elimination.

It is therefore interesting to note from the 1951 report that the school systems and curricula, although inspired by those of France and reaching the same level, are tending to be adapted progressively to local conditions. This is a most important development, and UNESCO notes with interest the evidence given both on syllabuses and school textbooks.

Technical education still appears to be the weakest part of the educational system although the need for it is considerable.

The need for higher education in the Territory is at present met by sending students abroad on scholarships. Of the 97 students, 53 are enrolled in university courses, one of them at Dakar. The question is whether this number is sufficient for the Territory's requirements.

### *Teachers*

Teachers are classified at various levels — *moniteurs*, assistant primary teachers, primary teachers, secondary teachers. The first class of local primary teachers will graduate from the normal school of Atakpamé in 1952. Courses for in-service training of staff have also been organized. However, the proportion of the unqualified *moniteurs* is still very considerable: 68 per cent in public, 92 per cent in private schools. Education can be no better than teachers make it, and UNESCO would suggest that in this regard the setting up of further normal schools is desirable.

Teachers in the Territory belong to an association which takes an active part in the making and carrying out of policies affecting the teaching profession.

### *Fundamental and adult education*

Some 5,500 adults attended the 135 courses organized for them; the elementary courses are taught by *moniteurs*, the upper ones by primary school teachers. The vernacular is often used in the beginning stages. Sixty adults from the upper classes passed the primary school certificate.

Also noteworthy are the work of a mobile unit comprising a cinema and a library, and the opening of a youth club.

These steps in fundamental education are encouraging, especially if the courses are to be expanded and a content developed which aims at better use of resources and a higher standard of living.

The 1951 report describes an important conference which brought together all the main territorial administrators for the purpose of examining the proposal for a pilot project in fundamental education along the lines of those tried out by UNESCO. The necessary credits have now been voted by the Representative Assembly. UNESCO notes this development with the greatest interest, and would welcome further information on the scheme.

### *Welfare services*

The scholarship system at secondary and technical education levels is well advanced. Some 343 pupils have bursaries, most of which are of a complete nature, covering board, lodging, clothing and school supplies.

While education is not yet compulsory, it is free, and school supplies and medical treatment are assured to an extent which is likely to encourage attendance.

### CAMEROONS UNDER BRITISH ADMINISTRATION

#### *Administration*

The 1951 report<sup>6</sup> indicates little or no change in the policy and administrative arrangements for education. The Administration has granted the status of approved voluntary agency to two more agencies — Messrs. Elders and Fyffes and the Cameroons Development Corporation; the latter has begun a programme of free primary education for all the children of its employees.

The methods of financing education remain the same as in 1950, but the sums devoted to education show a considerable rise of 28 per cent. In 1951, 11.6 per cent of the normal territorial expenditure (or almost 16 per cent if capital expenditure on development is included) was earmarked for education. These figures are estimates from the main table 16 of the 1951 report; there is some discrepancy in the education table 42, which presumably records actual expenditure. The total government expenditure of £155,500 contains £67,000 paid in grants to voluntary agencies. The majority of the schools charge fees, so the amount available for education is in excess of these figures. UNESCO notes with interest the attempt of the Cameroons Development Corporation to remove fee-paying in the schools it is setting up.

The report lists in para. 716 f the considerable building programme completed and in progress during the year.

#### *Organization*

The Territory has different educational systems for the Southern and the Northern Provinces. In the south a 4-4-6 plan prevails (junior and senior primary, secondary), while in the north the main school types are the four-year elementary school followed by a five-year middle school.

The total number of schools in the Territory increased by 8 in 1951 to 312 (of which 38 are in the north); the number of pupils amounted to 31,684 (2,094 in the north), a rise of 3 per cent over the previous year. From estimates of the school-age population it appears that 12.1 per cent of children are in school (11.7 per cent in 1950), but this general figure covers a wide difference between the two sections of the Territory — 24.5 per cent for the south, 1.5 per cent for the north. Educational facilities are thus expanding, although the rate of progress is slow.

The 1951 report describes (paras. 711-712) the problem of vernacular languages as a continuing obstacle to the extension of education. The present policy is to use the vernacular in primary education wherever possible, with the result that schools cannot be grouped on a regional or territorial basis when such fundamental issues as teacher-training or the production of reading material are to be dealt with. Secondary education statistics show the same two schools in 1951 as in 1950, with a considerable rise in enrol-

<sup>6</sup> See Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of the Cameroons under United Kingdom Trusteeship for the year 1951.



ment — 322 against 262. The first technical education centre was completed during 1951 and began work early in 1952. While facilities at these levels appear small, they are probably as much as the basic structure of primary schools demands.

The need for higher education is met at present by sending 31 students for study in Nigeria, Sierra Leone and the United Kingdom; the majority of them are scholarship holders.

#### Teachers

During 1951 the Territory had 1,218 teachers (certain inconsistencies in table 48 of the report may be noted), making a small decrease from the 1950 total of 1,256. The relation of teachers to pupils enrolled is as follows:

1,085 in the south, for 29,590 pupils — 28 pupils per teacher;

133 in the north, for 2,100 pupils — 16 pupils per teacher.

Throughout the Territory, therefore, the supply of teachers is good, and there is room for expanded enrolments even with present staff. For the training of teachers the Territory has 7 centres enrolling 340 students (compared with 284 in 1950). Taking the training course as two years, this means a supply of 170 fresh teachers a year — about one-sixth of the number in service. The report remarks that this favourable situation is true only at the lower primary level, and that it is still difficult to staff upper primary schools.

#### Adult and community education

UNESCO notes with interest the continued attempts to develop literacy campaigns in the Territory. A number of organizers are now being employed by voluntary agencies by the Government; and in at least one area (the labour camps of the Cameroons Development Corporation) an intensive campaign of some size has developed. It is worthy of note that the Territory is deriving benefit from earlier work carried on in Nigeria, especially in the supply of textbooks and reading material.

In an effort to provide training in community leadership the Territory has continued the Man O' War Bay scheme which began in 1950. Two courses were held during 1951. This experiment combines the spirit of social service and the spirit of adventure in a remarkable way, and UNESCO expresses the hope that the authorities may shortly issue a fully documented account of the venture.

### CAMEROONS UNDER FRENCH ADMINISTRATION

#### Educational advancement

The 1951 report<sup>7</sup> shows advances in every aspect of education: the budget for public education, which rises from 10 per cent of the total budget in 1950 to 12 per cent in 1951; the number of classes and enrolment of pupils at the primary level; the expansion of the *lycée* at Yaoundé; and an increase in technical education enrolment and in scholarships.

With particular regard to the Trusteeship Council recommendations at its ninth session (A/1856, p. 150), an intensified effort by the Administering Authority to develop teacher training may be noted.

<sup>7</sup> See *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Cameroun placé sous la tutelle de la France, année 1951.*

Finally, within the framework of the social and economic development plan financed by the *Fonds d'investissements pour le développement économique et social des territoires d'outre-mer* (FIDES) which is mentioned on pages 178-180 of the report, progress has been made in providing secondary, technical and vocational school buildings.

Details on these points are given below.

#### Administration

##### (a) Administrative structure and school inspection

The importance attached to education is shown by the fact that on 11 July 1950 the Public Education Service was raised to a Directorate, with control over both administrative and technical aspects of education in State schools and the technical side of education in private schools; administrative problems of private schools are dealt with by the Cameroons Education Committee. The Director of Education in an official seconded from the *Université*.

School inspection has been intensified through the creation in 1950 of four inspectorial districts for primary schools and a fifth is to be created in the near future. The duties and functions of primary school inspectors are laid down in the decree of 27 July 1950 and several circulars.

A Bureau of Educational Studies, set up in 1951 under the Director of Education, has already shown what valuable work it can perform. It has carried out a study of English textbooks with a view to their adaptation to territorial needs, begun the training of pre-school teachers and founded a journal of education. The plans for 1952 include in-service training courses, an experimental project in fundamental education and home economics and the opening of several kindergartens.

##### (b) Budget

The financial support of education increases each year. While credits for education in 1946 amounted to 6 per cent of the normal budget, they reached 12 per cent in 1951 (480 million francs), which represents a rise of 146 million over the previous year.

In addition to the 480 million of the territorial budget there are credits from the metropolitan country under the terms of the ten-year development plan (a total of 2,500 million for capital outlay on buildings and supplies).

Of the official budget, 117 million francs (about one quarter) are devoted to grants-in-aid to private schools.

##### (c) Buildings

School buildings are regarded by the authorities as one of their most urgent problems. While credits from France are devoted to secondary and technical schools, the territorial budget provides 82 million francs for primary school construction: 66 new schools or classes and houses for teachers.

#### Organization

##### (a) Primary education

Primary schooling continues to grow quantitatively. The number of classes in public schools rose from 467 in 1950 to 533 in 1951 and the enrolment rose from 26,682 to 28,594. In private schools the corres-

ponding enrolment figures were: 1950: 102,231; 1951: 111,988. This makes a total increase in the number of pupils of 11,668, or 9.4 per cent, over the previous year.

Primary education is now facing three problems: (a) the need for progressively establishing greater equilibrium between the less privileged northern regions, where difficulties are considerable, and the more accessible southern regions; (b) the need for extending the education of girls who, despite progress achieved in recent years, still make up only 17 per cent of the school enrolment; and (c) the qualitative improvement of private schools which follow the same programmes as public schools and account for 79 per cent of the school population.

The 1951 report stresses that it is in the interests of equality to keep programmes and examinations at the same level as in metropolitan France, but that they are adapted to African conditions. On educational grounds the need for such adaptation can hardly be over-emphasized.

#### (b) Secondary education

The most significant event has been the expansion of the *collège* of Yaoundé, and it is now named the Lycée Maréchal Leclerc. This institution will henceforth provide a full secondary course up to the *baccalauréat* parts one and two. It is anticipated that enrolments at the Lycée will be high when classes begin in October 1952, and an expansion of the school plant has been undertaken with this in mind.

Modern secondary education, leading to the *brevet élémentaire* and *brevet du premier cycle*, is given in three public and three private schools. Complementary courses were set up in Bertoua in October 1951.

Enrolment in the public secondary schools (including the national vocational school at Douala) amounts to 1,204. Corresponding figures for private schools are not available, and it might be desirable to collect them for future reports.

#### (c) Technical education

A programme for extending technical education is under way. In the main towns, sections for pre-apprenticeship training are being added to primary schools, and vocational education centres are to be set up to take the best pupils from the sections.

At the end of 1951 five pupils, including one European, passed the industrial education certificate, and a first class of twenty-five apprentices in woodwork was recruited from the pre-apprenticeship sections already established. The building of three vocational education centres was begun in 1950 and the establishments should open in 1952. Three pre-apprenticeship sections were functioning in 1951, with an enrolment of 107; three more sections are being built. The curricula of these sections, given in the 1950 report<sup>8</sup>, appear well balanced in the co-ordination of general education and practical training.

Private schools for vocational education are State-aided. They comprise two Protestant vocational schools, three Catholic apprenticeship centres and a centre for accelerated training. Commercial education

is organized by private bodies; it consists mainly of evening courses in shorthand, typing and book-keeping. The public authorities run classes in home economics, with an enrolment of 150 girls.

The enrolment in public vocational education amounted in 1951 to 444 pupils, of whom three were Europeans. The report indicates how much progress has been made in this field, and how much yet remains to be done.

#### (d) Higher education

The need for higher education in the Territory is at present met by sending students abroad on scholarships; in 1951 scholarship holders numbered 57.

#### (e) Scholarships

These are of three types: bursaries for correspondence courses for young public officials; local bursaries for primary school pupils who have to live away from home (600 bursaries at 1,800 francs per quarter), extended also to secondary pupils (568 bursaries at 7,000 francs per quarter); and scholarships for study in France. The last group numbered 260 in 1951 (against 206 in 1950) and were divided as follows—102 for secondary, 80 for technical, 57 for higher education. Some 21 had scholarships for specialization and were placed in large administrative units or technical establishments.

It is foreseen that expansion of secondary and technical education facilities in the Territory will lead to a diminution of this type of scholarship for study in France, while those for higher education will increase accordingly.

#### Teachers

The public primary schools are conducted by teachers at various levels; 101 French teachers with the *baccalauréat* and a teaching diploma; 24 Africans with similar qualifications; 292 assistant teachers with the lower secondary certificate; 136 *moniteurs*, slightly less qualified; and 72 assistant *moniteurs*. There are also 76 women teachers. The private schools are staffed by 2,516 men and 87 women teachers, generally less well-trained than those in public schools. UNESCO notes that the increasing access of girls to education will tend to even out the present disproportion between the sexes in the teaching profession.

In 1951, there were 59 teachers in secondary and technical schools, a rise of seven over 1950.

The extension of education is linked closely to teacher training, and the 1951 report indicates that measures are being taken for the rapid training of native teachers. Two public training colleges, of the metropolitan type, are established in Yaoundé and Nkongsamba. Private agencies train their teachers in four normal schools equivalent to lower secondary level.

UNESCO notes with interest that the African teachers set up in 1951 an association to unify the teaching profession and to foster their moral, intellectual, social and technical training. European teachers belong to a local branch of the metropolitan union.

#### Adult and fundamental education

The Administration remarks in the 1951 report that the most effective way to combat illiteracy is by extending the school system. However, it is admitted

<sup>8</sup> See *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Cameroun placé sous la tutelle de la France, année 1950*.

that among the adult population the effect of the school alone is probably not sufficient to spread a knowledge of health practices and a desire to learn. Consequently, an effort is being made to intensify the work begun in 1950. Measures are being taken to set up one or more adult courses in every school in the Territory, and during 1951 the enrolment had already reached 10,000.

Much is hoped from the use of films for health education. UNESCO notes with great interest the start made in local film production on such topics as malaria and other diseases, home cleanliness and soil conservation. One new mobile cinema was put into operation in 1951.

## (a) Somaliland under Italian administration, 1951

### DOCUMENT T/979

#### Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration covering the period from 1 April 1951 to 31 March 1952

[Original text: English]  
[22 April 1952]

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#### CHAPTER I

##### GENERAL

##### *Establishment, composition, terms of reference and headquarters of the Advisory Council*

1. In accordance with Annex XI, paragraph 3, of the Treaty of Peace with Italy the Powers concerned agreed to accept the recommendation of the General Assembly on the disposal of the former Italian colonies. The General Assembly, by its resolution 289 (IV) decided to place former Italian Somaliland under the International Trusteeship System with Italy as the Administering Authority. Italy was to be aided and advised by an Advisory Council composed of the representatives of Colombia, Egypt and the Philippines and the Council's headquarters was to be in Mogadiscio. The precise terms of reference of the Advisory Council

were to be determined in the Trusteeship Agreement, a draft of which the Trusteeship Council was charged with negotiating with Italy as the Administering Authority.

2. The Trusteeship Agreement thus drafted was applied on 1 April 1950 with Italy assuming the provisional administration of the Territory on that date. The draft Trusteeship Agreement was approved by General Assembly resolution 442 (V) on 2 December 1950 and ratified by the Italian Parliament on 4 November 1951.

##### *Functioning of the Advisory Council*

3. Under the Council's terms of reference to aid and advise the Administering Authority, the work of the representatives on the Advisory Council may be described as follows:

(1) Attendance at Advisory Council meetings. Since its establishment the Advisory Council has held a total of 55 meetings of which 40 took place during the year under review;

(2) Informal conferences or exchanges of views among members of the Council or among members and the Secretariat;

(3) Interviews with the Administration on important or pressing matters;

(4) Conferences with individuals, groups or organizations of the population;

(5) Dissemination of information about the United Nations;

(6) Field trips to observe conditions;

(7) Attendance at official functions;

(8) Special studies undertaken by representatives.

4. Since the establishment of the Advisory Council member States on the Council have been represented in Mogadiscio as follows:

(1) Colombia: Mr. E. De Holte Castello, from 31 March 1950 to date;

(2) Egypt: Amin Rostem Bey, 31 March 1950 to 13 May 1950; Mr. Talaat Mohamed Ragheb, 26 May to 26 November 1950; Salah El Din Fadel Bey, 2 February 1951 to date;

(3) Philippines: Mr. Manuel Escudero, 31 March 1950 to 8 April 1950 and again from 16 June 1950 to 10 September 1950; Mr. Victorio D. Carpio, from 23 March 1951 to date.

5. There have been three representatives in Mogadiscio during the following periods: 1 April 1950 to 8 April 1950; 16 June 1950 to 10 September 1950; 23 March 1951 to 22 April 1951.

6. However, rule 24 of the Council's rules of procedure (A/AC.33/R.1/Rev.1) provides that two representatives constitute a quorum for the holding of a meeting of the Advisory Council and such a quorum existed in Mogadiscio from:

1 April 1950 — 13 May 1950;

26 May 1950 — 10 September 1950;

2 February 1951 — 9 March 1951;

23 March 1951 — 21 May 1951;

24 August 1951 — 13 November 1951;

18 November 1951 — 18 December 1951;

20 January 1952 — 2 March 1952.

7. All three representatives attended the ninth session of the Trusteeship Council in New York during June and July 1951.

8. The above dates show that in the two years of the Council's existence all three representatives were together in Mogadiscio for only 123 days. A quorum existed in Mogadiscio for 354 days over the same period. Practical experience has shown that it is impossible for the Council to function properly with only two members present. Inevitably differences of opinion have arisen between these two members regarding the position which the Council should adopt in transacting its business. At such times, therefore, an impasse occurred which only the vote of the third member present could have obviated.

### Chairmanship

9. During the year under review, because of the absence of one or the other of the representatives, the Chairmanship of the Council was held by the following representatives:

(1) *Philippine representative*: 1 to 23 April, 1951;

(2) *Colombian representative*: 23 April 1951 to 10 July 1951; 10 July 1951 to 23 August 1951 (acting for Egypt);

(3) *Philippine representative*: 23 August 1951 to 10 September 1951 (acting for Egypt); 10 September 1951 to 18 January 1952; 18 January 1952 to 26 January 1952 (acting for Colombia);

(4) *Colombian representative*: 26 January 1952 to 18 March 1952; 18 to 31 March, 1952 (acting for Egypt).

### Secretariat

10. In accordance with General Assembly resolution 289 (IV), section D, paragraph 2 (c), the Secretary-General assigned staff to assist the Advisory Council in performing its functions. During the year under review Dr. A. J. Lucas was succeeded as Principal Secretary by Mr. T. C. Shore on 3 November 1951.

## CHAPTER II

### RELATIONSHIP WITH THE ADMINISTERING AUTHORITY

#### General remarks

11. By the beginning of the second year of the Italian administration procedural details concerning particularly the furnishing of information as required in the first paragraph of article 8 of the Trusteeship Agreement and the requests for advice (second paragraph of article 8 of the Trusteeship Agreement) had been worked out so that throughout the year under review no real difficulties were encountered in this connexion.

12. Only with respect to a communication on the subject of the "Transfer of the power to grant pardons" (A/AC.33/AA.48/LEG)<sup>9</sup> which had been submitted to the Advisory Council as "information" rather than as a "request for advice" was there a slight deviation from the normal procedure observed, especially since this had been submitted to the Territorial Council before it was submitted to the Advisory Council and a time-limit was set for the Advisory Council's reply. The representative of Egypt at the Council's 24th meeting held in New York proposed that the Chairman should officially ask the Administrator the reasons for this. At the next meeting the Chairman explained the Administrator's position in this particular matter to the full satisfaction of the Advisory Council. The Administrator suggested that the Advisory Council and the Territorial Council should be consulted simultaneously on any new draft laws because otherwise the Territorial Council might conceivably be influenced in its decisions by the opinions already expressed by the Advisory Council. The Advisory Council in its turn, if called upon to make recommendations after the Territorial Council had expressed itself, would be embarrassed if it had to make a pronouncement contrary to the wishes of the Territorial Council. When the

<sup>9</sup> See also paragraph 100.

Territorial Council was not in session the Administration would simply hold any advice received from the Advisory Council until the Territorial Council had a chance, on reconvening, to consider the matter involved. The Administrator in his desire to find procedures which would continue to preserve the atmosphere of mutual understanding and co-operation that existed between the Administration and the Advisory Council made the above-mentioned suggestion that the Advisory Council and the Territorial Council should in future be consulted simultaneously on any new draft laws. That suggestion satisfied the Council.

13. When in Mogadiscio, the representatives on the Advisory Council have been constantly in contact with the Administering Authority which has given them every assistance in the prosecution of their work. The Advisory Council, and its members individually, found it useful to invite officials of the Administration to elaborate on matters under consideration. This procedure, for example, was followed with mutual benefit to the Advisory Council and the Administration in connexion with the request for advice on the Five Year Plan for Educational Development.

*Basis of the relationship*

14. The Advisory Council's relationship with the Administering Authority stems from the pertinent provisions of the General Assembly resolution and the Trusteeship Agreement which established the Advisory Council to aid and advise the Administering Authority.

15. It was article 8 especially that received considerable discussion during the fifth session of the General Assembly. In this connexion, the speech of the Chairman of the Advisory Council at the 175th meeting of the Fourth Committee was reported as follows:<sup>10</sup>

"... It was, however, essential that the Administering Authority should not fail to consult the Council on all questions specified in the Trusteeship Agreement in accordance with the terms of that Agreement. During the initial period the Council had not been adequately informed, but the situation had rapidly improved and was now entirely satisfactory."

16. At the 179th meeting [of the Fourth Committee] the Chairman of the Advisory Council asked the Administering Authority for formal assurance that the Council would be consulted on the budget. The budget was not one of the items mentioned in article 8 of the Trusteeship Agreement.

17. Ambassador Fornari, the Administrator of Somaliland, spoke as follows at the 178th meeting:<sup>11</sup>

"... my delegation wishes before all else to assure the distinguished representatives of Iraq, Egypt and India that the Administration will continue to consult the Advisory Council on all important questions and to keep it informed of its activities. In particular, I should like to say to the distinguished representative of Egypt that we shall not fail to include among those important questions the matters referred to in article 3, paragraph 3, of the draft trusteeship agreement. I should like to give the same assurances to the representative of India, who pointed out [177th meeting] that the Advisory Council had

stated in paragraph 75 of its report contained in document A/C.4/178 that in the beginning it had not been kept fully informed of the Administering Authority's plans as they matured and of the rapid sequence of developments. I should add, however — and would draw the Indian representative's attention to this — that the Advisory Council added that it was pleased to record that since the return of the Administrator from Rome, that is to say, since the beginning of July, the Administering Authority has furnished information on every decision. Hence I can only reiterate that the procedure which has been followed by the Italian Administration in the past will continue to be followed in the future."

18. Concerning the budget, the speech of Ambassador Fornari at the 179th meeting was reported as follows:<sup>12</sup>

"... The Chairman of the Advisory Council and the representative of India had asked for an assurance that article 8 of the draft agreement would be interpreted to include the budget estimates for the territory. They could rest assured that the budget estimates would be submitted to the Advisory Council for its advice."<sup>13</sup>

19. Thus the Advisory Council interprets article 8 of the Trusteeship Agreement to mean that there is a general obligation on the part of the Administering Authority to keep it informed and to request its advice.

20. The first paragraph of this article reads, in part:

"The Advisory Council shall be fully informed by the Administering Authority on all matters relating to the political, economic, social and educational advancement of the inhabitants of the Territory, including legislation appertaining thereto..."

21. The general obligation on the part of the Administering Authority to request the Advisory Council's advice is seen in the second paragraph of article 8 of the Trusteeship Agreement [*italics not in the original text*]:

"The Administering Authority shall seek the advice of the Advisory Council on *all* measures envisaged for the inauguration, development and subsequent establishment of full self-government for the Territory; in particular, it shall consult the Advisory Council regarding plans for..."

22. The words "*in particular*" show that the subjects subsequently listed in article 8 do not constitute a restrictive list on which alone the Administering Authority should ask the Advisory Council's advice. The obligation remains quite general.

23. Finally the Advisory Council is of the opinion that it has the initiative in making observations and recommendations to the Administering Authority, basing this opinion on the latter part of the first paragraph of article 8 of the Trusteeship Agreement:

"... and may make to the Administering Authority such observations and recommendations as it may

<sup>12</sup> *Ibid.*, 179th meeting, paragraph 49.

<sup>13</sup> The first draft provisional budget, the one for the financial year 1952-1953, was received on 21 February 1952 and this was submitted by the Administration to the Advisory Council for informational purposes only. The Advisory Council considers that, under the terms of article 8 of the Trusteeship Agreement, this should have been submitted for its advice and therefore proposes to take the initiative in rendering advice on this budget.

<sup>10</sup> See *Official Records of the General Assembly, Fifth Session, Fourth Committee, 175th meeting, paragraph 57.*

<sup>11</sup> *Ibid.*, 178th meeting, paragraph 39.



consider will be conducive to the attainment of the objectives of this Agreement.”

24. Thus, the Advisory Council replied to the information given by the Administering Authority on the transfer of the power to grant pardons (A/AC.33/AA.48/LEG referred to in paragraph 12 above) as though it had been submitted in the form of a request for advice.

*Information received from the Administering Authority*

25. In accordance with the first paragraph of article 8 of the Trusteeship Agreement the Advisory Council received from the Administering Authority information transmitted not only in the form of legislative documents (printed in the *Bollettini Ufficiali*), but also in the form of special communications which are listed in annex II.

*Requests for advice received from the Administering Authority, the Advisory Council's answers to these and the implementation given by the Administering Authority to the Council's recommendations*

26. With the exception of one request for advice concerning the fixing of salaries of locally recruited teachers submitted to the Advisory Council under the provisions of article 5 of the Declaration of Constitutional Principles annexed to the Trusteeship Agreement all requests for advice were presented in accordance with the second paragraph of article 8 of the Trusteeship Agreement. The requests for advice, containing the subject-matter of the questions under consideration, the Advisory Council's replies, the opinions of the Territorial Council and the Territorial Council and the implementation given to the Advisory Council's recommendations by the Administration are summarized below:

(a) *Establishment of organs of self-government*

(i) *Establishment of a municipal council in Mogadiscio*

27. A letter from the Administrator (A/AC.33/R.13), dated 2 February 1951, referred to the plan to establish municipal councils in the chief town of each Residency and requested the Advisory Council's advice as to the manner of selection or designation, the composition and the powers of a municipal council in Mogadiscio. To assist the Advisory Council in its considerations the Secretariat prepared a working paper (A/AC.33/W.30/P and Corr.1). The Advisory Council examined this request at its 13th meeting and resolved to postpone its decision until all representatives were prepared to state their opinions. The advice was finally given on 14 April 1951 (A/AC.33/R.21).

28. The question was also discussed at the 5th, 6th and 7th meetings of the Territorial Council during its first session (A/AC.33/AA.30/P).

*Summary of the request*

29. Two methods were suggested for the way in which the councillors should be designated. First, the names of Somali and Arab members should be designated to the Administrator by the Resident's Council of Mogadiscio which should be free to select candidates from among its own members as well as from among persons who were not members. Second, the names of Italian and foreign (i.e., Indian and Pakistani) members should be indicated to the Administrator by the

*Commissario* of Mogadiscio in agreement with the Resident of Mogadiscio, the Chamber of Commerce, the organizations and associations representing general interests and the minority communities concerned.

30. It may be added that both these proposals were unanimously approved by the Territorial Council.

31. As to the composition the Administration had proposed the following; 6 Somalis, 6 Italians, 1 Arab and one representative for the rest of the foreign community (i.e., Indians, Pakistanis and Eritreans). This the Territorial Council did not approve and adopted unanimously the proposal made by one of its members recommending that the distribution of seats for the various communities should be as follows: Arab, 1, Indo-Pakistani, 1, and for the remainder of the seats two Somalis for each Italian.

32. Ordinance No. 9 in the *Bollettino Ufficiale* No. 6, Supplement No. 1, of 22 June 1951 shows that the Administration adopted this proposal of the Territorial Council.

33. As to the functions proposed by the Administration for the municipal council these were to be largely consultative in character. The Head of the Municipal Services may at his discretion ask the opinion of the municipal council on all matters of general administration, but there are also certain special questions on which he may not take his decision without first having obtained the opinion of the municipal council. The special questions concern the budget of the municipality, imposition of new taxes and town planning.

*Summary of the Advisory Council's reply (A/AC.33/R.21)*

34. The Advisory Council agreed with the Administration's proposed two methods of designating the members of the municipal council, at least so far as the first trial year was concerned. However, it added a recommendation that the Administration should give study at the earliest possible date to evolving an electoral system which would permit the whole population of Mogadiscio itself to elect the councillors.

35. The Advisory Council also agreed with the proportion of representation on the municipal council as recommended by the Territorial Council for this early stage. However, the Advisory Council at the same time considered these proportions to be purely temporary and subject to variation as soon as circumstances permitted and in such a way that the Somalis would be accorded an ever-increasing share in the management of their own affairs.

36. The Advisory Council appreciated the fact that, in the early stages, owing to the present limitations of the Somali people, the municipal council would have to be largely a consultative body, but recommended to the Administration that the municipal council's powers should be enlarged as the Somalis qualified themselves for greater responsibilities.

37. The Advisory Council, while subscribing strongly to the selection of literates, felt that literacy should not be a condition for membership on the municipal council. If it were, illiterates of wide experience, of great practical wisdom and common sense would be denied the right to contribute to the welfare

of their fellow citizens side by side with leading personalities in various political parties.<sup>14</sup>

38. The Advisory Council made a final recommendation to the effect that the Administration should give thought as to how the municipal council could be used as a training school in which young and intelligent Somalis could gain valuable practical experience in municipal affairs.

(ii) *Establishment of municipal councils in the outlying districts of Somaliland*

39. A letter from the Administrator (A/AC.33/R.24), dated 25 April, asked the Advisory Council's advice on a plan to institute municipal councils in the most important centres of the Territory. The Advisory Council considered this request at its 22nd and 23rd meetings and made its recommendations to the Administrator by its letter dated 12 May 1951 (A/AC.33/R.25). The pertinent ordinance No. 10 dated 6 June 1951 was finally published in the *Bollettino Ufficiale* No. 6, Supplement No. 1, of 22 June 1951.

*Summary of the request*

40. The intention was to introduce such institutions into the democratic framework already established as a further means of political education whereby the Somalis would increase their political consciousness, and prepare themselves to shoulder their future responsibilities under self-government. The process had to be gradual according as the milieu to receive these institutions evolved and became aware of their importance and value. There would be two phases. The first would be more in the nature of an "administration of municipal services" in all Residencies and other important centres of economic life. For the time being there would be no legal acknowledgement of its activity, although there would be a budget for the municipal administration derived from taxes of a local character. The second and final phase would be a full-fledged and proper municipal administration with complete administrative and financial autonomy and a wider power of action proceeding from the acknowledgement of its existence according to law.

41. The first phase, i.e., the administration of municipal services, would be headed by a "municipal council" presided over by the *Commissario* on whose instructions the services would be carried out. Its composition would be rather restricted and would consist of:

- (1) Prominent persons of the municipal area (not less than two and not more than four);
- (2) One or two representatives of foreign communities, having considerable economic interests in the municipal area;
- (3) One or two representatives of economic categories;
- (4) One or two representatives of professions, arts and crafts;
- (5) One representative of cultural and religious associations. The number of councillors should not be under six nor over twelve according to the importance of the municipal centre.

42. The same two methods of designating<sup>15</sup> the councillors as used for the municipal council of Mogadiscio (see paragraphs 29 and 30 above) would be employed, with the competent *Commissario* making a one-year appointment by issuing his own ordinance.

43. The powers of these municipal councils would initially be purely advisory, to be gradually amplified later. Their opinion would be asked on such matters as:

- (1) Local budget;
- (2) New taxes;
- (3) Works of public utility—roads, markets, wells etc.;
- (4) Creation of professional associations and institutions;
- (5) Development of artisanship.

*Summary of the Advisory Council's reply*

44. The Advisory Council approved of the Administration's proposal in general, but also made the following recommendations. First, that representation on these councils should be specifically accorded to the most important political parties, inasmuch as they play a significant role in the political development of Somaliland. Second, that an effort be made to take a census in the towns concerned so that some kind of electoral lists could be formed for the inauguration at an early date of some form of electoral system which would be more democratic than the present system of designation. Third, that the Residency Council should be limited to drawing up lists of *proposed* members of the municipal council, leaving it to the Administrator himself to make the final choice. Fourth, that in interpreting the word "indigenous" the definition of this term as given in the committee which drew up the draft Trusteeship Agreement should be retained, i.e., "indigenous" means "born in, permanently residing in and possessing citizenship of the Territory". In other words long duration of residence in the Territory is not sufficient to qualify anyone as being "indigenous".

*Implementation of the Advisory Council's recommendations by the Administering Authority*

45. Ordinance No. 10 dated 6 June 1951 establishes the "Administration of Municipal Services" in each chief town of the Residencies and Vice-Residencies as from 1 July 1951. In the composition of the municipal council this ordinance makes no specific mention of the political parties as recommended by the Advisory Council. However, document A/AC.33/AA.52/POL which reproduces the Administration's circular No. 316131 of 23 June sent to all *Commissari* and Residents, giving general directives on the application of Ordinances 9 and 10 reads on page 4:

"The purely territorial character on which the organization of the Municipal Administration is founded does not permit the allotting of a specific representation to tribes or political parties; it is clear, however, that exponents of ethnical or political groups will find their place in the various categories constituting the Council, particularly in that mentioned in (a) in article 3.

<sup>15</sup> The Residency Council would designate the members in the first instance, either from among its own members or from among persons who were not members.

<sup>14</sup> Literacy is not mentioned as a qualification in the Administration's Ordinance No. 9 setting up this municipal council.

"Commissioners and Residents, however, will have to bear in mind the important function performed by political parties in the field of the political evolution of the country, and should arrange to allot to their exponents or members a large participation. These form, in fact, the progressive elements and have shown on several occasions that they possess a good aptitude for dealing with problems concerning the Territory."

46. It may perhaps be assumed from article 6 of Ordinance No. 10 that the Administrator, as was recommended by the Advisory Council, will make the final selection of the councillors:

"The competent Provincial Commissioner, *in accordance with instructions received from the Administrator*, will appoint the members of Municipal Council by an ordinance of his own. They will remain in office one year and receive no salary."

47. However, there seems to be a contradiction when this is compared with the circular which on page 5 (A/AC.33/AA.52/POL) reads:

"The lists shall be forwarded to Commissioners who, bearing in mind the instructions contained in this Circular, and particularly the part concerning the representation to be allotted to political parties, *shall choose direct from the lists the members of Municipal Councils*, who will be officially vested with their functions by a special ordinance" [italics in paragraphs 46 and 47 not in the original text].

48. The Administration has made an attempt to retain the definition of "indigenous" as recommended by the Advisory Council, see page 3 of the circular:

"For a precise and uniform interpretation of the word 'autochthonous' [indigenous] it is reminded here that a person who was born and resides permanently in the Territory is considered as autochthonous [indigenous]."

49. Special reference to "possessing citizenship" was not made, no doubt because as yet citizenship is not defined.

#### (iii) Reforms in the organs of self-government

50. A letter from the Administration (A/AC.33/R.32), dated 14 August 1951, asked the Advisory Council's advice on a draft ordinance dealing with certain reforms contemplated in the organs of self-government in the Territory, notably the "scir", or tribal meeting, the Residency Councils and the Territorial Council. This was a most involved question and the Advisory Council discussed it at length during its 27th, 28th, 30th, 32nd, 33rd, 34th, 36th and 37th meetings.

51. A reply was sent to the Administrator on 1 October 1951 (A/AC.33/R.34). The Territorial Council discussed this matter at five consecutive meetings during its third session of 1951 which opened on 4 October. The Administration published the pertinent ordinance, No. 18, dated 20 October, in the *Bollettino Ufficiale* No. 10, Supplement No. 1, dated 25 October.

#### Summary of the request

52. The Administration considered it necessary to re-examine the problem of the political advancement

of the Territory, the purpose being to ascertain the help required by the organs of self-government and the extent to which their functioning could be improved so that the Territory could be led the more quickly to full autonomy and independence. The initial prerequisite to this end was the unification of Somali society by means of territorial (as against ethnic) organs which would be the most democratically representative and as dynamic as possible. The Administration, therefore, made ten main proposals to the Territorial Council, summaries of which are given below, incorporating the substance of the request for advice made to the Advisory Council. The proposals would:

(1) Require "scirs" to be held every two or three years to elect the tribal chiefs, thus giving the Somalis greater opportunity to express their political wishes;

(2) Increase the size of the Residency Councils by adding more political representatives to a number not less than one-fifth of the recognized branches opened by each party in the individual Residencies;

(3) Increase the political representation in the Territorial Council by giving each legally recognized political party having at least five branches in the interior of the Territory one seat plus one more seat for every additional 25 recognized branches;

(4) Take into account only those branches open as of 30 June 1951, in making the increases mentioned in (2) and (3) above. Future recognition of branches would depend upon the submission of a list containing at least 200 members per branch;

(5) Allot 19 seats for "tribal" representation on the Territorial Council. However these seats would not be given on an *ethnic* basis (Darot, Hawiya etc.) but solely on a *territorial basis*, i.e., so many seats per region according to the density of population without any distinction among ethnic groups;

(6) Add to the Territorial Council three additional seats for Somali economic groups;

(7) Add to the Territorial Council two seats for cultural groups, giving these to persons designated by the Mogadiscio Cultural-Social Institute and by the Hamar Youth Club;

(8) Pass, on a yearly basis, the seat now occupied by a representative of the Pakistani group among representatives of the Indian, Eritrean and Ethiopian communities;

(9) Introduce the secret ballot when members of the Territorial Council are being designated and require the candidates to be able to read and write either in Italian or in Arabic;

(10) Extend to the Residency Councillors the immunities presently enjoyed by the Territorial Councillors.

53. Before passing to a review of the advice given by the Advisory Council, it would perhaps be useful to record the reactions of the Territorial Council to the above proposals since these must be taken into consideration in coming to an understanding of the final ordinance.

54. The Territorial Council vigorously opposed the proposal to set the intervals at which tribal chiefs should be elected in the "scirs" to once every two or three years. On this point the councillors proved to



be very conservative in their desire to retain the old traditional system. Therefore, the Administration abandoned its proposal for the time being.

55. On proposals 5, 6 and 7 there was much debate and divergence of opinion. However the consensus of opinion seemed to favour giving up the ethnic basis in allotting regional seats on the Territorial Council. A recommendation was made that the number of these regional seats should be increased.

56. The majority of councillors denied that the Hamar Youth Club was a *cultural* group. It was a political party and therefore should receive the same treatment as all other political parties, being excluded from representation on the Territorial Council until it had the required number of branches.

57. The recommendation was made that there should be a fourth seat for Somali economic groups and this seat should be given to associations of syndical character.

58. No majority decision was obtained on the Administration's fourth proposal. On proposal 8 the Territorial Council recommended that the Eritrean and Ethiopian groups, being so small, should be excluded.

*Summary of the Advisory Council's reply*

59. Owing to the nature of the problem it was inevitable that many of the recommendations made were of quite detailed character which are difficult to include in a broad summary. They can all be found in document A/AC.33/R.34.

Below are listed only the most important of these recommendations which were to the effect that:

(1) A system of written records should be introduced for the "scir" elections of tribal chiefs. These would furnish a basis for future electoral lists;

(2) There should be some sort of a secret ballot in "scir" and Residency Council elections;

(3) As proposed by the Administration, village chiefs and the chiefs of market should be included among the prominent persons to serve on municipal councils. Hereditary chiefs should be confirmed in their office by popular vote as soon as practicable;

(4) Political parties should be allowed to designate any of their members to serve on the Residency Councils, i.e., they should not be compelled to use only the chairman and secretary;

(5) In estimating the importance of the various political parties only those party branches recognized as of 1 September 1951 should be taken into account. A census of party members, the real basis of appraising the importance of these parties, should be taken in 1952. The possibility of granting Residency Councils greater powers in 1953 should be examined;

(6) A new text was proposed in substitution of the Administration's text dealing with the subjecting of chiefs of tribes, members of the Residency Councils and members of the Territorial Council to penal procedure;

(7) Where lists of party members necessary to establish a recognized branch are challenged, appeal against the decision of the Resident pro or con should be allowed to the competent tribunal in Mogadiscio;

(8) For representation on the Territorial Council:

(a) In estimating the importance of the political parties only their branches recognized as of 1 September 1951 should be taken into account. A census of the members should be taken as soon as practicable;

(b) The "progressive political parties" (a term used by the Administration for the Somali Youth League and its affiliates) should have at least the same number of representatives as the so-called "moderate progressive parties" (formerly constituting the *Conferenza* group). The representation accorded to the political parties should be greater than it was in 1951;

(c) The number of seats accorded to regional representation should be gradually reduced in favour of political representation;

(d) Since the Hamar Youth Club was no longer to be considered as a cultural group, one seat only should be given to cultural associations in Somaliland. The Hamar Youth Club should have its seat as a political party;

(e) The seat deducted from the cultural groups should be given to a representative of the wage-earner, employee or labour group;

(f) With respect to "foreign" minority groups (Eritrean, Pakistani etc.) securing representation, a law defining citizenship should be passed as soon as possible.

(9) The so-called "double-list" whereby two lists of names are submitted to the Administrator from which he will make the final selection should be abolished and one single list only required;

(10) With reference to "scir" elections (by secret ballot) the term *elezioni* should be adopted in the Italian text rather than *designazioni*, thus emphasizing the democratic trend;

(11) As agreed by the Advisory Council, all members of the Territorial Council should be able to read and write;

(12) The Territorial Council should be allowed at an early date to elect its own presiding officer;

(13) Provision should be made for holding extraordinary plenary sessions of the Territorial Council, thus reducing the number of appeals to article 5 of the Declaration of Constitutional Principles annexed to the Trusteeship Agreement.

*Implementation of the Advisory Council's recommendations by the Administering Authority*

60. The Administering Authority decided not to force the issue concerning "scir" elections, in conformity with the opinion of the Territorial Council and no changes at this level are introduced. This disposed of the Advisory Council's first three recommendations listed above. With regard to the others:

(4) The Advisory Council's recommendation was accepted;

(5) The date 1 September 1951 was accepted. The Administering Authority considered that for practical reasons it would be difficult now to attempt registering party members. Also it would perhaps be violating party freedom;

(6) The Advisory Council's text was adopted, but no mention was made of chiefs of tribes for the same reason as applies to recommendations (1), (2) and (3) above;

(7) This was accepted. Right of appeal to the Regional *Commissario* and in the final instance to the Administrator was granted;

(8) (a) The same as for (5);

(b) The Administering Authority did not approve granting now an equal number of seats to the "progressive parties" and to the "moderate progressive parties". Their respective representation would be determined in the future according to the number of their recognized branches;

(c) No such reduction was provided for;

(d) The Advisory Council's recommendation that one seat only be given to cultural groups was accepted. However the Hamar Youth Club failed to qualify by its number of branches as a political party and was given no seat in the Territorial Council;

(e) One seat of the four seats given to Somali representatives of economic groups was earmarked for a representative of the wage-earners;

(f) No such provision was made.

(9) This was not accepted;

(10) See (1), (2) and (3) above;

(11) This had been originally planned by the Administration;

(12) The Administering Authority agreed to do this, but not immediately;

(13) No such provision was made.

(b) *Economic and financial development*

(i) *Mining regulations*

61. The Administrator's letter (A/AC.33/R.19), dated 4 April 1951, asked the Advisory Council's advice on the subject of certain mining regulations about to be issued. The Advisory Council examined this request at its 17th, 18th, 24th, 25th and 26th meetings and gave its answer on 2 July 1951 (A/AC.33/R.30). The Administration issued the pertinent regulations in the *Bollettino Ufficiale* No. 8, Supplement No. 2, Ordinance No. 13, dated 15 August 1951.

#### *Summary of the request*

62. The Administration was studying the old mining regulations still in force and planning to adapt these to the altered juridical situation of the Territory, now under trusteeship. Two fundamental questions had to be answered: first, what legal form should be used in allotting mineral resources to such companies or private persons as apply for them; and second, what time-limit should be fixed in these legal forms. Natural resources must remain national property. Therefore provisions must be made to prevent the indigenous population as a whole from being dispossessed of its birthright either by foreign interests or by small groups of Somalis themselves. The problem was to reconcile the time-limit for any concession with the requirements of the applicant. Obviously a fairly long time-limit (in other territories from 20 to 99

years) was necessary in order for the concessionaire to realize profit on a heavy initial investment. In view of the fact that the Trusteeship Administration of Somaliland was for a period of 10 years, applicants for mining concessions would hardly risk their capital unless they were sure of a reasonably long period of exploitation coupled with the absolute certainty that their rights would be respected for the whole time-limit if this exceeded the period of Trusteeship.

#### *Summary of the Advisory Council's reply*

63. The Advisory Council agreed that the Administration was charged with stimulating exploitation of the Territory's natural resources in the interests of the indigenous population. No general rule applicable to all cases was possible. Each case would have to be settled separately and in such a way that the granting of the concession would be based on a period closest to the normal time required for the amortization of the capital, as well as on the minimum period customary in other countries for exploiting the same minerals by companies operating exclusively with foreign capital. In no case could there be a complete and permanent transfer of property from the State to private interests, foreign or indigenous. During any period of concession a fair share of the profits should revert to the Somalis in the form of royalties over and above taxes. The Administration should encourage and facilitate the investment of Somali capital in private enterprises. The Advisory Council also recommended certain measures for locally recruited manpower, e.g., the encouragement of the training of indigenous elements so that they could take an ever-increasing part in the control of mining enterprises; the percentage of total salaries paid to Somalis should be gradually increased, etc.

64. With regard to the second point, i.e., the guarantees necessary to attract foreign capital to develop the underground resources of Somaliland, the Advisory Council recommended that the Administration examine, in conjunction with the appropriate United Nations organs, especially the Technical Assistance Administration and the International Bank for Reconstruction and Development, what guarantees could be given such capital, whether from public or private funds.

65. Finally the Advisory Council stated that it would be pleased to examine each concrete case as it came up and express more precise advice according to the circumstances.

#### *Implementation of the Advisory Council's recommendations by the Administration*

66. No specific mention is made in the ordinance of any of the Advisory Council's recommendations. The Administration decided that no concession should be granted for an initial period longer than forty years, but allowed two subsequent extensions, if this seemed advisable, of not over ten years each. The Territorial Council at its meeting on 14 May 1951 had voted that the maximum time-limit should be fifty years.

(ii) *New economic enterprises*

67. The Acting Administrator's letter (A/AC.33/R.26), dated 1 June 1951, asked the Advisory Council's advice on certain rules and regulations,

contained in the draft ordinance annexed to the letter, which the Administration planned to put into force to control the establishment of new economic enterprises in the Territory. The Advisory Council considered the question at its 24th, 25th and 26th meetings and made its reply on 3 July 1951 (A/AC.33/R.29). The pertinent final ordinance No. 17 dated 15 September is found in the *Bollettino Ufficiale* No. 10.

*Summary of the request*

68. The proposed new regulations would not interfere with economic enterprises already established according to earlier regulations. The Administration admitted that freedom of initiative in the economic field was the best way to further progress. Nevertheless it considered that, in the early stages at least, some control was necessary to prevent enterprises being started which were either foolhardy or which, lacking proper financial support, were sure to fail, thus provoking economic disturbances and retarding economic progress.

*Summary of the Advisory Council's reply*

69. The Advisory Council examined the draft ordinance and made the general observation that the Trusteeship System, like its predecessor, the Mandates System, was based in economic matters on the principle of maximum commercial freedom and of equal economic treatment. This being so, the Advisory Council recommended:

(1) That a licence should be required to practise professions or trades which concerned public health or which required a high degree of technical skill. Should such a licence be refused, the reasons for the refusal should be stated in writing;

(2) That large economic enterprises, including monopolies, should be required to present a declaration to the Chamber of Commerce which would be checked against the laws and pertinent commercial specifications. This declaration should be published and could be challenged during a certain specific period. At the end of that period the licence could then be granted or refused. If refused, the reasons for the refusal should be given in writing;

(3) Licences for small enterprises should be granted after a declaration made before the Administration;

(4) In all cases involving refusal of licence an appeal to the Courts should be allowed;

(5) In the ordinance specific reference should be made to articles 15, 16 and 17 of the Trusteeship Agreement.

*Implementation of the Advisory Council's recommendation by the Administering Authority*

70. The Advisory Council's recommendations (2), (3), (4) and (5) were incorporated into the final ordinance, except that in the case of (2) the request for a licence would be published in the *Bollettino Ufficiale* for 30 days. It is interesting to note that the Territorial Council made two recommendations: (a) that the competence for granting licences for major economic enterprises should be given in the first instance to the Chief of the Internal Commerce, Industry and Labour Bureau. This would allow for an appeal to the Administrator and (b) that in places where there was a municipal council, this body should assist the

Resident in examining the authorizations. The final ordinance takes into account both these recommendations of the Territorial Council except that in (a) appeal is allowed to the Judge of Somaliland (not to the Administrator) whose decision shall be final.

*(iii) Fishing rights*

71. The Acting Administrator's letter (A/AC.33/R.27), dated 7 June 1951, asked the Advisory Council's advice on an attached draft ordinance regulating fishing concessions in the territorial waters of Somaliland. The Advisory Council considered the draft ordinance at its 24th to 26th meetings and replied on 2 July 1951 (A/AC.33/R.28). The final ordinance, No. 15, dated 5 September 1951, appeared in the *Bollettino Ufficiale* No. 9, Supplement No. 1.

*Summary of the request*

72. The Administration considered that the regulations in force appeared unsuited to the juridical position of the Territory now under trusteeship. To rectify the situation a new draft ordinance had been prepared and the advice of the Advisory Council on its various provisions was requested. The Territorial Council had already been consulted and favoured an ordinance along the lines of the one drafted.

*Summary of the Advisory Council's reply*

73. The Advisory Council made the following recommendations:

(1) A coastal strip within the limits of the territorial waters should be reserved exclusively for small-scale local fishing. Coastal supervision would be required to protect such a strip;

(2) The Administration should study the possibilities of setting up fishing co-operatives, extending their scope to all aspects of the life of the fishermen;

(3) Somali fishermen should be trained technically so that later they would themselves be able to handle a national fishing industry;

(4) The Administration should encourage the co-participation of foreign and local capital so that the Somalis would have an ever-greater share in the management and profits of the fishing industry.

*Implementation of the Advisory Council's recommendations by the Administering Authority*

74. The Administration redrafted article 4 so that in the final ordinance the Advisory Council's first recommendation was incorporated. Coastal supervision was provided for by article 19. In its letter of 3 October 1951 (A/AC.33/RC.27) the Administration stated that the establishment of co-operatives would be encouraged and that study would be given to the possibilities of training Somali fishermen.

*(iv) Subjecting revenues from agricultural enterprises to income tax*

75. The Administrator's letter (A/AC.33/R.36), dated 4 October 1951, asked the Advisory Council's advice on an attached draft ordinance according to which incomes derived from agricultural enterprises would now be subjected to income tax. The Advisory Council studied the draft ordinance at its 41st and 42nd meetings and replied to the Administration on 7 November 1951 (A/AC.33/RA.36). The final ordinance, No. 23, dated 27 November 1951, appeared in *Bollettino Ufficiale* No. 12. At the request of the Territorial

Council the retroactive effect of this ordinance (1 July 1951) was not enforced. Instead it was to be applied as from 1 January 1952 (see Ordinance No. 23 dated 24 November 1951). Also, for the first half-year, 1 January — 30 June 1952 the parties concerned are required to declare one-half of incomes indicated in the said article, formerly exempted, obtained during the financial year 1 July 1951 — 30 June 1952.

*Summary of the request*

76. In order to encourage the establishment and development of agricultural enterprises and to promote the flow of capital and labour required, there had been in the Territory preferential legislation providing certain exemptions from income tax. Only incomes realized by persons who were neither farm labourers nor tenant farmers and who were not owners of farms were subject to income tax. The reasons for such exemptions no longer existed and the Administration proposed to abolish them, subjecting to income tax all agricultural incomes regardless of who produced or realized them. However, the Administration realized the need to encourage new agricultural projects and reserved the right to consider subsequent measures to grant these fiscal facilities in the difficult initial period — especially where co-operatives were concerned.

*Summary of the Advisory Council's reply*

77. The Advisory Council agreed entirely with the Administration's plan and approved the sole article of the ordinance. The Advisory Council also commended the Administration in its efforts to assist new agricultural enterprises.

*(v) Rules and regulations for the control of private insurance companies*

78. The Administrator's letter (A/AC.33/R.39), dated 10 October 1951, asked the Advisory Council's advice on certain draft regulations, attached to the letter, for the control of private insurance companies in Somaliland. The Advisory Council considered this draft at its 41st and 42nd meetings and, after having obtained further clarification of certain points from the Administration, gave its reply on 7 November 1951 (A/AC.33/RA.39). The Territorial Council also discussed this matter at its meeting on 23 October 1951 and recommended that five of its members (instead of two as suggested by the Administration) should be designated to assist the Administrator in granting authorizations.

*Summary of the request*

79. The Administration considered it advisable to adopt special regulations controlling private insurance companies in Somaliland in order to enforce on these companies the obligation to provide in Somaliland the securities prescribed by law and to invest in the Territory the reserves guaranteeing the policies issued. Furthermore, it was desirable to regulate the matter in such a way that complete independence from regulations existing in Italy would be obtained.

*Summary of the Advisory Council's reply*

80. The Advisory Council had no criticism to offer for 16 of the 17 draft rules. However, rule 6 read in part: "... Authorization cannot be granted to foreign companies unless reciprocity of treatment is recognized in their countries of origin, in favour of Somali companies." This seemed to the Advisory Council

perhaps to go beyond the provisions of article 17 of the Trusteeship Agreement. Therefore, the Advisory Council recommended that, in the drafting of this particular rule, especial care should be taken to see that it remained clearly within article 17 of the Trusteeship Agreement.

*(vi) Economic Council for Somaliland*

81. The Administrator in his letter (A/AC.33/R.42), dated 14 November 1951, asked the advice of the Advisory Council on a proposal to establish an economic council for Somaliland. The Advisory Council considered the request at its 47th meeting and replied to the Administrator on 1 December 1951 (A/AC.33/RA.42).

*Summary of the request*

82. The Administration was engaged in studying the creation of a consultative organ to be charged with appraising and expressing its opinions on economic problems submitted to it. This council would be divided into sections corresponding to the most important branches of Somali economy, e.g., agriculture, industry, commerce etc. In preparing the relevant legislative measures the Advisory Council's advice would be of assistance to the Administration.

*Summary of the Advisory Council's reply*

83. The Advisory Council considered the Administration's plan to be a further step in the right direction and was in full agreement with the organizational details as set forth in the Administration's letter.

*(c) Educational advancement*

*Salaries to be paid to locally-recruited teachers*

84. The Administrator addressed a letter (A/AC.33/R.31), dated 12 August 1951, to the Advisory Council asking the latter's advice on the salaries to be paid to temporary or substitute teachers who had been engaged locally to fill vacant posts in the primary and secondary schools of the Territory. The school year having begun, it was an urgent matter and could not be postponed until the next session of the Territorial Council for its consideration also. Therefore the Administration had taken recourse to the provisions of article 5<sup>16</sup> of the Declaration of Constitutional Principles annexed to the Trusteeship Agreement. The Advisory Council considered the request at its 27th, 28th and 29th meetings and, having been assured by a letter dated 27 August 1951 from the Secretary-General of the Administration, Mr. Gorini, that in the proposed salary scale equal pay would be given for equal qualifications and equal work without any discrimination based on nationality or origin in accordance with the standards adopted by the International Labour Organisation, gave its reply on 30 August 1951 (A/AC.33/R.33). Ordinance No. 16, dated 7 September 1951, annuls the pertinent provisions of Decree No. 1737 with effect from 1 July 1951. Decree No. 100 dated 7 September 1951, also effective as of

<sup>16</sup> This article reads: "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 as soon as practicable and the Administering Authority shall include an account of all such ordinances in its annual report to the Trusteeship Council."

1 July 1951, states that locally-recruited teachers will be paid according to the table in annex I of Ordinance No. 62, dated 15 September 1950. The measures taken were brought to the attention of the Territorial Council in March 1952.

*Summary of the request*

85. The Administration did not consider it just to remunerate such personnel on the same basis as regular members of the teaching profession brought from Italy and proposed, therefore, to apply the same salary scale as used for the corresponding categories of personnel engaged on the basis of local fixed-term contracts as indicated in Ordinance No. 62 of 15 September 1950. However, it was first necessary to annul by a legislative ordinance the relevant clauses of Decree No. 1737 dated 24 September 1936 which laid down the salaries of teachers, including temporary and substitute personnel.

*Summary of the Advisory Council's reply*

86. The Advisory Council was of the opinion that recourse should be taken to article 5 of the Declaration of Constitutional Principles only when there was grave urgency in matters of public interest and considered it debatable whether the case in hand qualified according to such an interpretation.

87. However, the Advisory Council endorsed the Administration's plan, and also recommended that the Territorial Council be apprised as soon as practicable of the action taken. The Advisory Council also raised the question whether it was necessary to determine the new salary scale by means of a legislative ordinance or whether an executive decree would not be sufficient.<sup>17</sup>

(d) *Labour and social advancement*

(i) *Establishment of a Central Health Council*

88. The Administrator sent a letter (A/AC.33/R.20), dated 5 April 1951, to the Advisory Council asking the latter's advice on a plan to set up a Central Health Council. The Advisory Council considered the question at its 17th, 18th and 20th meetings and adopted unanimously a resolution (A/AC.33/R.22) which was submitted to the Administration on 16 April 1951. The pertinent Ordinance No. 12, dated 30 June 1951, appears in *Bollettino Ufficiale* No. 7.

*Summary of the request*

89. The proposed Central Health Council would be a technical body charged with studying plans for the progressive development of health organizations in the Territory. It would therefore work in conjunction with other health units in an advisory capacity but could also take the initiative in investigating important problems. Technical and administrative officials would be asked to take part. Although Somalis had no technical qualifications, nevertheless a certain number of prominent persons interested in medical matters and representing the various regions would be included in the composition of this Council.

*Summary of the Advisory Council's reply*

90. The Advisory Council expressed its satisfaction with the initiative shown by the Administration in establishing such a council so necessary in the best

interests of the Somalis. It also hoped that it would soon be possible to include *trained* Somalis in the Council. Finally it made the recommendation that in any technical council like the Central Health Council an official of general administrative competence should have a seat in order to co-ordinate the work of the council with more general aims.

*Implementation of the Advisory Council's recommendations by the Administering Authority*

91. A reply to the Advisory Council's letter was received from the Administrator in which it was pointed out that the Head of the Department of Public Health and Education and also a representative from the Department of Internal Affairs—both administrative rather than technical officers—would sit on the Central Health Council. In this way the co-ordination scheme recommended by the Advisory Council would be implemented.

(ii) *Establishment of Labour Offices in the Residencies*

92. The Administrator sent a letter (A/AC.33/R.35), dated 5 October 1951, to the Advisory Council asking the latter's advice on an annexed draft ordinance which contemplated setting up Labour Offices in the Residencies. The Territorial Council discussed the proposal at its 15th and 16th meetings, found it most acceptable and made the recommendation that in all labour disputes it should be compulsory first to call upon the regional Labour Office to adjust the differences. Only when the Labour Office was unable to effect a reconciliation should appeal to the law courts be allowed. The Administration accepted this and the final Ordinance No. 22, dated 23 November 1951, appeared in the *Bollettino Ufficiale* No. 12.

*Summary of the request*

93. A Labour Office existed in Mogadiscio only. To develop a social policy in line with the principles of the Trusteeship Agreement and with the recommendation of United Nations specialized agencies, the Administration planned to establish Labour Offices also in other Residencies. These offices would be under the control of the Labour and Social Assistance Section of the Administration's Industry, Internal Commerce and Labour Office and *pro tem.*, i.e., until a specialized technical staff was available, would be entrusted locally to the Resident. The duties of such offices would be similar to those of corresponding offices in Italy and other countries. The detailed provisions were spelled out in the annexed draft ordinance on which the Advisory Council's opinion was invited.

[For the summary of the Advisory Council's replies and the implementation of its recommendations by the Administering Authority, see paragraphs 98 and 99 below.]

(iii) *Labour Inspectorate Services*

94. Also on 5 October 1951 the Administrator addressed a letter (A/AC.33/R.38) to the Advisory Council which had as an annex a draft ordinance dealing with the establishment of Labour Inspectorate Services. The Territorial Council discussed this, along with the related ordinance on Labour Offices, during its 15th and 16th meetings and found it highly commendable. The final ordinance, No. 21, dated 23 November 1951 appeared in *Bollettino Ufficiale* No. 12.

<sup>17</sup> The new salary scale was fixed by Decree No. 100 dated 7 September 1951.

### *Summary of the request*

95. The Administration planned to establish Labour Inspectorates at the same time as it set up Labour Offices. It would be a further step in leading the Territory towards a more modern type of labour legislation whose creation was also recommended by the international conventions prepared by the International Labour Office. These Inspectorates would act largely as co-ordinating bodies, making studies that would lead to ever more complete labour regulations. The Inspectorates would eventually be given more complete labour regulations and would eventually be given over to technical personnel, preferably Somali, as soon as such were available. Meantime the functions would be entrusted to the regional *Commissari* who would act under the Central Labour Inspectorate to be established under the Administration's Industry, Internal Commerce and Labour Office.

#### *(iv) Compulsory insurance against work-incurred accidents in industry*

96. The Administrator sent a letter (A/AC.33/R.37), dated 10 October 1951, asking the Advisory Council's advice on an annexed draft ordinance providing for compulsory insurance against work-incurred accidents in industry. The Territorial Council gave its opinion at its meetings on 22 and 23 October. Minor suggestions were made, but the plan on the whole was highly commended. The final Ordinance No. 27, dated 7 December 1951, appeared in the *Bollettino Ufficiale* No. 12, Supplement No. 3.

### *Summary of the request*

97. The Administration planned to give all industrial workers financial protection through compulsory insurance in the event they suffered an accident during the course of their work. The principles reflect those sanctioned in the international convention on indemnities for work-incurred accidents of 1925 concerning the application of the international labour regulation to non-metropolitan areas. This proposed step of the Administration, taken with respect to a little-developed territory like Somaliland, was considered highly important since it represented in the social field what had been one of the major conquests of even well-advanced nations.

#### *Summary of the Advisory Council's replies given with regard to the above three draft ordinances*

98. Because the draft ordinances on Labour Offices, Labour Inspectorate Services and Compulsory Insurance against Work-Incurred Accidents in Industry were considered to be closely related, the Advisory Council studied them as a unit during its 41st to 44th meetings. It was found necessary to obtain clarification on certain points from the Administration. When this had been received the Advisory Council made its reply (A/AC.33/RA.35, RA.37 and RA.38) on 9 November 1951 as follows:

(1) The Advisory Council hoped that the basis of these proposed measures of social security for the Somalis would soon be broadened. For example, it seemed that large segments of the population, e.g., civil servants, agricultural workers, domestic servants etc., would not only have no social legislation in their favour, but also no compulsory insurance. The Advisory Council also wondered whether the Administration

planned giving insurance against occupational diseases in addition to ordinary accidents;

(2) The Somalis needed education in the basic concepts of social security insurance so that they would see it was to their own advantage to pay the necessary dues. The Advisory Council assumed the Administration was taking the necessary steps in this connexion;

(3) The Advisory Council expressed the hope that the social security laws to be enforced at an early date would be applied to all workers without distinction as to race, sex or religion;<sup>18</sup>

(4) The Advisory Council assumed that the Administration was also planning soon to introduce legislation dealing with basic terms of workers' contracts, minimum wages, recognition and registration of workers' syndicates and labour unions with their rights and duties by law clearly defined;

(5) The Advisory Council recommended that technical training like that given to Somali skimmers should be extended to other fields—agriculture, livestock etc., so that the Somalis by improving their techniques would be enabled to better their present economic and social status.

#### *Implementation of the Advisory Council's recommendations by the Administering Authority*

99. An analysis of the three pertinent ordinances in their final form shows only that:

(1) Supervision of technical and professional training courses is provided for in article 2 (1) of Ordinance No. 22;

(2) Industrial insurance against work-incurred accidents applies only to machine tenders (article 2 of Ordinance No. 27);

(3) No insurance against occupational diseases is provided except for *carbonchio* infections.<sup>19</sup>

#### *(e) Miscellaneous*

##### *(i) Transfer of power to grant pardons*

100. The Acting Administrator, Mr. Gorini, sent the Advisory Council a letter (A/AC.33/AA.48/LEG), dated 7 June 1951, informing the latter that the Administration intended to publish shortly an ordinance whereby the Administrator would be empowered to grant free pardon and to commute penalties imposed by the courts of Somaliland. This constituted a transfer of such power from the Chief of the Italian State.

101. At the meeting of the Territorial Council held on 20 May 1951 the representative of the Administration had stressed the necessity of making a clear distinction between free pardon and amnesty. The Territorial Council pronounced itself as being in favour of the proposed measure.

102. The Advisory Council studied the question at its 24th and 25th meetings. Although the Acting Administrator's letter was sent to inform the Council rather than to ask the Council's advice concerning the ordinance, the Council decided to reply in the usual manner, considering the matter as a request for advice<sup>20</sup>. A letter dated 2 July 1951 was sent to the

<sup>18</sup> Italian social security laws had been made applicable in Somaliland, but their application thus far had been made only to Italians and not to Somalis.

<sup>19</sup> This is a disease commonly incurred by persons working with skins and hides. It attacks the skin, lungs and intestines and in the latter two cases is often fatal.

<sup>20</sup> See also paragraph 12 above.



Administrator which stated that the Advisory Council favoured the ordinance since its provisions could only be of advantage to the people of Somaliland. The Advisory Council noted, however, the clear distinction drawn between free pardon and amnesty. Because of the general character of amnesty, applying as it does to many people rather than to one single individual, the granting of amnesty could cause political repercussions to a much greater degree than the grant of free pardon. For that reason the Advisory Council suggested that the Administration might consult it should at any time a grant of amnesty come under consideration.

(ii) *Payment of dues to the Sultan of Zanzibar*

103. A letter from the Administrator (A/AC.33/R.40), dated 18 October 1951, requested the Advisory Council's advice on the subject of payment of dues to the Sultan of Zanzibar.

*Summary of the request*

104. The Italian Government had received a memorandum from the British Embassy in Rome requesting:

(a) Reimbursement of annuity shares advanced to the Sultan by the British Government for the period from 1937/38 to 1947/48;

(b) Resumption of payment of annuities due to the Sultan.

105. This request was made according to the terms of article 4 of the British-Italian treaty dated 15 July 1924 for the transfer of Giubaland stipulated by Great Britain also in the name and on behalf of the Sultan of Zanzibar.

106. The Administering Authority informed the Advisory Council that the first request would be decided upon without direct participation by the Administration since it referred to questions existing prior to the Trusteeship Agreement.

107. The Administration desired to have the Advisory Council's advice, however, with respect to the second request since, should it be granted, the payments would be a burden upon the Territory's budget and also would represent an obligation for the future Somali State.

*Summary of the Advisory Council's reply*

108. The Advisory Council completed its consideration of this question at its 50th meeting and sent a letter (A/AC.33/RA.40), dated 15 February 1952, to the Administrator saying that in view of articles 4 and 6 of the Declaration of Constitutional Principles annexed to the Trusteeship Agreement, it considered that it did not really fall within the Council's competence to give advice on this question. The Council added that no doubt the Administering Authority would carry on direct negotiations with Great Britain and inform the Trusteeship Council of the steps taken, having recourse if necessary to conciliation or even arbitration in the event of failure to reach an agreement.

(f) *Outstanding requests for advice*

109. As of 31 March 1952 the Advisory Council had four requests for advice still awaiting its consideration. Among these was a request for advice on the Administration's Five Year Plan for Educational Development for Somaliland which the Council decided not to answer until it could study the recommendations given

by the United Nations Educational, Scientific and Cultural Organization and the United Nations Technical Assistance Mission to Somaliland under Italian Administration which had recently visited the Territory. The other requests for advice outstanding concerned:

- (1) A draft ordinance on judicial matters;
- (2) A draft ordinance on police regulations;
- (3) The taking of a census of the population.

*Visit of Mr. Brusasca*

110. Mr. Brusasca arrived in Mogadiscio on 12 August and left on 18 August 1952<sup>21</sup>. In the many addresses which he gave to various bodies in the Territory Mr. Brusasca, on behalf of the Italian Government, stressed again that Italy was resolved scrupulously to discharge all the responsibilities which it had accepted under the Trusteeship Agreement. In particular, he expressed his thanks that the Advisory Council had been created which even in this first period had given such valuable aid to the Administering Authority. Mr. de Holte Castello, the only Advisory Council representative present at the time in Mogadiscio, and Mr. Shore of the Secretariat accepted Mr. Brusasca's invitation to accompany him on a field trip (August 14-17) which included visits to Bur Acaba, Ischia, Baidoa, Bardera and Duggiuma.

CHAPTER III

RELATIONSHIP WITH THE POPULATION

*General remarks*

111. Both General Assembly resolution 289 (IV) and the Trusteeship Agreement envisage a bilateral relationship between the Advisory Council on the one hand and the Administering Authority on the other, the latter furnishing information and the former giving aid and advice. It is obvious, however, that for the effective and intelligent performance of its functions the Advisory Council must have full information and a thorough knowledge of conditions. For this reason, from the very first, representatives on the Council welcomed visitors, individuals as well as representative groups, from all sections of the population, either at their offices at the United Nations compound or at their residences. Besides, they attended meetings, ceremonies and anniversary celebrations to which they were invited. This they did not only in Mogadiscio but also on their field trips throughout the Territory.

112. In this manner, representatives on the Advisory Council have established friendly and cordial relations with the inhabitants of the Territory and brought home to the people the Principles of the United Nations Charter and the basic objectives and operations of the International Trusteeship System.

*Political parties*

113. In the opinion of the Advisory Council political parties are one of the most potent factors in bringing home to the people of Somaliland the actual conditions which prevail in the Territory and the problems of administration. They can stress the need for abandoning the old tribal concepts if the people are to be prepared for their independence by 2 December 1960.

<sup>21</sup> Mr. Brusasca had paid an earlier visit to Somaliland (25 May to 10 June 1950) during the existence of the Advisory Council.

114. In the course of its work during the period covered by this report, the Advisory Council has been called upon by the Administering Authority to give advice on a number of proposed legislative measures concerning the position of political parties in the general governmental framework of the Territory (see paragraphs 26-60 above). During the same period, the Council has also shown its appreciation of the importance of political parties for present and future developments in the Territory and on many occasions it expressed its support of the plan to promote and encourage the growth of political parties among the Somali people. At the same time, the Administering Authority in its request for advice on its proposed reforms of the organs of self-government declared that the basic conditions which the organs of local self-government must gradually develop in order to attain constant evolution are "to be able to read and write and to belong to a political party" (A/AC.33/R.32).

115. There are at present five major political parties represented on the Territorial Council, namely:

- (1) Somali Youth League, five representatives;
- (2) *Unione Nazionale Somala*, two representatives;
- (3) *Hisbia Dighil* and *Mirifle*, two representatives;
- (4) *Lega Progressista Somala*, one representative;
- (5) *Unione Africani Somalia*, one representative.

116. It should be noted here that the Advisory Council recommended that regional representation on the Territorial Council should be gradually reduced in favour of political regional representation as the political parties grow in strength.

117. In addition to the five parties mentioned above, there are many more political organizations which do not meet the requirements for representation on the Territorial Council in 1952. The majority of these are either local in character or political associations of a clearly tribal nature, e.g., the *Associazione Gioventù Abgal*. There are also political parties with few members and consequently they are not of any importance.

118. The political parties represented on the Territorial Council are classified by the Administering Authority as "progressive" and "moderate progressive" parties.

119. The "progressive" parties are actually the Somali Youth League which was, like most other parties, founded during the war years and which had initially opposed the return of Italy to the Territory. This party still plays the role of opposition in the Territory.

120. The "moderate progressive" parties, i.e., the *Unione Nazionale Somala*, the *Lega Progressista Somala*, the *Unione Africani Somalia* and *Hisbia Dighil* and *Mirifle*, are the groups which favoured the return of Italy and are now commonly labelled as pro-Italian. Like the Somali Youth League, each of these parties has its headquarters in Mogadiscio and branches in other localities. Their policies as well as their activities appear to support their declared willingness to co-operate with the Administering Authority in its work to promote the general advancement of the Territory towards eventual independence. All these parties were at one time or another included in the *Conferenza della Somalia*, but are now, with one exception, the *Unione Nazionale Somala*, separate political units. The *Conferenza della Somalia* is no longer recognized by the

Administering Authority as a political entity for purposes of representation on the Territorial Council. It is at present made up of the *Unione Nazionale Somala* and other minor associations.

121. These "moderate progressive" parties do not appear to be very active and their leadership in Mogadiscio and throughout the Territory does not seem to possess the same degree of initiative and organization as that of the Somali Youth League. However, it is noted that one of them, the *Unione Africani*, has cast off its defensive cloak and is going about its work with initiative and aggressiveness.

122. The Advisory Council recommend to the Administering Authority that efforts should be made to determine the relative membership strength of each party, in order that political representation could be based on relative numerical strength rather than on the number of branches which a party has. Still, it is at present almost impossible to ascertain with any degree of accuracy the numerical strength of any of the parties in the Territory. However, the Administering Authority is attempting to secure such information.

123. In any case, the present significance of political parties and their contribution to the advancement of the Territory lie in their being factors around which Somali society and political thinking may be re-grouped and brought into modern lines of organization. One of the most important duties of political parties in Somaliland is to establish a new system for social and political organization to replace the old and somewhat worn system of tribal association. It is good to note that political parties have achieved some success in that direction, but there is still a great deal to be done.

124. The appearance of women on the political scene has been noticed on a number of occasions during the period under consideration. The Somali Youth League, the *Unione Africani Somalia*, the *Lega Progressista Somala* and other parties have women's auxiliary associations. Of course, members of such women's auxiliary associations are usually wives, sisters and other relatives of the male members of the party.

125. In addition to their political activities, certain parties, such as the Somali Youth League, have educational programmes which are conducted for the benefit of their members, young and adult of both sexes.

#### *Special functions*

##### *(a) Attendance at Somali gatherings*

126. In dealing with the Somalis, the Advisory Council perceived that the population of the Territory, even in Mogadiscio, has little idea of what the United Nations is, or what it does. The Advisory Council and its Secretariat have seized every opportunity to impart knowledge in this connexion, thus assisting the Administration which under article 4(c) of the Trusteeship Agreement is required to give instruction in schools and other educational institutions regarding the activities of the United Nations and its organs, the basic objectives of the International Trusteeship System and the Universal Declaration of Human Rights. On no few occasions during the year the Advisory Council and its Secretariat have been invited to attend both celebrations of the various political parties and other gatherings of common interest to all Somalis. Usually one of the representatives of the Council spoke at such meetings, thus



availing himself of the chance to bring the United Nations again to the attention of his listeners. Two gatherings in particular are worthy of mention in this regard since they were attended by thousands of Somalis at open air meetings. The first was on 11 December 1951 in celebration of the Prophet Mohammed's birthday. The Egyptian representative gave an address. The second was on 1 January 1952 when a large festivity was arranged to celebrate the independence of Libya. On this occasion the representative of the Philippines spoke.

(b) *United Nations Day*

127. The Advisory Council on its own initiative and the Secretariat also took the excellent opportunity that was presented by United Nations Day and Human Rights Day to contact the Somalis. On United Nations Day<sup>22</sup> in Mogadiscio a large reception was held which over 200 representatives of the local population and Administration officials attended. The representative of the Philippines, then Chairman of the Advisory Council, acted as host and in his address reviewed the history and achievements of the United Nations. He explained the principles and basic objectives of trusteeship and the special features contained in the Trusteeship Agreement for Somaliland which are not found in any other Trusteeship Agreement. The representative of Colombia went to Merca where he spoke at the reception arranged there. Similarly the Principal Secretary went to Ischia Baidoa. Various members of the Secretariat went to Belet Uen, Buloburti, Afgoi, Villaggio Duca degli Abruzzi. A large function also took place in Brava in honour of United Nations Day. At all gatherings United Nations pamphlets and literature in Arabic and Italian were distributed.

(c) *Human Rights Day*

128. On Human Rights Day special attention was devoted to the Universal Declaration of Human Rights in all schools in the area. In Mogadiscio a large audience saw the United Nations film, "Of Human Rights". The Declaration was printed in Arabic and Italian in the local newspaper and also broadcast in these two languages over the local radio, with the Egyptian representative reading the Arabic version.

(d) *Conference of non-governmental organizations*

129. The Advisory Council, through its Secretariat, organized a three day conference of non-governmental organizations in Mogadiscio which took place on 16, 17 and 18 August. The purpose of the conference was to find ways and means whereby public interest would be aroused in the United Nations by disseminating information throughout the Territory. Representatives of 26 organizations attended the conference which proved to be entirely successful. Addresses were given about the United Nations and these were later broadcast over the local radio station. Discussion groups were held during the evening meetings. Three United Nations films, viz., "Men of Good Will", "Of Human Rights" and "For all the World's Children" were shown to large and interested audiences. The conference decided to establish a central committee from which an executive committee was to be evolved later. The Advisory Council gave a reception for the delegates and a number

of the Administration's officials. Mr. Brusasca, the Italian Under-Secretary of State, who was in the Territory at the time and Ambassador Fornari also attended. Mr. Brusasca gave an address in which he strongly supported the plan being worked out whereby the non-governmental organizations would become the means by which the people of Somaliland would be ever more fully informed about the United Nations and the specialized agencies. Through this conference of non-governmental organizations, the first of its kind to be held in a Trust Territory, the ground was well prepared for a programme of education for the Somalis in United Nations affairs.

*Field trips*

130. Field trips serve two very useful purposes. Firstly, the Somalis who reside in the up-country parts of the Territory are made aware of the fact that the United Nations is interested in their welfare, that an organ of the United Nations is actually based in the Territory to lend its aid and advice to the Administration in preparing Somaliland for independence. During these field trips, also, advantage is taken of the opportunity to distribute United Nations literature. Secondly, the representatives on the Advisory Council and the Secretariat are able to see for themselves the conditions that exist in different parts of the Territory and from such observations equip themselves with background information which is so necessary for the proper performance of their functions as, for example, dealing with the requests for advice submitted by the Administering Authority. Such trips can, of course, be taken only when climatic conditions permit. During the rainy season the roads become quite impassable.

131. During the year under review the following trips were made:

(a) 6 April 1951. The Philippine and Egyptian representatives, accompanied by Dr. Spinelli and Dr. Bozzi of the Administration visited Merca and Genale to see the Italian plantations there;

(b) 8 April 1951. The Philippine and Egyptian representatives, accompanied by Dr. Gorini of the Administration and Mr. Shore of the Secretariat, visited Villaggio Duca degli Abruzzi to see the extensive plantations and sugar factory of the *Società Agricola Italo-Somala* (SAIS), as also the hospital and villages of the Somali workers;

(c) 21 to 22 April 1951. The Philippine representative and Dr. Spinelli of the Administration flew over the Mudugh and Migiurtinia provinces where for the past three years there was a drought, stopping at Galcaio, Gardo and Bender Cassim, visiting the fish canning factory and the fresh hot water spring at Bender Cassim;

(d) 6 May 1951. The Philippine representative, accompanied by Dr. Gorini, went to Merca to see the opening of the bank and to see the hospital and veterinary experimental station;

(e) 20 May 1951. The Philippine representative, went to Gezira and Danane to see the local salt beds;

(f) 27 May 1951. The Philippine representative, with members of the Secretariat staff, visited Afgoi to attend a *Unione Africana* political rally and the plantations nearby;

(g) 14 to 17 August 1951. The representative of Colombia accompanied Under-Secretary of State Bru-

<sup>22</sup> See United Nations Advisory Council Press Release No. 16, dated 31 October 1951.

sasca and Ambassador Fornari on a trip visiting Bur Acaba, Ischia Baidoa, Bardera and Duggioma. Mr. Shore of the Secretariat also went on this trip;

(h) 9 to 19 September 1951. The Philippine representative, with Dr. Canavesio of the Administration, Dr. Lucas and Mr. Deeb of the Secretariat, and Mr. Howard of the Visiting Mission, visited Villaggio Duca degli Abruzzi to see the land involved in a petition of the Walamoi tribe against the SAIS; they then proceeded to Bullo Burti, Belet Uen, Oddur, Ischia Baidoa, Bardera, Chisimaio, Afmadu, Margherita and Brava, to see the dry land farming districts between the Giuba and Uebi Sceleb rivers, the plantations in the Lower Giuba districts, and the schools, leather industry and mineral water factory in Brava;

(i) Mr. Deeb of the Secretariat was detailed to accompany the Visiting Mission and assist in Arabic interpretation when the Visiting Mission went to Merca and Brava on 23 and 24 September and to Galcaio, Bender Cassim and Gardo on 30 September and 1 October 1951;

(j) The representative of Colombia was in Merca from 20 to 25 October 1951;

(k) The Principal Secretary toured the border between Ethiopia and Somaliland from 15 to 23 October 1951 and also attended United Nations Day festivities in Baidoa and Bardera;

(l) The Deputy Principal Secretary went to Belet Uen and Bullo Burti on 23 and 24 October 1951;

(m) 9 November 1951. The representative of Colombia accompanied by Mr. Deeb visited the agricultural co-operative in Balad;

(n) The Egyptian representative accompanied by members of the Secretariat went to Villaggio Duca degli Abruzzi on 2 December to attend a function of the *Conferenza* party;

(o) 27 January to 9 February 1952. The Philippine representative, accompanied by Dr. Canavesio of the Administration and Mr. Deeb of the Secretariat, visited Mudugh Province through Itala, El Dere, Meregh, El Bur, Dusa Mareb, Galcaio, Obbia, and back through Fer Fer and Bullo Burti, where he had been invited by local officials to visit schools, courts, hospitals, infirmaries and wells. By means of conferences, interviews and political rallies to which he was invited he made a study of the border and political situation, intertribal fighting, the school system, the administration of justice and general economic conditions of the Province;

(p) 4 March 1952. The Colombian representative accompanied by Mr. Deeb of the Secretariat visited Villaggio Duca degli Abruzzi in connexion with a land dispute between certain members of the Walamoi and Shidle tribes on the one hand and the SAIS on the other;

(q) 19 to 23 March. The representative of Colombia visited Merca, Brava and the lower Giuba;

(r) 21 to 23 March. The Principal Secretary accompanied the Commanding Officer of the Security Corps, General A. Ferrara on a visit to Bula Burti, El Bur, Dusa Mareb and Galcaio.

#### *Communications*

132. The work of the Advisory Council which has engaged more time and attention on the part of repre-

sentatives than any other is that dealing with communications. "Communications" is here used in a general sense, including the so-called "petitions" in the technical sense, as well as communications for information purposes only, but all referring to conditions or problems in the Territory. It does not refer, however, to communications received from the Administering Authority with reference to information or requests for advice under article 8 of the Trusteeship Agreement.

133. These communications come in almost every day, and hardly a day passes without some of the senders of these communications coming and seeking interviews with representatives on the Advisory Council, or sometimes with the Secretariat staff. From 1 April 1950 up to date there had been received thus far some 350 communications, of which 227 were received during the year under review. They deal with practically every aspect of administration in the various functional fields of political, economic, social and educational development.

134. With regard to these communications, rule 45 of the Advisory Council's rules of procedure [A/AC.33/R.1/Rev.1] provides:

"All petitions concerning the affairs of the Trust Territory or the operation of the International Trusteeship System as laid down in the Charter which do not contain a request for a specific action by the Advisory Council, if received by the Advisory Council shall be transmitted to the Secretary-General for submission to the Trusteeship Council".

135. Nevertheless, the Secretariat, on instructions from Headquarters, forwarded all these communications to the Secretary-General.

136. It must also be stated here that the Advisory Council is divided on the treatment which should be given to these communications of a petitional nature that are addressed directly to the Advisory Council itself. The representatives of Colombia and Egypt believe that the Advisory Council should deal with these communications *officieusement* as long as the Administering Authority is co-operative with the Advisory Council and ready to discuss these complaints with the representatives in a harmonious spirit of co-operation and understanding. The representative of the Philippines claims that communications requesting the direct intervention of the Advisory Council on matters dealing with conditions or problems in the Territory, as provided for in rule 45 of its rules of procedure, is part and parcel of the Advisory Council's function to aid and advise the Administering Authority and therefore it can deal with such communications officially with the Administration.

#### *Dissemination of information about the United Nations*

137. As mentioned in paragraph 3, dissemination of information about the United Nations constitutes one of the many functions of the Advisory Council to aid the Administering Authority. The Council's presence in Somaliland gives the Territory a greater appreciation and a wider knowledge of the work of the United Nations. As stated before in this report, hardly a day passes when numerous Somalis do not appear at the United Nations compound for one reason or another. The United Nations flag flies daily over the offices of the Advisory Council. Through the existence of the Advisory Council and its Secretariat

and through their daily activities, the inhabitants of this Territory are constantly reminded of the United Nations and its work.

138. In addition to the activities of the Advisory Council on special occasions, described elsewhere in this report, the Council and its Secretariat have followed a concrete programme of disseminating information about the United Nations throughout the Territory, reaching at times even the remotest parts. The programme is intended to acquaint all levels of Somali society with the work of the United Nations and more specifically with the operations of the International Trusteeship System and the work of the Trusteeship Council.

139. The work done during the period under review may be classified as follows:

- (a) Work through educational institutions;
- (b) Work through associations (political and other);
- (c) Work through the local press and radio.

140. Before going into any further detailed discussion, it should be stated here that, in this particular phase of its work, the Advisory Council and its Secretariat have always received the sincere and effective co-operation of the Administering Authority.

(a) *Work through educational institutions*

141. Information material prepared by the United Nations Department of Public Information has been circulated to school-teachers and directors throughout the Territory. Posters depicting United Nations Day, Human Rights Day etc., have also been distributed to educational institutions at frequent intervals.

142. In Mogadiscio, where the work of disseminating information is most active, special attention was paid to the Preparatory Political and Administrative School. On one occasion, the representative of the Philippines gave a lecture to the School in which he talked about the work of the United Nations in general and, in particular, about the Trusteeship System in relation to Somaliland. On various other occasions, special kits containing various pamphlets on the United Nations and its work were prepared for distribution to the individual students of the School.

(b) *Work through associations (political and other)*

143. The Territory has a number of active associations of a political, social and cultural character which are interested in the United Nations and its work. This interest has been encouraged by furnishing such organizations with literature, posters and photographs explaining and portraying the United Nations and its work. All political parties in the Territory have been from time to time supplied with information material.

144. The *Istituto Culturale Sociale* in Mogadiscio has been, due to its genuine social and cultural character, an important medium through which much information about the United Nations was imparted. The *Istituto* has a well-furnished building, equipped with a meeting-hall, a reading-room and a small library. Consequently, it serves as a depository of United Nations information material for the use of its 300 odd members who represent almost all political parties and foreign communities in Mogadiscio. The representatives and members of the Secretariat held lectures and talks for members of the *Istituto* at various times during the period under consideration.

145. The Merca branch of the *Istituto* was also serviced by the Secretariat.

(c) *Work through the local press and radio*

146. The only daily newspaper in the Territory, the *Corriere della Somalia*, has on a number of special occasions presented feature articles about United Nations activities. The *Corriere* has also covered the important activities of the Advisory Council and its Secretariat as well as those of the Visiting Mission during its recent visit in Somaliland.

147. The periodical, the *Meridiano Somalo* which made its appearance on the literary scene in Somaliland late in 1951 has shown a lively interest in the Council and the United Nations. The Principal Secretary published an article in the December 1951 issue of the magazine, explaining in clear and simple fashion the Advisory Council and its terms of reference. Other feature stories on the Advisory Council and the United Nations Visiting Mission have appeared.

148. The facilities of the local broadcasting station have been utilized upon occasion. The effectiveness of this medium of information is not very strong as yet among the Somalis, especially outside Mogadiscio.

149. Films have also been used, but on a relatively small scale, owing to the difficulty and expense of hiring a projector. The Advisory Council has its own film library which at present consists of twenty United Nations films, and it expects the arrival of a projector from New York. However, three United Nations films, viz., "Men of Good Will", "Of Human Rights" and "For all the World's Children" were shown at different times to an estimated audience of 10,000 in Mogadiscio.

150. In conclusion, the experience of the last two years of work in this connexion has shown that to increase the effectiveness of such work in the Territory, more literature should be made available here in Arabic and Italian.

## CHAPTER IV

### RELATIONSHIP WITH OTHER UNITED NATIONS BODIES

#### *The General Assembly*

151. General Assembly resolution 289 (IV), section B, paragraph 4, established the Advisory Council and stipulated also that the Council's precise terms of reference should be determined in the Trusteeship Agreement. Thus, the Advisory Council is a subsidiary organ of the General Assembly. While article 11 of the Trusteeship Agreement defines the relationship of the Advisory Council with the Trusteeship Council, no explicit mention is made anywhere of the relationship between the General Assembly and the Advisory Council. Nothing is said about the Advisory Council's right to report to its parent organ, the General Assembly, nor about the right to participate in the General Assembly's discussions on Somaliland as the Advisory Council can do before the Trusteeship Council.

152. At the Advisory Council's 45th meeting, the Egyptian representative expressed the opinion that from every point of view it was in the interests of the Advisory Council's work and prestige to be represented at the General Assembly and with this opinion the representative of the Philippines fully concurred. In this way, for example, the observations of the individual members of the Advisory Council could be made known

to the parent organ. This did not happen for the year under review inasmuch as the Trusteeship Council at its ninth session decided not to incorporate such views in its report to the General Assembly.

153. The representative of the Philippines believes that, from the fact that no specific mention is made of the Advisory Council's right to report to the General Assembly, it cannot be deduced that such a right does not exist. He is of the opinion that the Advisory Council has certain inherent, implied and incidental prerogatives in addition to those expressly granted to it, and among these is the right to report to and to be represented at the General Assembly on matters relating to the administration of the Territory or for the purpose of seeking further instructions on or clarification of its terms of reference. In this connexion he pointed out the Advisory Council's Chairman had represented the Council at the fifth session of the General Assembly. The Advisory Council had also authorized its Chairman to appear before the General Assembly at its sixth session in Paris in order to obtain clarification of some aspects of the Advisory Council's terms of reference. However, the Secretary-General had not felt himself justified in making available the necessary funds for the trip.

154. The Advisory Council therefore firmly believes that it has the right to establish direct contact with its parent body whenever matters arise which in the Advisory Council's opinion require such contact to be made with the General Assembly.

#### *The Trusteeship Council*

155. Article 11 of the Trusteeship Agreement defines in a somewhat general fashion the relationship between the Trusteeship Council and the Advisory Council.

156. Speaking at the 179th meeting of the Fourth Committee at the fifth session of the General Assembly the Chairman of the Advisory Council, the representative of Colombia, gave his interpretation of the second paragraph of article 11 of the Trusteeship Agreement when he said that in his opinion the Advisory Council was entitled to submit reports and memoranda to the Trusteeship Council without being bound to a fixed time (e.g., during the course of debates in the Trusteeship Council on any question specifically relating to the Territory) when they should be submitted. All three representatives on the Advisory Council attended the ninth session of the Trusteeship Council in accordance with the second paragraph of article 11 of the Trusteeship Agreement.

#### *The United Nations Technical Assistance Mission to Somaliland under Italian Administration*

157. The United Nations Technical Assistance Mission arrived in Mogadiscio on 27 August 1951. With the late Dr. William Dean, formerly Chief of the African Unit in the Division of Economic Stability and Development, Department of Economic Affairs, as Chief, it consisted of the following members: Mr. W. Bond, agronomist from FAO; Dr. V. Coffari, public health expert from WHO; Mr. G. Féral, expert in social development and nomadic questions; Mr. A. Fielding-Clarke, educationalist from UNESCO; Mr. J. Pechanec, expert in livestock and range management

from FAO. Miss D. Johnston was administrative assistant and secretary of the Mission.

158. Leaving the initiative entirely with the Mission, the representative on the Advisory Council and the Secretariat held themselves ready at all times to furnish whatever information and advice they might be called upon to give. Numerous conferences and discussions followed as a result of this during which the Advisory Council endeavoured to be of assistance wherever possible by placing at the disposal of the Technical Assistance Mission members its knowledge of the people, of the area and of the prevailing conditions accumulated through a lengthy experience of the Territory.

159. Administratively the Advisory Council's Secretariat provided the Technical Assistance Mission with office equipment and supplies, secretarial and clerical assistance, documents and communications services.

#### *The United Nations Visiting Mission to Trust Territories in East Africa, 1951*

160. The Secretary, Mr. George Howard, of the United Nations Trusteeship Council's Visiting Mission arrived in Mogadiscio on 1 September 1951. On 9 September Mr. Howard was taken by the Advisory Council's Chairman, the representative of the Philippines, and by the Principal Secretary, on an eight-day tour of the Territory so that he might become acquainted with it and be able to work out in conjunction with the Administration a satisfactory itinerary for the Visiting Mission itself.

161. The Visiting Mission arrived in Mogadiscio on 19 September 1951. Mr. de Marchena of the Dominican Republic was its Chairman and Dr. Victor Hoo, Assistant Secretary-General of the Department for Trusteeship and Information from Non-Self-Governing Territories represented the Secretary-General. The members were Mr. William Cargo of the United States of America, Mr. George Laking of New Zealand and Mr. Kridakon of Thailand.

162. Owing to quite different terms of reference there was little official contact between the Visiting Mission and the Advisory Council although informal discussions were held concerning matters of mutual interest. During the Visiting Mission's stay in the Territory the Advisory Council's Secretariat provided it with full secretarial assistance, interpretation-translation services, documents and communications services and all conference facilities. The Visiting Mission left the Territory on 7 October 1951.

#### *Adoption of the report*

163. The present report, written in the English language, and to which is annexed the statement of the representative of the Philippines,<sup>23</sup> was approved by the representative of Egypt through a telegram dated 1 April 1952 sent to Mogadiscio from Cairo. It was approved and signed by the representative of Colombia and by the representative of the Philippines in a single copy at the United Nations Advisory Council's Headquarters in Mogadiscio on 14 April 1952.

164. The representatives of Colombia, of Egypt and of the Philippines reserve their right under the second paragraph of article 11 of the Trusteeship Agreement

<sup>23</sup> See annex I.

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 proper consideration of any question specifically relating to the Territory.

(Signed) E. DE HOLTE CASTELLO  
(Colombia)

.....  
(Egypt)

V. D. CARPIO  
(Philippines)

#### ANNEX I

### OBSERVATIONS OF THE PHILIPPINE REPRESENTATIVE

#### REASONS FOR THESE OBSERVATIONS

1. I write these observations mainly for three reasons: first, to give the background of the present report; second, to present aspects of the Council's functioning and certain drawbacks which have thus far prevented the Council from being the effective organ it was envisaged to be; third, to call attention to certain problems calling for solution if the Assembly decision to grant independence to Somaliland in ten years is to be effectively implemented.

#### BACKGROUND OF PRESENT REPORT

2. At its 48th meeting last February, upon my proposal, the Council decided to submit this year a report consisting of three parts: part I was to be a general account of the Council's work during the year; part II was to be an appraisal of problems concerning both the functioning of the Council and the political, economic, social and educational conditions in the Territory, with such conclusions and recommendations as the Council might see fit to make; part III was to consist of observations of individual members of the Council. The Principal Secretary was then requested to draft parts I and II, while the representatives were to submit their individual observations for inclusion in part III.

3. As now drafted, signed and submitted, the report is a far cry from the Council's decision at its 48th meeting. It contains nothing of what the Council decided was to have been part II—an appraisal of problems and conditions and the Council's conclusions and recommendations thereon. Except for a few minor changes, it is in form and substance as the Principal Secretary drafted it for what was to have been merely part I, dealing mainly with requests for "advice" and so cluttered with details, without much regard to proportion and substance, that the reader is apt to find himself hopelessly lost in knowing the "whys" and "wherefores" of it all. At best, the report, it seems to me, is a lopsided, incomplete and weak apology for the Advisory Council, shunning the bitter facts and lacking what might have been of most value to organs of the United Nations—an objective appraisal of problems and conditions in the Territory and a fearless, impartial assessment, based on the Council's knowledge of conditions on the spot, of the Administering Authority's policies and methods in terms of the letter and spirit of the Assembly resolution and the Trusteeship Agreement.

4. Reasons for all these are: (a) the Principal Secretary, who was requested to draft the report, proceeded to draft only part I, stating that the Council had first to discuss and approve part I before he could pro-

ceed with the drafting of part II; (b) as soon as the Council was about through discussing and approving part I, he gave it as his opinion that part II had no place in the report, allegedly because, according to him, in contrast to other organs of the United Nations (such as the Trusteeship Council, Visiting Missions, etc.) the Advisory Council's terms of reference was simply to give "advice" to the Administering Authority, and therefore an assessment of problems was out of place, since in his opinion the Council's report should merely outline the work for the period under review; (c) the representative of Colombia taking his cue from the remarks of the Principal Secretary, changed his mind on the Council's decision, declaring he would never sign any report that contained an appraisal of problems or conditions in the Territory; (d) during the drafting, discussion and signing of the report, there were present in Mogadiscio but two representatives, the intransigence and volubility of one always serving as effective check and "veto" on the other's attempts at improving the report.

5. In these circumstances, much as he would have preferred a report that could compare favourably and not suffer by comparison with the report of the Visiting Mission, the Philippine representative, to avoid an impasse, had to set aside his personal preferences in the greater interests of harmony, co-operation and solidarity in the Advisory Council. For this reason, he finally did join in signing the report, to which these observations are attached as annex I.

#### FUNCTIONING OF THE ADVISORY COUNCIL

6. One thing the Philippine representative would have wanted included in the report was a graphic picture of the functioning of the Council so as to draw attention to certain drawbacks that have thus far limited the Council's efficacy in its duty to aid and advise the Administering Authority. One such drawback, for instance, is the divergence of views on the precise nature and extent of the Council's functions, particularly regarding complaints or communications received almost daily from individuals, tribes, social groups or political organizations, dealing with practically all phases of policy or method, some being indeed frivolous but some being of the gravest import involving alleged mass arrests and imprisonment without process, violation of human rights and fundamental freedoms, political persecution, subsidized intrigues pitting pros against antis, tribe against tribe and political party against another, etc., and calling for urgent solution if the principles or objectives of trusteeship are to be anything more than lip service.

7. In these circumstances the Philippine representative takes the view that complaints or communications of the gravest nature addressed to and calling for "specific action by the Advisory Council" under rule 45 of its rules of procedure, are within the legal competence of the Council as part of its powers to "aid and advise" and for which the Council may take all lawful steps in ascertaining the facts and, as the facts warrant, take such other steps with the Administration as may lead to a satisfactory solution. Unless the Council could do this, he believes, there would be little left of its powers to "aid and advise" which should then be reduced merely to "advise"; its having its Headquarters in Mogadiscio would then be pointless since requests for

advice, which are few and far between, could then perhaps be as satisfactorily taken care of elsewhere; and the close contact and prolonged conferences and interviews with the people which occur daily and take most of the representative's time would then be all misdirected efforts. In such a case, the Advisory Council might as well close shop and write "finis" to this novel experiment in international trusteeship if not to the Trusteeship System itself.

8. The representative of Colombia takes an entirely opposite view. He believes that the Council's function is merely giving advice and would want to read the words "aid and advise" used once in the Assembly resolution and twice in the Trusteeship Agreement, as though they were merely "advise". When, therefore, the Council replies to written requests for advice, the Council has done its duty. He takes the view that complaints or communications are beyond the official functions of the Advisory Council, claiming they are within the exclusive power of the Trusteeship Council under Article 87 of the Charter, but representatives may deal with them unofficially if they desire. In one lucid moment of inspiration, he even proposed that representatives should pack up and go home, coming only to Mogadiscio at certain months of the year to do what little work there was. He disdains the close contacts and conferences and interviews which the Egyptian and Philippine representatives maintain with the population because, according to him, that would be interfering with the political affairs of the people.

9. Because of this conflict of views, there have unfortunately occurred times of tension and impasse in the functioning of the Council regarding complaints or communications, particularly because, during the past year covered by the report, the third representative, who could well have broken the deadlock, was unfortunately absent from the Territory except for a period of one month and twenty-two days. All this notwithstanding, the situation would perhaps have not been so bad had not the Principal Secretary put his moral weight on the matter. On assuming his post on 3 November 1951, the new Principal Secretary wrote an inaugural letter to the representatives defining his stand in the following tenor:

"Now I come to the matter of petitions. During my seven months here I have observed that the manner in which the Advisory Council should deal with petitions has always been a subject of disagreement. There is no doubt at all in my mind but that the Advisory Council is not authorized to deal officially with petitions. I entirely agree with my predecessor, Dr. Lucas, that only the Trusteeship Council is empowered to take such official action as provided for under Article 87 b of the Charter. For that reason, I would strongly recommend that the matter of petitions should never appear in the Advisory Council's agendas, should never be discussed during an Advisory Council meeting, should not find place in the official records of the Council's meetings. If we follow such a procedure we can easily avoid all official action. But that does not mean that there is nothing that the Advisory Council can do in assisting with the very important task of dealing with petitions. It was evident during the last session of the Trusteeship Council that there would be no objection at all if the Advisory Council lent its good offices un-

officially in trying to settle some of the problems raised in the petitions all of which we must forward to New York."

10. In these circumstances, it would seem as though the Council is being relegated to the innocuous position of a mere "rubber stamp" or transmitting agency for complaints of a petitional nature which, despite the provisions of rule 45 of the Council's rules of procedure, are all being transmitted by the Secretariat to the Secretary-General. For this reason, the Philippine representative, in his capacity as Chairman of the Council, wanted to report the matter to the General Assembly desirous to set the matter at rest for the good of all concerned, in order to obtain clarification of the Council's terms of reference, and for that purpose was authorized to represent the Council at the sixth session of the General Assembly in Paris last fall. Unfortunately, the attempt was frustrated by the Office of the Secretary-General refusing to authorize the trip allegedly on the grounds that:

(1) The Advisory Council has no authority to accept and examine petitions;

(2) It has no direct relationship with the General Assembly;

(3) It has no right to report to, or appear before, the General Assembly and participate in discussions on Somaliland;

(4) The proposed trip does not fall within the category of essentiality.

11. It is indeed unfortunate that for lack of precision in the definition of the terms "aid and advise" there should have ensued differences of views which have thus far prevented the Council from functioning in the manner envisaged. It is even more unfortunate that the three representatives could not always have been present in Mogadiscio so that the impasse created by the two representatives remaining might have been avoided. But what surely is most unfortunate is that in the midst of all these difficulties, the Council has got so little encouragement and co-operation from those concerned in its attempts to extricate itself from this morass of conflicting views and inaction through contact with, and clarification of its terms of reference by, the General Assembly, its parent organ. What is worst of all, perhaps, is that this situation of impasse and incertitude is fast causing the people to lose their faith in the United Nations in general and the Advisory Council in particular, so that the simmering cauldron of discontent among the people seems fast-developing into a deepening sense of frustration and desperation which, unless allayed in time, is apt to burst up in nothing but calamitous. It has happened before; it can happen again.

12. The situation is so pregnant with consequences not only to the Somalis but also to international trusteeship that surely it cannot last for long. Something can and must be done. Hence, the Philippine representative's desire to bring the matter to the General Assembly, the only organ which, outside of what is provided in article 22 of the Trusteeship Agreement, alone can clarify the Council's terms of reference with binding finality. This explains his desire that the matter had been covered in the Council's report for all to know under what conditions the Council functions and the possible repercussions thereof, hoping that in the best interests of the United Nations and particularly of the



International Trusteeship System, those in a position to do so may take the necessary steps to a satisfactory solution.

#### PROBLEMS CALLING FOR ACTION

##### *Main objection to the report*

13. My main objection to the report consists in its failure to make a fearless and objective appraisal of problems based on actual knowledge of conditions on the spot, and to set forth its conclusions or recommendations if any. It seems to shun or shy at the bitter truth, and modifies facts in other than their true colours. It does not evince that necessary moral courage and determination to perform duty without fear or favour. The objection has been raised that the Advisory Council is here to aid and advise but not to judge and criticize. This, I think, is a narrow, distorted view of the real role and function of the Advisory Council, and ignores the reasons behind the setting-up of the Council as a basis for a three-pronged compromise which finally broke the one-year deadlock between those in favour and those against a single-power trusteeship.

14. The Visiting Mission which visited the Territory for 17 days last fall made, in paragraph 63 of its report this passing but most significant remark regarding the Advisory Council: "The Advisory Council should be of great value . . . in assessing the latter's [Administering Authority's] policies and methods in terms of the provisions of the Trusteeship Agreement." This "assessment" is precisely what I envisaged when I proposed a part II of the report—a part which does not now appear due either to lack of courage or to misconception of the Council's functions. The Visiting Mission as a sub-organ of the Trusteeship Council, itself engaged in international trusteeship as the Advisory Council is, was here in the Territory for but a short period of 17 days but its assessment and appraisal of problems and conditions and its fearless and objective recommendations are simply marvellous. In my view, the Advisory Council having been here for two years should have been in a position to write as good a report as that of the Visiting Mission, which was here only 17 days—if not a better one. I regret to say that the Advisory Council's report suffers greatly by comparison with that of the Visiting Mission in both form and substance. I can only hope this is not due to differences in moral fibre and mental calibre of the respective memberships.

##### *Appraisal of problems*

15. Had I had my own way with our report, I would have made, as did the Visiting Mission, an impartial assessment of the various problems and conditions as I know or observe them on the spot. I would perhaps have made the same appraisal of the major problems in the Territory as appear in paragraphs 45-52 of the Visiting Mission's report, which I consider well taken, but would have emphasized more certain aspects of some. Thus, whatever little knowledge or ideas I have would be known to all for whatever they are worth, if anything. Thus, in the various functional fields, I would have dealt with more or less emphasis on the following:

##### *Political development*

##### *Need for organic act*

16. In the political field, perhaps the most pressing need at this time is an organic act for the Territory,

a simple not too long legislative measure, defining the rights and duties of the citizen and particularly setting forth the rights of persons under suspicion of a crime or under arrest, the right to bail and to speedy and public trial, the mechanics, time and procedures of a preliminary investigation, plea, trial and sentence, along with the definitions of fundamental policies and departments of government. At the ninth session of the Trusteeship Council (T/PV.349, page 42), the special representative posed the question of whether or not there was need for such an organic act inasmuch as the Trusteeship Agreement was soon to be ratified which would serve as such an organic act. He therefore requested the opinion of the Council on the matter.

17. In my view so dire is the need for such an organic act that if the eleventh session of the Trusteeship Council does nothing more for Somaliland than recommend forthwith such legislation so that in a few months it could be promulgated, then it will have done plenty. My contact with the people for the past year and my little knowledge of law and procedure convince me that a great deal of the trouble and misunderstanding between the population and the Administration stems from the fact that, on the one hand, the people cannot understand why under this new régime of trusteeship administration they should still be governed by an endless medley of old Italian laws, Royal decrees, proclamations and ordinances belonging to régimes gone by, while on the other hand some petty officials, *carabinieri* or police, perhaps owing to habit or to failure to understand the full import of the new set-up, have not always employed practices and methods different from those of the old days.

18. This brings to mind a recent example. About a month ago, a Somali named Osman was shot at by an unknown person. Osman did not die as he received only two slight wounds. He was one of those brought to Lake Success to speak for Italian return to Somaliland and is now a member of the Territorial Council and the General Secretary of a pro-Italian political party. The criminal was not apprehended in the act. As I was told, the full force of the *carabinieri* and the police went into action and that night arrested indiscriminately some two or three thousand persons, mostly Somali Youth League members, from the streets and houses and everywhere. They were huddled in all police stations of the city, and for failure to say to what tribe they belonged, many were boxed, kicked and slapped, some received broken ribs, noses or teeth. They remained under arrest pending investigation for several days before being released, but some 150-200 persons, with families and homes here in Mogadiscio, were deported without court trial to various parts of the Territory. The city was virtually under martial law, reminiscent of the war days.

19. What royal decrees or laws countenance these police practices I do not know, despite my present studies of the present legislation. But I am certain that an organic act, as a common standard understood by all, would do away with many abuses and excesses and certainly with most of the mass arrests, imprisonments and anomalies complained of in petitions now flooding the Trusteeship Council. For this reason, I consider an organic act as a top-priority need in the political field.

##### *Elections*

20. I consider the Somalis an intelligent race, quick

and willing to learn, sensitive and excitable. In trips through towns and bush, I have found even the nomad shepherd as something of a village-street philosopher wanting to hear himself talk on what the government does or does not do to alleviate the harsh economic life he leads, with full gesticulations to boot. If given opportunity, I think he can vote intelligently. I concur fully with the Visiting Mission's recommendation on the matter. It is only through experience that the people can be trained politically, and in view of the shortening ten years, I would give them all they can absorb.

#### *Native participation in government*

21. During the British occupation, there were Somalis who held responsible posts but who, after the hand-over, were either gradually weeded out or relegated to menial positions and their former posts taken by Italians. At the present time, there are anywhere from 750 to 800 Italians in the Administration, quite a number of whom are members of families of higher officials. Some of these are mere clerks sitting side by side with Somali clerks, who sometimes serve as trainers for their Italian counterparts. Yet salaries of Italian clerks are anywhere from three to four times those of the Somali clerks. By systematic training, it seems not only possible but necessary that sufficient Somalis should be qualified to replace even now a considerable number of the lower rank Italian employees, this not alone to hasten greater Somali participation but also to effect sizable savings in salaries and transportation. The present effort through the Political and Administration School does not seem to me adequate enough to cope up with the pressing need for trained Somalis. The School is not very popular. The effort must be accelerated and more vigorously supplemented by every other possible means particularly through greater and greater numbers of scholarships abroad, which the Administration in its Five Year Plan for Educational Development does not seem very willing to do. The Somalis are so anxious to train themselves that some forty students have gone on scholarships to Egypt and I am told are now in secondary schools so that in about eight years they can come back fully prepared for greater responsibilities. In my opinion, the provisions of the Trusteeship Agreement on scholarships abroad must be more vigorously implemented as the only remedy in the situation.

#### *Territorial Council*

22. The present system of appointment of members of the Territorial Council must be improved if the purpose is to train good leaders for an independent Somali State. More and more vigorous progressive young men must be chosen in lieu of fossilized tribal chiefs. As at present constituted, the Territorial Council seems to consist of an overwhelming "mechanical majority" at the bidding of the Administration, and a vigorous intelligent minority of seven members. It seems to me not only possible but necessary that the members should be chosen on a more democratic basis. For instance in a town like Obbia where all the people, except one person, belong to just one political party. That person, an old paid tribal Chief, was appointed to the Territorial Council rather than one of the more progressive young party leaders. And the procedure of deliberations could, too, be improved so as to avoid the appearance that the majority is there simply to give its "stamp of approval",

at the Administration's signal, to measures the Administration wants approved regardless of lack of time for intelligent deliberation. For example, the Five Year Plan for Educational Development which took experts many months to formulate was railroaded through in a week, whereas UNESCO and the Advisory Council, which have also been consulted, have not as yet submitted observations on it after five months.

#### *Political intrigues*

23. Were I writing a report instead of these few observations, there would be many things that could be said to improve political conditions in the Territory. For instance, there is no question in my mind that the overwhelming majority of the people are sympathetic to and are therefore supporting the nationalistic aspirations and programmes of the Somali Youth League. Even the so-called pro-Italian parties which are "mush-rooming" do not and cannot oppose those aspirations and many of their members are secretly conniving with the Somali Youth League. But some of the petty officials who are openly encouraging by subsidy or "bak-sheesh" the growth and proliferation of these parties do not seem to see it. They do not seem to realize that many of these parties exist only in name and then only as long as they are paid for, but that as soon as the subsidy stops they turn the other way. This, in my view, explains why the so-called *Conferenza* is no more.

24. Therefore, it seems to me that rather than encouraging and subsidizing the growth of these so-called pro-Italian parties, to save money, time and energy, there should be a recognition of the fact that there is no stopping this surge of nationalism among the people. Hence, instead of trying to pit one party against another, tribe against tribe, etc., the Administration should try to marshal these forces of nationalism to more productive channels, take the leaders into its confidence, and together work for the success of the Trusteeship Administration. This, I am sure, can be done, given the atmosphere and the goodwill to do so.

#### *Economic development*

##### *Need for land legislation*

25. There is no denying the poverty of the Territory due to the meagreness of natural resources. The economy is basically agricultural-pastoral. The best portions of the limited cultivable area are already covered by European concessions. The remaining portions should be conserved for the benefit of the future Somali State and in no manner should they be alienated to foreign hands, although they could be given under lease to foreign concessionaires under conditions which would benefit both the concessionaires and the native population and induce the people to settle on the land. For this reason it seems desirable as early as possible to promulgate land legislation to this effect.

##### *Livestock industry*

26. A feature of the Territory's economy is the abundance of livestock, often of the poorer quality, but obviously heretofore little utilized to really improve the economic condition of the people. The technical problems of animal diseases, watering wells, control of accumulating livestock, improvement of quality, utilization of livestock in trade and commerce through the establishment of a meat-canning industry, are matters which can only be dealt with through a carefully prepared



long-range programme and the sooner it is made, the better. While no doubt the Administration has all these problems in mind, it is obvious that this rich source of improving the economic life of the people should be taken advantage of as soon as possible.

*Other possible industries*

27. Outside of agricultural products and livestock, there seems to be no other possible industries available for development except hides, which now constitute a considerable portion of exports; sugar which could be profitably produced but which under present conditions is still in part imported; and salt which is practically extinct. All these are apparently available for development as additional sources of revenue to the Territory and should be given early attention.

*Rationalizing administrative structure*

28. The present administrative structure of some seventeen departments of the government is, I believe, a bit too complicated and too expensive for a Territory as poor as Somaliland to maintain. Even the governments of some more progressive independent States do not maintain that many. And these departments are all manned by officials imported from Italy, with their families. There are at present some 700 to 800 officials thus coming from Italy. I know of one official who has in all nine members of his family all transported here by ship or plane at government expense. These officials receive salaries here about three or four times what they would receive in Italy if they worked there. They are given a home leave about every two years with their families at government expense. Here, it seems, they are given quarters allowances or quarters at nominal rates. I know of two or three instances where, upon change of occupants, big and luxurious quarters have been reconditioned and redecorated at tremendous costs to the government.

29. I write these observations in the hope that those concerned may take every possible step to re-examine the situation to the end not only to simplify and reduce the number of departments and reduce the number of imported personnel, and thus effect tremendous savings to the government, but also to replace the officials in the lower brackets with duly qualified Somalis. My observations lead me to believe that many of these officials can easily be dispensed with and substituted by Somalis without much affecting the efficiency of the service.

*Social advancement*

*Gag on freedom of speech and expression*

30. There is just one phase I would wish to call attention to in the social field since the social problems in the Territory are well known — and that is the limitations on freedom of speech and expression. On two occasions I have attended political rallies where local officials have required native speakers to first submit their speeches in written form so that they may be gone into by the officials concerned, and in each case those speeches had to be redrafted and revamped in order to remove therefrom any and all references that did not sound favourable to the Administration. On another occasion an employee was dismissed from his job for writing a letter to the *Corriere della Somalia* which he requested the editor to publish. The letter, of course, was never published but the writer lost his job. There

seems to be an atmosphere of tense suspicion against everyone and everything. Employees have been dismissed from their jobs simply because they spoke their minds before the Visiting Mission when the Mission was here. And yet we talk here of freedom of speech and expression!

*Educational advancement*

31. Although the Administering Authority recognizes in article 4 of the Trusteeship Agreement that an independent democratic government and the moral, social, political and economic development of the Somalis can be established only on the sure foundations of education in its broadest sense, and for that reason undertakes to establish a sound and effective system of education, nevertheless, I believe that unless there is a radical change of policy in the present educational set-up the "sure foundation" envisaged in the article in question is doomed never to be established within the remaining short period of less than nine years. My reasons for this view are the following:

(1) The present policy requires the teaching of two foreign languages from the very start to children who do not speak them. For lack of qualified local teachers who can speak these languages, the teachers must perforce be foreigners who cannot speak Somali, the language of the children. In these circumstances, one can easily see the great difficulties in instructing the pupils by teachers who do not understand them and the probable quality of the instruction imparted.

(2) Qualified teachers to teach Italian would have to be imported with salaries at least three, four, or five times those of local teachers. Their transportation expenses would have to be paid. Because of the poverty of the Territory, the number of such teachers would have to be necessarily limited, the appropriation for education being also limited. With regard to Arabic, Arab teachers would have to be imported if Arabic were to be properly taught. Their salaries are much less than those of Italian teachers but the government does not seem disposed to import many of them. The only alternative is to train Somalis in a hurry in a short time with the result that their education and training would be inferior and so would be the quality of instruction they could impart. In every case — for lack of money to pay Italian teachers; for failure of the administration to import Arab teachers; for lack of qualified Somalis to teach Arabic or Italian and who must first be trained in a hurry and superficially — the situation is gloomy and meantime the nine-year period is getting shorter.

(3) Further, the majority of children getting the benefit of education for the first time are those of tender years — aged 6, 7 or 8. Add the remaining period of 8 or 9 years before the end of the ten-year period of trusteeship and they will be only 15, 16, or 17 when independence comes. They will not be old enough to contribute their training in the establishment of an independent government. What article 4 obviously envisages is the giving of an education that would enable the people to establish independence in ten years.

(4) In these circumstances, article 4, (a) providing for scholarships abroad would have been the only remedy to ensure a sufficient number of trained men upon the grant of independence in ten years. But in its Five Year Plan for Educational Development, the Ad-

ministration says it does not plan to send many abroad on scholarships.

(5) Add to these facts, the lack of schools and textbooks in either Italian or Arabic, the scarcity of funds because of the limited budget, and it seems clear that the present educational system does not lead to the "sure foundation" for the establishment of independence in ten years as envisaged in the Trusteeship Agreement.

32. I submit that the present policy be re-examined along the following lines not only to do away with many of the difficulties above-mentioned and to ensure a better quality of instruction but also to ensure the training of a good number of men sufficient to man an independent government after ten years. My proposals would be to:

(1) Teach but one language instead of two, thus reducing by half all the troubles and expense regarding lack of teachers, textbooks, etc., and doubling the efficiency of teaching and quality of instruction. Which language should be taught may well be left to a referendum.

(2) Accelerate the policy of Somalization of the administrative service by weeding out many of the not

absolutely indispensable officials and filling their posts with newly-trained Somalis.

(3) Implement vigorously article 4 (a) of the Trusteeship Agreement by sending say forty students abroad possibly to various countries yearly for different lines of specialization.

(4) Concentrate more on the education of those who after nine years can be marshalled into service for the establishment of an independent government.

33. These, among others, are matters I would have discussed in the report. I wrote them hurriedly and at random but they spring from convictions which to me are life itself. I am deeply aware of their possible effects but there are causes and duties which may justly separate friends. I would therefore be untrue to myself if I did not register my outraged indignation at what I consider error and wrong in the Council's functioning and in the formulation of its report. I raise this note of warning that should the Council, or for that matter the International Trusteeship System, fail in its noble mission, it shall be because of the callous hypocrisy and sheer lack of moral courage of the time!

Mogadiscio, 14 April 1952.

(Signed) V. D. CARPIO  
(Philippine representative)

## ANNEX II

### LIST OF INFORMATION DOCUMENTS RECEIVED FROM THE ADMINISTERING AUTHORITY

#### POLITICAL

<i>Document No.</i>	<i>Subject</i>	<i>Date of Advisory Council document</i>
A/AC.33/AA.34/Pol.	Agenda for the second session of the reduced Committee of the Territorial Council	5 April 1951
A/AC.33/AA.35/Pol.	Procedure for penal procedure	10 April 1951
A/AC.33/AA.38/Pol.	Introduction of indigenous personnel into the <i>Amministrazione Fiduciaria Italiana della Somalia</i> (AFIS) offices and civil service	17 April 1951
A/AC.33/AA.39/Pol.	Portion of the minutes of meeting of Reduced Committee of the Territorial Council 13 April at which controls for agricultural concessions were discussed	27 April 1951
A/AC.33/AA.40/Pol.	Members and rules of procedure of the Territorial Council	27 April 1951
A/AC.33/AA.45/Pol.	Travel permits between British Somaliland and the Trust Territory of Somaliland under Italian administration	9 May 1951
A/AC.33/AA.50/Pol.	Registry Offices	21 June 1951
A/AC.33/AA.51/Pol.	Third session of Reduced Committee	27 June 1951
A/AC.33/AA.52/Pol.	Municipal Administrations	5 July 1951
A/AC.33/AA.54/Pol.	Summary of agendas of the sessions of the Territorial Council and Reduced Committee, January — June 1951	10 August 1951
A/AC.33/AA.55/Pol.	Letter from the Provincial Commissioner of Benadir Province to the Internal Affairs Office of the Administering Authority on the setting up of Municipal Services	11 August 1951
A/AC.33/AA.57/Pol.	Third session of the Territorial Council	28 September 1951
A/AC.33/AA.63/Pol.	List of the members to the Territorial Council	4 January 1952
A/AC.33/AA.68/Pol.	First meeting of 1952 of the Territorial Council	19 February 1952

EDUCATION		
<i>Document No.</i>	<i>Subject</i>	<i>Date of Advisory Council document</i>
A/AC.33/AA.41/Ed.	Specialization courses for Somali soldiers	30 April 1951
A/AC.33/AA.43/Ed.	Teaching of United Nations Principles	1 May 1951
A/AC.33/AA.47/Ed.	Mogadiscio Radio Station	24 May 1951
A/AC.33/AA.49	Visit of Mr. P. Soupault of UNESCO	14 June 1951
A/AC.33/AA.59/Ed.	United Nations Day	31 October 1951
A/AC.33/AA.61/Ed.	Specialization courses for Somali service-men	28 November 1951
A/AC.33/AA.69/Ed.	Teaching programmes that will be followed in this Territory for elementary schools of Somali type	20 February 1952
A/AC.33/AA.70/Ed.	Principal rulings on the organization of the Preparatory Political and Administrative School	7 March 1952

ECONOMICS		
A/AC.33/AA.36/Ec.	Wells in Somaliland	13 April 1951
A/AC.33/AA.42/Ec.	Improvement of methods for skinning and drying of hides	7 May 1951
A/AC.33/AA.56/Ec.	Training courses for native skinners	31 August 1951
A/AC.33/AA.58/Ec.	International Labour Office report on mission to Italian Somaliland	29 October 1951
A/AC.33/AA.60/Ec.	Training courses for autochthonous skinners	5 November 1951
A/AC.33/AA.71/Ec.	Draft Ordinance containing additional customs tax to provide funds for Municipal Administrations and the Somaliland Fair	12 March 1952
A/AC.33/AA.72/Ec.	Draft Ordinance which the Administration proposed to publish in connexion with controlling cotton growing in the Territory	25 March 1952
A/AC.33/AA.73/Ec.	Estimated budget for Somaliland for the financial year 1952/53	28 March 1952

LEGAL		
A/AC.33/AA.44/Leg.	Notes on penal proceedings before Provincial and District Commissioners	30 April 1951
A/AC.33/AA.48/Leg.	Power to grant free pardon	14 June 1951
A/AC.33/AA.53/Leg.	Reply to the letter sent to the Advisory Council by the Administering Authority concerning the power to grant free pardon	1 August 1951
A/AC.33/AA.62/Leg.	Ratification and implementation of the Trusteeship Agreement	2 January 1952
A/AC.33/AA.66/Leg.	Legal holidays in Somaliland	22 January 1952

SOCIAL		
A/AC.33/AA.46/Soc.	Housing projects for indigenous employees	22 May 1951
A/AC.33/AA.64/Soc.	Administering Authority's reply to a request for information received by the Advisory Council from the International Abolitionist Federation	11 January 1952
A/AC.33/AA.65/Soc.	Instructing <i>Commissarios</i> how to put into effect Ord. No. 21 (establishment of Labour Inspectorate) and Ord. No. 22 (establishment of Labour Offices)	22 January 1952
A/AC.33/AA.67/Soc.	Additional information for the International Abolitionist Federation	25 January 1952

MISCELLANEOUS		
A/AC.33/AA.37	Replacement of Italian military units of the Security Corps	16 April 1952

## DOCUMENT T/L.285

## Report of the Drafting Committee

[Original text: English]  
[1 July 1952]

1. At its 420th meeting, on 16 June 1952, the Trusteeship Council appointed a Drafting Committee composed of the representatives of China, the Dominican Republic, New Zealand and the United States of America to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in Somaliland under Italian administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held five meetings, at the first of which it elected Mr. Enrique de Marchena (Dominican Republic) as its Chairman.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.266), as revised (T/L.266/Corr.1) to take into account the additional information submitted to the Council by the special representative from the Territory and certain factual material contained in the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, (T/947 and Corr.1) should be the basic text for the chapter on conditions in the Trust Territory of Somaliland under Italian administration.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and annexed them to the present report.

5. The Committee accordingly recommends to the Trusteeship Council that it should adopt the working paper on conditions in Somaliland under Italian administration (T/L.266 and Corr.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; that it should adopt the following conclusions and recommendations relating to conditions in Somaliland under Italian administration; and that it should include those conclusions and recommendations at the end of the appropriate section or sub-section of the chapter on Somaliland under Italian administration in the next report of the Council to the General Assembly.

## DRAFT RECOMMENDATIONS

## I. GENERAL

*General considerations*

6. The Council, recalling its resolution 310 (VIII) of 23 February 1951 concerning the full participation of Italy in the work of the Trusteeship Council and the conclusion adopted at its ninth session on this question, as well as resolution 550 (VI) of 7 December 1951 of the General Assembly, noting the responsibilities which Italy has assumed as Administering Authority of the Territory, expresses the hope that the General Assembly will continue to study ways and means whereby Italy might be enabled to participate fully in the work of the Council.

*Advisory Council*

7. The Council, noting that the role of the Advisory Council for Somaliland as defined in article 2 of the Trusteeship Agreement is to aid and advise the Administering Authority, expresses the hope that all three members will participate fully in the Council's work and remain in the Territory for sufficient periods of time to enable that body to perform its functions in the most effective and harmonious manner.

*Question of the border with Ethiopia*

8. The Council, noting the statement of the Visiting Mission of 1951 that the settlement of the border question was an urgent matter, noting that various petitions received by the Council indicate that a number of problems arise as a consequence of the undefined status of the border, noting the concern expressed on this subject by the members of the Trusteeship Council, noting further the statement of the representative of Italy that conversations between the Government of Italy and the Government of Ethiopia directed toward a solution of this problem have been initiated, expresses the hope that these conversations will lead to a satisfactory settlement.

## II. POLITICAL ADVANCEMENT

*Political organizations*

9. The Council, noting with satisfaction the steps taken by the Administering Authority to give political parties an increased role in the political organs of the Territory, shares the hope expressed by the Visiting Mission of 1951 that the leaders of political parties will emphasize increasingly the constructive aspect of their role.

10. The Council, noting that the present law regulating the activities of political parties, which was enacted during the period of the former military administration, is shortly to be replaced by a new law, urges the Administering Authority to put such a law into effect as soon as possible.

11. The Council, noting that the Visiting Mission expressed concern in respect of the system of proportional representation of political parties in political organs, noting further the statement of the Administering Authority that this is an interim measure pending the introduction of direct elections in the urban centres, recommends that the Administering Authority proceed with its plans to hold direct elections in the towns and villages for members of the municipal councils and of the Territorial Council, as such elections would not only represent an important step toward full participation of the inhabitants in the political life of the Territory but also would largely eliminate the difficulties caused by the present system of proportional representation.

*Territorial Council, Residency councils, municipal councils*

12. The Council, noting with satisfaction that during the year under review municipal councils were created in the urban centres of the Territory and that a functional committee of the Territorial Council has been

established and will be sub-divided into political and economic sections as soon as possible, recommends that the Administering Authority devote particular attention to developing further the use of functional committees, not only in the Territorial Council but in the Residency councils and municipal councils as well, in order that the practical political experience of the representatives in these bodies may be increased, and expresses the hope that the promising development of political maturity among Somalis, and the increasingly representative character of the political bodies, will provide a basis for a progressive expansion of their powers.

#### *Administrative service*

13. The Council, noting with satisfaction the measures taken by the Administering Authority to increase the participation of Somalis in the administrative service as, for example, the assignment of Somalis to more responsible posts such as chiefs of sections in the Central Administration, executive assistants to Residents, and officers in charge of customs, post offices and police services, expresses the hope that the Administering Authority will be able to extend such measures throughout all the administrative services.

14. The Council notes the action of the Administering Authority in sending abroad for special training Somali members of the army and police forces and recommends that this programme be extended to other branches of the Administration.

#### *Indigenous political structure*

15. The Council, noting the efforts of the Administering Authority to introduce democratic procedures in the tribal assemblies and that these measures have not been endorsed by the Territorial Council, calls the attention of the Territorial Council and of the representatives of public opinion to the advantages to the Territory which the Trusteeship Council considers would be derived from such measures and urges that the Administering Authority continue its efforts to this end.

#### *Judicial system*

16. The Council, in its study of the judicial system of the Territory, noting that a number of petitions indicate that certain delays have occurred in bringing prisoners to trial, noting also the statement of the special representative that in April 1952 new legislation limiting the period of investigation preparatory to trial, and consequently the period of detention during that time, had been enacted, and that under Italian law a person may be detained forty-eight hours after which he must be either released or charged before the judicial authorities, noting with concern the length of the period which has elapsed in some cases between arrest and trial, expresses the hope that the Administering Authority will make every effort to remedy this situation.

17. The Council, while noting that the Administering Authority has taken further steps toward completing the separation of the executive and judicial functions by the appointment of magistrates in regional commissariat headquarters, shares the view of the Visiting Mission of 1951 that the new judicial regulations should ensure the absolute independence of the judiciary in accordance with article 7 of the Declaration of Constitutional Principles annexed to the Trusteeship Agreement.

### III. ECONOMIC ADVANCEMENT

#### *General*

18. The Council notes with satisfaction that the economic situation of the Territory has improved over the previous year and expresses the hope that continued improvement will be possible in years to come.

19. The Council, noting that the report of the Technical Assistance Mission of the United Nations will be available shortly and that it is the intention of the Administering Authority, after considering the Mission's report, to draw up a comprehensive plan of economic development and to submit it to the Council, commends the Administering Authority for its co-operation with the specialized agencies of the United Nations and other international technical agencies and expresses the hope that this plan will be presented to the Trusteeship Council together with the next annual report and that it will provide such a basis for economic development as will encourage the investment of capital in the Territory as well as further assistance from international agencies.

#### *Public finance, taxation*

20. The Council notes that the Administering Authority is making a substantial contribution to the budget of the Territory and that it is considering the adoption of the Council's recommendation of its ninth session regarding the form of presentation of future budgets. The Council, taking into account the statement of the Visiting Mission of 1951 that the only sound basis on which the independent State can be set up is one of self-support and considering that gradual steps should be taken in order to reach this goal, draws the attention of the inhabitants of the Territory and of the Administering Authority to the importance of increasing the financial contribution of all sections of the population toward the expenses of the Territory.

#### *Trade*

21. The Council, taking into account that certain petitions transmitted in 1951 contain complaints regarding restrictions imposed on foreign trade and the views of the Visiting Mission of 1951 on this same question, notes with satisfaction that the Administering Authority has stated that foreign exchange is now available to traders, that preference is given to Somali traders in the granting of import and export licences, and that the volume of trade, both export and import, has increased, favourably affecting the standard of living of the population.

#### *Land*

22. The Council, having had its attention drawn to various aspects of land questions including those complaints contained in petitions concerning land disputes, and noting the assurances given by the Administering Authority that it is not its policy to grant concessions under the present laws until new land legislation giving expression to the principles of the Trusteeship Agreement is adopted, requests the Administering Authority to take all necessary steps to secure the prompt enactment of this legislation.

#### *Agriculture and stock-raising*

23. The Council, noting with satisfaction the measures taken by the Administering Authority to encourage

agricultural training, including the establishment of an agricultural school, and to establish farmers' co-operatives, expresses the hope that these measures will be extended.

24. The Council urges the Administering Authority to intensify its efforts to ensure the diversification of crops in order to minimize difficulties in the event of a decline in market prices of the principal crops.

#### *Water supplies*

25. The Council, noting the plans of the Administering Authority for the development of water resources in the Territory, encourages it to continue in this task and at the same time urges all sections of the Somali population to give their full co-operation in this programme.

### IV. SOCIAL ADVANCEMENT

#### *General*

26. The Council, recalling its recommendations adopted at its ninth session on the social aspects of nomadism in Somaliland, noting that the Administering Authority is awaiting the report of the Technical Assistance Mission of the United Nations in order to conclude its study of this problem and that it will present the results of its studies in the next annual report, noting also that the Administering Authority is dealing with the problem of nomadism from the point of view of fundamental education and that in this connexion it has sought the aid of the United Nations Educational, Scientific and Cultural Organization, expresses the hope that the Council will be provided with full information on all aspects of the Administering Authority's effort to deal with the problem of nomadism and that a comprehensive programme will be undertaken to solve the political, social and economic problems arising from nomadism.

#### *Labour*

27. The Council, noting with satisfaction that, following the survey of labour problems by an International Labour Organisation mission, the Administering Authority has taken steps to implement the recommendations contained in the report of the mission, noting in particular that it has made arrangements with the International Labour Office for assistance in the preparation of a comprehensive labour code which is to be adopted progressively, requests that the Council be kept fully informed of developments in this respect.

28. The Council expresses the hope that the labour regulations contemplated by the Administering Authority for the protection of women and children, particularly in agricultural employment, will soon be drafted and put into force.

#### *Medical and health services*

29. The Council, noting that health conditions constitute a serious problem impeding social and economic development, noting that the Administering Authority is drafting plans for the development of medical and health services, noting that the number of

physicians had been increased by ten during the year under review, noting that new facilities have been built and that existent ones have been repaired or expanded, expresses the hope that the Administering Authority will present detailed information on these plans in the next annual report.

30. The Council, noting the existence of serious dietary deficiencies in certain areas, particularly in the north, recommends that the Administering Authority seek assistance and advice from the World Health Organization, the Food and Agriculture Organization and the United Nations International Children's Emergency Fund in the study and treatment of these problems.

#### *Prisons*

31. The Council, noting that the prison system is unsatisfactory due largely to the inadequacy of the present buildings, noting the assurances of the Administering Authority that this situation will be remedied by the establishment of modern penal institutions such as prison farms, noting the steps taken to provide new facilities for juvenile delinquents and to expand those for women, noting that further steps are to be taken to provide for the rehabilitation of prisoners through vocational training, requests that more precise details on these measures be given in the next annual report.

### V. EDUCATIONAL ADVANCEMENT

#### *General*

32. The Council, recalling its recommendation on educational development at its ninth session, notes with satisfaction that the number of elementary schools increased from 70 in 1950-1951 to 113 in 1951-1952, that expenditures increased from approximately 3 million somalos in 1950-1951 to 4.6 million in 1951-1952, that the enrolment of students increased from 7,479 in 1950-1951 to 11,646 in 1951-1952 and that enrolment during the 1952-1953 school year is expected to reach 17,000, that the total number of teachers in elementary schools has also substantially increased; noting further that scholarships are to be granted in 1952 to over sixty Somalis for study in Italy and Egypt, recommends that still greater efforts be made to accelerate the expansion of educational facilities and that particular attention be given to the problem of increasing the number of Somali teachers.

#### *Language of instruction*

33. The Council, noting with concern the absence of a written indigenous language, expresses the hope that the Administering Authority will give particular attention to reducing the Somali language to written form with the co-operation of the United Nations Educational, Scientific and Cultural Organization and other educational organizations. The Council further notes the steps taken by the Administering Authority in expanding the teaching of Arabic and expresses the hope that the question of the language of instruction will be considered by the Administering Authority and by the inhabitants from the standpoint of the long-range development of the indigenous Somali culture.

**(b) Tanganyika, 1951****DOCUMENT T/L.291****Report of the Drafting Committee**

[Original text: English]  
[3 July 1952]

1. At its 428th meeting, on 25 June 1952, the Trusteeship Council appointed a Drafting Committee composed of the representatives of Belgium, El Salvador, France and Thailand to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in Tanganyika and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held four meetings, at the first of which it elected Mr. Robert Scheyven (Belgium) as its Chairman.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.276), as amended to take into account additional relevant information (T/L.276/Corr.1), should be the basic text for the chapter on conditions in the Trust Territory of Tanganyika.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and annexed them to the present report.

5. The Committee considered the question of the preparation of a draft, for inclusion in the report of the Council, covering the work of the Standing Committee on Administrative Unions on the inter-territorial organization. The Drafting Committee noted that the Council at its tenth session (410th meeting) deferred consideration of the report of the Standing Committee on Administrative Unions on New Guinea until its present session when it will have before it the general report of the Standing Committee containing an analysis of administrative unions in all Trust Territories. The Drafting Committee has therefore omitted any reference to the question of administrative unions in its report.

6. The Committee accordingly recommends to the Trusteeship Council that it should adopt the working paper on conditions in Tanganyika (T/L.276 and Corr.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; that it should adopt the following conclusions and recommendations relating to conditions in Tanganyika; and that it should include those conclusions and recommendations at the end of the appropriate section or sub-section of the chapter on Tanganyika in the next report of the Council to the General Assembly.

**DRAFT RECOMMENDATIONS****II. POLITICAL ADVANCEMENT***General situation*

7. The Council, considering the need for the development of a sense of territorial consciousness on the part of all sections of the population, notes with approval the efforts of the Administering Authority to amal-

gamate and federate tribal units, and endorses the suggestion of the Visiting Mission that the Administering Authority should consider the establishment in the law of the Territory of a status of citizen of Tanganyika applying to all persons of whatever origin or nationality genuinely domiciled in the Territory.

*Executive and legislative organs*

8. The Council, considering that in the political development of the Territory communal interests should be subordinated to the interests of the Territory as a whole: (a) is of the opinion that although the proposal of the Committee on Constitutional Development for equal representation of the three races in the Legislative Council represents a useful step as an interim measure, this proposal does not offer a satisfactory long-term solution; (b) in view of the doubts expressed by the Visiting Mission as to the wisdom or practicability of delaying for five years the implementation of the legislative reforms, expresses the hope that progress with the over-all development of new political institutions will be rapid enough to permit a shortening of this period, and suggests that the Administering Authority consider the use of a common electoral roll with appropriate qualifications as one possible form of bridge between the proposed system of communal representation and a more representative one.

9. The Council, noting with satisfaction that the Governor has accepted the recommendation of the Committee on Constitutional Development regarding African membership on the Executive Council, expresses the hope that the Administering Authority will consider a further increase of African membership as soon as practicable.

*Provincial and regional organization*

10. The Council, considering that the policy of the Administering Authority regarding the development of governmental machinery between the local level and the territory-wide level should be applied with all possible speed, and taking into account the Governor's statement that although the introduction of regional administrations might be postponed, various proposals towards decentralization are being considered, requests the Administering Authority to include full information on the results of its deliberations in the next annual report.

*Local government institutions*

11. The Council notes with interest the following aspects of the policy of the Administration with regard to local government institutions: (a) that county councils are to be established as soon as possible, on an interracial basis, usually with an unofficial majority; (b) that importance is attached to the development of local urban bodies which are also to be on an interracial basis; and, (c) that an elective system is to be introduced for county councils and all other local urban bodies as soon as possible.



*African local government*

12. The Council notes that, on the whole, the development of African local government is proceeding on sound lines; approves the general policy and efforts of the Administering Authority to modify and develop the traditional tribal structure to bring it into conformity with modern conceptions of local government; endorses the view of the Visiting Mission that the time has now arrived for the Administering Authority to give serious consideration to a major recasting of the legislation governing the activities of Native Authorities and district councils, in order to establish a more uniform pattern of African local government for the whole Territory.

*Civil service*

13. The Council recommends that the Administering Authority should institute a uniform scale of basic salaries for officials regardless of country of origin for positions in both the Senior and Junior Services, and that this scale should be supplemented by a system of expatriation allowances for personnel not domiciled in East Africa, and of efficiency differentials where these are felt to be applicable. The Council further suggests that the Administration should provide increased access to educational facilities by means of which the appropriate qualifications may be obtained for direct entry to the Senior Service, and hopes that the recent elevation of Makerere College to the status of a university college will lead to its degrees being recognized for this purpose.

*Judicial organization*

14. The Council notes with satisfaction the policy of the Administration to encourage the evolution of the various forms of customary law and the separation of judicial functions from the traditional functions of Native Authorities, particularly under the new Chagga Constitution, and hopes that the number of resident magistrates will be progressively increased.

## III. ECONOMIC ADVANCEMENT

*General situation*

15. The Council notes with satisfaction the rapid rate of economic development in the Territory and the assurances of the Administering Authority with respect to the necessity for the Government to retain sufficient control over private development schemes to ensure that the interests of the inhabitants are properly safeguarded.

16. The Council, noting that there are many regions not covered by local development schemes, expresses the hope that the success achieved in the Sukumaland and Mbulu development schemes will lead to the establishment of similar schemes in other parts of the Territory.

*Agriculture*

17. The Council approves the emphasis placed by the Administering Authority on self-sufficiency in food supplies; follows with interest the experiments in mechanized cultivation being carried out in several areas and the progress made in the mechanized cultivation of rice; recommends that as soon as satisfactory methods are evolved, the Administration give every encouragement to further mechanization and that it continue to

increase its efforts to improve African agriculture and animal husbandry.

*Communications*

18. The Council, noting with satisfaction the road programme of the Administering Authority and the steps taken to implement this programme as well as the plans in hand for rail development, expresses the hope that the Administering Authority will continue to give emphasis to this important aspect of economic development.

*Marketing of agricultural produce; co-operatives*

19. The Council, noting the success achieved by co-operatives, particularly by the Kilimanjaro Native Co-operative Union Ltd., and considering that co-operatives are the most effective way in which Africans can compete in trade at the present time, expresses the hope that the Administering Authority will continue its encouragement of co-operatives and will expand the part played by these institutions in the general economy of the Territory.

20. The Council, noting the view of the Visiting Mission that indigenous local producers of export crops should fully benefit from rising world prices, recommends that long-term contracts between the marketing co-operatives and the Ministry of Food should be kept under constant review.

21. The Council, recognizing the importance of the general problem of land alienation and considering that the amount of suitable land of good quality situated in climatically favoured areas presently available is limited, notes with satisfaction that the Administering Authority fully acknowledges its responsibility to consider cautiously proposals for long-term leases of land and expresses the hope that the land problems of the Africans will continue to receive the closest attention of the Administering Authority.

22. The Council notes with approval the intention of the Administering Authority to strengthen African representation on the Land Utilization Board and expresses the hope that this intention will soon be implemented in a liberal manner. The Council, considering the view of the Visiting Mission, recommends that the Land Utilization Board pursue without delay the formulation of recommendations for the encouragement and development of a suitable and secure system of land tenure for Africans taking into account, when available, any recommendations that may be formulated by the Council's Committee on Rural Economic Development.

## IV. SOCIAL ADVANCEMENT

*Status of women*

23. The Council, recognizing the importance of the emancipation of African women and the influence they have on the advancement of indigenous society, expresses satisfaction with the statement of the Governor in this regard and hopes that the Administering Authority will continue to give emphasis to the improvement of the status of women.

*Standard of living*

24. The Council, noting with concern the statement of the Visiting Mission on the low standard of living prevailing in many parts of the Territory, endorses the

recommendation of the Mission that the Administration should undertake more detailed studies of the cost and standard of living with a view to ensuring that reasonable minimum wages prevail and expresses the hope that the Administering Authority will undertake further action toward improving the difficult living conditions of lower paid Africans, particularly those in urban areas.

*Urban housing*

25. The Council, noting the assurance of the Administering Authority that every effort is being made toward improving the housing programme, expresses the hope that the Administration will press on with the implementation of its housing schemes and that it will encourage suitable private building, and further endorses the view of the Visiting Mission that the claims of African civil servants for adequate housing should receive closer attention.

*Labour*

26. The Council recommends that the Administering Authority continue to give close attention to the problem of stabilizing the labour force and increasing its productivity, and in this connexion that it consider measures calculated to lead to an increase of wages and the improvement of housing and other working conditions.

27. The Council, recalling the recommendation adopted at its ninth session on the subject of migrant labour, recommends that the Administering Authority consider taking the necessary steps, in co-operation with other governments concerned, to ensure, in so far as possible, that the conditions of employment of Tanganyikan labour outside the Territory are satisfactory.

*Corporal punishment*

28. The Council, reiterating its previous recommendations on the abolition of corporal punishment, and noting that the Administration has appointed a committee to make a comprehensive study of the question in the Territory and particularly to ascertain African views thereon, expresses the hope that the investigation will be terminated as soon as possible and that the result of this investigation will lead to a decision by the Administering Authority to abolish immediately corporal punishment.

*Medical and health services*

29. The Council, while noting with approval that there has been some increase in the medical staff during the year under review, shares the view of the

Mission and of the Administering Authority that the present medical and health facilities are inadequate for the needs of the Territory. The Council also notes with concern the statement of the Visiting Mission with respect to medical training and the standard of construction of hospitals, and recommends that every effort be made to achieve with the least possible delay the objectives of the Administration's medical development plan.

V. EDUCATIONAL ADVANCEMENT

*General situation*

30. The Council,

(a) Notes with satisfaction that the revised ten-year plan for African education represents a considerable improvement over the original plan, especially with regard to the targets of primary education, and that the plan is being implemented in an energetic manner;

(b) Shares the view of the Visiting Mission that the targets for post-primary education under the revised ten-year plan are too limited and expresses the hope that the Administering Authority will review the provisions of the plan with respect to post-primary education with a view to expanding this part of the programme;

(c) Notes with approval the increase in the number of Tanganyika students both at the Makerere University College and in the United Kingdom and, in view of the future need for a university in the Territory, welcomes the statement of the Administering Authority that the question of the establishment of a university college in Tanganyika is receiving active consideration;

(d) Notes with satisfaction the increased facilities for vocational and technical training made available in the Territory and expresses its confidence that, in view of the great need for technically trained Africans, the Administering Authority will continue its efforts in this important field of education.

*Dissemination of information*

31. The Council, noting the measure of success achieved in the implementation of the resolutions of the Council regarding the provision of information on the International Trusteeship System and on the United Nations, endorses the practical suggestions of the Visiting Mission and the Administering Authority, particularly in regard to the translation of such information into Swahili for dissemination among wide sections of the Tanganyika population.

**(c) Ruanda-Urundi, 1951**

**DOCUMENT T/L.293**

**Report of the Drafting Committee**

[Original text: English]  
[7 July 1952]

1. At its 428th meeting, on 25 June 1952, the Trusteeship Council appointed a Drafting Committee composed of the representatives of Australia, China, the Dominican Republic and the United Kingdom to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in Ruanda-Urundi and to make recom-

mendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held four meetings, at the first of which it elected Mr. W. A. C. Mathieson (United Kingdom) as its Chairman.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.267), as revised to take into account additional information submitted to the Council (T/L.267/Corr.1), should be the basic text for the chapter on conditions in the Trust Territory of Ruanda-Urundi.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and annexed them to the present report. On the question of corporal punishment the Committee did not draft any recommendation, the representative of China and the Dominican Republic reserving the right of their delegations to make proposals on this matter in the Council.

5. The Committee considered the question of the preparation of a draft for inclusion in the report of the Council covering the work of the Standing Committee on Administrative Unions on the administrative union between the Trust Territory and the Belgian Congo. The Drafting Committee noted that the Drafting Committee on Tanganyika had decided to omit from its report (T/L.291) any reference to the question of administrative unions pending consideration by the Council of the general report of the Standing Committee on Administrative Unions. The Drafting Committee on Ruanda-Urundi decided to follow this example and not to propose in the present report any conclusion or recommendation concerning the administrative union between the Trust Territory and the Belgian Congo.

6. The Committee accordingly recommends to the Trusteeship Council that it should adopt the working paper on conditions in Ruanda-Urundi (T/L.267 and Corr.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; that it should adopt the following conclusions and recommendations relating to conditions in Ruanda-Urundi; and that it should include those conclusions and recommendations at the end of the appropriate section or sub-section of the chapter on Ruanda-Urundi in the next report of the Council to the General Assembly.

## DRAFT RECOMMENDATIONS

### I. GENERAL

#### *General considerations*

7. The Council notes the considerable progress achieved in the Trust Territory in the period under review; welcomes the assistance it received in its examination of the annual report from the valuable report of the Visiting Mission of 1951; and notes with particular interest the publication of the ten-year plan for economic and social development and the important reforms about to be implemented in the indigenous political structure.

### II. POLITICAL ADVANCEMENT

#### *Legislative and executive powers*

8. The Council, noting with interest the value of the Council of the Vice-Government-General as a means of affording to the indigenous inhabitants experience in the processes of government, recommends that the Administering Authority consider expanding the member-

ship of the Council in order to ensure the representation and participation of all important indigenous interests.

#### *Administration*

9. The Council, recalling that at its third and ninth sessions it emphasized the importance of increased indigenous participation in the responsibilities of administration, draws the attention of the Administering Authority to the views expressed by members of the Council at its eleventh session on the existing duality of the administrative structure and the difficulty which it appears to present to the development of a territorial government in which the indigenous inhabitants may play a full part; and invites the Administering Authority to include in its next annual report a full explanation of its policy in this matter and of the means by which the difficulties involved in it may be overcome.

10. The Council, recalling its previous recommendations on this matter, and noting the increase in the number of indigenous inhabitants employed in the Administration and the training facilities which have been provided, recommends that the Administering Authority continue to develop opportunities for indigenous inhabitants to enter the public service by measures which may include the granting of scholarships for education and training abroad and which should be designed particularly to equip indigenous inhabitants for higher posts in the Administration. The Council in this connexion invites the Administering Authority to undertake a review of the wage and salary scales for employees of the Administration in order to determine whether they are adequate from the points of view of both the prevailing cost of living and the desirability of encouraging the most suitable persons to enter the public service; and invites it to include information on this matter in its next annual report.

#### *Political reforms*

11. The Council welcomes the reforms which have been proposed by the Administering Authority in respect of the indigenous political structure and awaits with interest further reports on the progress of their implementation.

#### *Popular representation and electoral system*

12. The Council, noting with regret that the further effort to introduce the electoral principle in the establishment of the council of the extra-tribal centre in Usumbura was not received with sufficient interest or enthusiasm on the part of the indigenous inhabitants concerned, commends to the consideration of the Administering Authority the views expressed by the Visiting Mission on the general problem of the introduction of electoral methods, and invites it to consider measures which may be taken to create a public opinion favourable to electoral experiments on an increasingly wide scale.

#### *Right of petition*

13. The Council, expressing concern at the impression gained by the Visiting Mission that the right of petition was not fully understood or effectively exercised in the Territory, welcomes the assurance given by the Administering Authority that no obstacles are placed

in the way of indigenous inhabitants in exercising this acknowledged right; urges the Administering Authority to take appropriate steps to ensure that the place of petitions in the International Trusteeship System is fully understood; and recommends that these efforts be co-ordinated with the dissemination of general information about the United Nations.

### III. ECONOMIC ADVANCEMENT

#### *General*

14. The Council, noting the evidence of increasing participation by the indigenous inhabitants in the economic life of the Territory, including the increased number of indigenous trading centres and the steps taken to organize indigenous co-operatives, expresses the hope that as these and other measures become more widespread and more firmly established, steps will be taken to assist the inhabitants to participate in other aspects of the economy, such as the development of secondary industries, as part of the economic activity being stimulated by the ten-year plan.

#### *Stock-breeding*

15. The Council, recalling the importance which it has previously attached to the social and economic problems arising from the indigenous ownership of live-stock, notes with interest that after further study of these problems the Administering Authority has adopted measures designed to reduce the size of herds and to suppress the *ubuhake* or contract system of joint ownership, thus diminishing the social and political importance of cattle; notes further that the implementation of these measures will be linked with the establishment of an indigenous co-operative organization for the purchase and processing of excess stock, and also with a live-stock improvement programme, the organization of cattle markets, the fixing of prices and a proposal to increase the number of slaughterhouses; and urges the Administering Authority to put these measures into effect without delay.

#### *Industry*

16. The Council, expressing its appreciation of the action of the Administering Authority in placing before it the full text of the agreement for the establishment of a syndicate for the electrification of the Kivu (Belgian Congo) and Ruanda-Urundi, notes that the Territory will benefit considerably from this enterprise.

#### *Mines*

17. The Council, recalling that at its ninth session it requested the Administering Authority to include in its future annual reports fuller information on the profits of the mining industry and its contributions to the revenue of the Territory, welcomes the assurance given to it that such information will be included in the next annual report.

### IV. SOCIAL ADVANCEMENT

#### *Discrimination*

18. The Council, recalling that at its fourth, sixth and ninth sessions it recommended that the Administering Authority review all the legislation of the Trust Territory involving racial discrimination, notes that regulations are in force in the Territory which limit the movement of persons; takes note of the statement of the Administering Authority to the effect that these restrictions are designed, particularly, as a precaution against theft and other offences; recommends nevertheless that consideration be given to the possibility of adopting at an early date alternative measures which would not give an impression of racial discrimination, and that the Administering Authority review as a whole the regulations dealing with movement of persons which restrict the personal liberty of the inhabitants.

#### *Public health*

19. The Council notes with satisfaction the conclusion of the Visiting Mission that the Administering Authority had achieved substantial results in the field of medical and public health services; notes the valuable assistance accorded to these services by private agencies and scientific bodies in the metropolitan country; commends the Administering Authority in particular for the special campaigns against tuberculosis, malaria and other diseases; and, recognizing the need for further expansion of the medical and health services, welcomes the prominence given to it in the ten-year plan and urges the Administering Authority to give continued attention to the problem and to consider including on a larger scale in its future programmes the training of indigenous inhabitants as medical practitioners.

### V. EDUCATIONAL ADVANCEMENT

#### *General remarks on educational facilities for the indigenous population*

20. The Council, while recognizing the substantial contribution made by the religious missions in the field of education, considers nevertheless that it is desirable that there should be more direct intervention by the Administration in the education of the inhabitants; and urges the Administering Authority to exercise closer supervision over the elementary mission schools (reading schools) and, where conditions justify it, to establish additional government schools.

21. The Council recommends that the Administering Authority develop and extend the existing facilities for secondary and higher education in the Territory and, in amplification of this programme, provide scholarships to indigenous students to pursue their studies abroad. The Council further invites the Administering Authority to take the necessary steps to improve teacher-training facilities in the Territory.

## (d) Togoland under British administration, 1951

## DOCUMENT T/L.298

## Report of the Drafting Committee

[Original text: English]  
[10 July 1952]

1. At its 435th meeting, on 3 July 1952, the Trusteeship Council appointed a Drafting Committee composed of the representatives of Australia, Belgium, China and El Salvador to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in Togoland under British administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held three meetings, at the first of which it elected Mr. Y. W. Liu (China) as its Chairman.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.281), as revised to take into account additional information submitted to the Council (T/L.281/Corr.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and annexed them to the present report.

5. The Committee considered the question of the preparation of a draft for inclusion in the report of the Council covering the work of the Standing Committee on Administrative Unions on the administrative union of Togoland with the Gold Coast. The Drafting Committee noted that the Drafting Committees on Tanganyika and Ruanda-Urundi had decided to omit from their reports (T/L.291 and T/L.293 respectively) any reference to the question of administrative unions pending consideration by the Council of the general report of the Standing Committee on Administrative Unions. The Drafting Committee on Togoland under British administration decided to follow this example and not to propose in the present report any conclusion or recommendation concerning the administrative union between the Trust Territory and the Gold Coast.

6. The Committee accordingly recommends to the Trusteeship Council that it should adopt the working paper on conditions in Togoland under British administration (T/L.281 and Corr.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; that it should adopt the following conclusions and recommendations relating to conditions in Togoland; and that it should include those conclusions and recommendations at the end of the appropriate sections or subsections of the chapter on Togoland in the next report of the Council to the General Assembly.

## DRAFT CONCLUSIONS AND RECOMMENDATIONS

## II. POLITICAL ADVANCEMENT

*Policy and general*

7. The Council, recalling the interest which it expressed at its ninth session in the political reforms then

being undertaken in the Gold Coast and Togoland as a whole, commends the Administering Authority on the further progress made during the period under review in bringing these reforms into effect, and notes with particular interest the satisfactory operation of the new executive and legislative organs, the reorganization of the regional administrative structure, and the reform of the whole local government system.

8. The Council, noting the further efforts made by the Administering Authority to provide special data upon which the Council might base its examination of conditions in the Trust Territory, expresses the hope that in future annual reports the separate statistical data on the Trust Territory will be further elaborated and that data applying to the Territory and the Gold Coast will be clearly identified in order to avoid any possibility of misunderstanding.

*Regional administration*

9. The Council, in taking note of the reorganization of the regional administrative structure, attaches particular importance to the formation of the new Trans-Volta/Southern Togoland administrative region, and commends the Administering Authority on the steps being taken to establish a regional council for the area and on the posting of a regional officer to Ho, in the Trust Territory, as the headquarters of the new region.

*Local government reforms*

10. The Council, recalling the importance which it has attached in the past to the development of effective organs of local government as a means of advancement towards self-government, commends the Administering Authority for having set in motion the establishment throughout the Trust Territory of the new local government bodies based on universal adult suffrage and having wider powers than the Native Authorities which they will replace; notes with approval the consultations which have been carried out with the peoples concerned in order that the new local authorities may coincide as closely as possible with the wishes of the population, and the establishment of facilities for the training of local government staff; welcomes the extension of suffrage to the Northern Section of the Trust Territory as a corollary of the establishment of the new councils; and expresses the hope that the process of establishing the new organs will be completed without undue delay and that both their powers and their bases of representation will be progressively extended.

*Civil service*

11. The Council notes with satisfaction the further development of the civil service of the Gold Coast and Togoland, notably by the establishment of the Public Service Commission, the changes made in the organizational and salary structures, and the continued application of the Africanization policy; and expresses the hope that the Administering Authority will continue to extend the training facilities and other measures by which in-

indigenous inhabitants of the Trust Territory may become qualified for increasingly higher posts in the Administration.

### III. ECONOMIC ADVANCEMENT

#### *General*

12. The Council, noting with satisfaction that the general economic situation of the Trust Territory has continued to be buoyant and that the development plan for the Gold Coast and Togoland has now assumed final form, draws attention nevertheless to the fact that the Territory's economy continues to depend largely upon the single commodity of cocoa, emphasizes the importance both of diversifying primary production and of improving agricultural methods, and welcomes the assurance given by the Administering Authority that these questions are being given careful attention.

#### *Development plans*

13. The Council, noting the inauguration of the Development Plan and the advanced stage reached in the planning of the Volta River project, expresses appreciation of the action of the Administering Authority in submitting details of both these projects for the information of the Council and awaits with interest further reports on the progress of their implementation.

#### *Farming, lands and forests*

14. The Council, noting the reorganization of the campaign to eliminate the swollen shoot disease from the cocoa-growing areas, and noting that outbreaks of the disease within the Trust Territory itself have been on a relatively small scale, emphasizes the importance to the economy of the Territory and its inhabitants of preventing the spread of infection, and urges the Administering Authority to take all practical measures to ensure the co-operation of the cocoa producers in this task.

#### *Cocoa; marketing schemes*

15. The Council, noting the substantial price-stabilization reserves which have now been set aside by the Gold Coast Cocoa Marketing Board from the sale on the world markets of the cocoa production of the Gold Coast and Togoland; noting the additional funds reserved for the purposes of economic and other development in the cocoa areas; and recognizing that in future a smaller proportion of the difference between the world prices and the prices paid to the farmers will accrue to the Board as a result of the new export duty imposed on cocoa as a means of financing general development plans; recommends that the Administering Authority, bearing in mind these considerations and also the desirability of avoiding undue inflationary pressures, invite the Board to review the prices paid by it to the producers in order to ensure that these prices are adequately related to the world market prices and also to the prices paid to cocoa producers in neighbouring territories.

#### *Co-operatives*

16. The Council, recalling its previous interest in the progress of the co-operative movement and noting the further progress achieved in the period under

review, expresses the hope that the Administering Authority will continue to encourage this development.

#### *Water supplies*

17. The Council, recalling the importance which it has previously attached to the programmes for the provision of water supplies in the Territory, notes with approval that the acceleration of the rural water programme is regarded in the Development Plan as a matter of the highest priority.

#### *Communications*

18. The Council, recalling the previous attention which it has given to the need for the improvement and extension of the road system in the Territory, notes the progress made in the period under review and urges upon the Administering Authority the desirability of constructing an all-weather road linking the northern and southern parts of the Territory and of further improving access to the cocoa-growing areas in particular.

### IV. SOCIAL ADVANCEMENT

#### *Status of women*

19. The Council, noting with approval that women have equality with men under the new electoral laws applying in the Territory, expresses the hope that the Administering Authority will continue to encourage women to take greater part in the civic and political life of the Territory.

#### *Vital statistics*

20. The Council, noting the difficulties encountered in respect of the registration of births, deaths and other vital statistics in the case of the indigenous inhabitants of the Territory, expresses the hope that the Administering Authority will take further steps to ensure that the registration of such statistics is made applicable to the whole of the Territory.

#### *Medical and health services*

21. The Council, while considering satisfactory the progress achieved during the period under review, expresses the opinion that much remains to be done in the field of medical and health services, and recommends in particular that the Administering Authority continue its efforts to recruit additional doctors for service in the Territory, to expand the facilities for training medical personnel to provide adequate maternity and infant care and to undertake more intensive measures to eliminate the disease of yaws.

#### *Incomes and standard of living*

22. The Council recommends that the Administering Authority make a thorough study of seasonal movements of labour, particularly in the cocoa industry, and of the conditions of seasonally employed labour.

### V. EDUCATIONAL ADVANCEMENT

#### *Policy and general*

23. The Council notes with approval that the decision that primary education should be free in the Gold Coast and the Trust Territory was put into effect in January 1952, and expresses the hope that free primary education will be made universal in the shortest possible time; notes, nevertheless, that much remains to be done in

the provision of adequate educational facilities in general and welcomes the adoption of the Accelerated Development Plan; notes with particular concern the continuing disparity between facilities in the Southern Section and the Northern Section, where only 1.5 per cent of children of school age attended school in 1951, and again urges the Administering Authority to take steps to ensure that the local authorities which are responsible for education in that area adequately carry out the role entrusted to them.

24. The Council, considering the predominantly agricultural nature of the economy of the Territory, recommends that the Administering Authority consider the desirability of emphasizing the importance of agricultural education in the school curricula.

#### *Secondary and technical education*

25. The Council endorses the opinion of UNESCO that the expansion of secondary education in the Territory in the period under review might be regarded as fairly rapid.

#### *Adult and community education*

26. The Council, again expressing its particular interest in adult education activities in the Territory, notes the expansion of the mass education programme undertaken by the Administration and of the adult education programme of the Gold Coast University College, and urges the Administering Authority to continue to give every encouragement to extending activities of this kind.

### (e) Togoland under French administration, 1951

#### DOCUMENT T/L.311

#### Report of the Drafting Committee

[Original text: English]  
[18 July 1952]

1. At its 439th meeting, on 9 July 1952, the Trusteeship Council appointed a Drafting Committee composed of the representatives of the Dominican Republic, El Salvador, New Zealand and the United States of America to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in Togoland under French administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held three meetings, at the first of which it elected Dr. J. Salazar (Dominican Republic) as its Chairman.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.280), as revised to take into account additional information submitted to the Council (T/L.280/Corr.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and annexed them to the present report.

5. On the question of maintenance of law and order the Committee did not draft any recommendation. The representative of El Salvador reserved the right to make proposals on the matter to the Council, if he deemed it appropriate, after the recommendations by the Standing Committee on Petitions were available.

6. On the question of land alienation and forest classification the Committee did not draft any recommendation in view of the fact that this question will be discussed in detail in the Committee on Rural Economic Development of the Trust Territories.

7. The Committee considered the question of the preparation of a draft for inclusion in the report of the Council covering the work of the Standing Committee on Administrative Unions on the various aspects of the administrative arrangement affecting Togoland

under French administration and the French Union. The Drafting Committee noted that the Drafting Committees on Tanganyika, Ruanda-Urundi and Togoland under British administration had decided to omit from their reports (T/L.291, T/L.293 and T/L.298 respectively) any reference to the question of administrative unions pending consideration by the Council of the general report of the Standing Committee on Administrative Unions. The Drafting Committee on Togoland under French administration decided to follow that example and not to propose in the present report any conclusion or recommendation concerning various aspects of the administrative arrangement affecting Togoland under French administration and the French Union.

8. The Committee accordingly recommends to the Trusteeship Council that it should adopt the working paper on conditions in Togoland under French administration (T/L.280, and Corr.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; that it should adopt the following conclusions and recommendations relating to conditions in Togoland under French administration; and that it should include those conclusions and recommendations at the end of the appropriate sections or sub-sections of the chapter on Togoland under French administration in the next report of the Council to the General Assembly.

#### DRAFT RECOMMENDATIONS

##### POLITICAL ADVANCEMENT

##### *Privy Council*

9. The Council, recalling the assurances given by the Administering Authority at its ninth session that the Privy Council was the object of a study leading to its transformation into a body organized on a more representative basis, urges the Administering Authority to expedite the reform of the Privy Council and expresses the hope that the Privy Council will gradually be transformed into an Executive Council having some organic connexion with the Territorial Council.



### *Territorial Assembly*

10. The Council, recalling its previous recommendations at its fourth, seventh and ninth sessions, notes with interest that the Representative Assembly has been transformed by law of 6 February 1952 into the Territorial Assembly elected by a single college and that an even more liberal draft law concerning the Territorial Assembly is under study by the French authorities; expresses the hope that this law will be adopted in the near future and that it will provide for the grant of increased powers to the Territorial Assembly; and requests the Administering Authority to provide further full information on the matter in its next annual report.

### *Participation of indigenous inhabitants in administrative and judicial services*

11. The Council, recalling its previous recommendation at the ninth session that the number of indigenous personnel holding senior posts should be further increased, takes note that some progress has been made towards increasing the number of indigenous personnel in the administration and that all posts in the administration are open to indigenous inhabitants possessing the necessary diploma; notes at the same time that only few indigenous inhabitants occupy senior posts in the administration; invites the Administering Authority to intensify the training of suitably qualified indigenous candidates for administrative and judicial posts and to study measures to encourage them to make a career of the public service; and requests the Administering Authority to provide full information on the matter in its next annual report.

### *Regional and municipal councils*

12. The Council welcomes the development of district councils (*conseils de circonscription*) and the increase of municipal councils; notes with satisfaction the important functions given to the district councils by the *arrêté* of 16 July 1951 which provides for a greater degree of participation by the indigenous inhabitants in local government institutions; notes further that a draft law conferring still wider responsibilities on the councils is in preparation; expresses the hope that this draft law will be enacted shortly, so that opportunities for participation in local government by the indigenous inhabitants would be further expanded; and requests the Administering Authority to keep it fully informed on these matters.

### *Suffrage*

13. The Council, recalling its previous recommendations at its fifth, seventh and ninth sessions, commends the Administering Authority for the establishment of a single college system in all elections as well as for the expansion of the electorate; and urges the Administering Authority to intensify its efforts to enable all potential voters to qualify for registration and to encourage all registered voters to exercise their rights so that universal suffrage may become increasingly realized in practice.

### **ECONOMIC ADVANCEMENT**

#### *Chamber of Commerce*

14. The Council commends the Administering Authority for having implemented the recommendation on this question adopted at its ninth session by opening to

indigenous inhabitants the posts of president and treasurer of the Chamber of Commerce.

#### *Agriculture*

15. The Council, noting, on the one hand, the paucity of natural resources and the poor quality of the soil, and, on the other hand, the fact that methods of mechanized cultivation may not be those most suitable to the soil conditions in the Territory; noting further that the Administering Authority is giving intensive study to the question of promoting agriculture, particularly in the fields of research and experiment; expresses the hope that the Administering Authority will intensify its efforts to disseminate agricultural information to indigenous farmers, to assure the conservation and regeneration of the soil and to combat plant diseases; and requests the Administering Authority to keep it informed of the steps taken or contemplated to improve soil fertility and all other aspects of agriculture.

#### *Industries*

16. The Council notes with satisfaction that there has been an advance in the development of secondary industries in the Territory and expresses the hope that the present trend will be maintained so that the economy of the Territory may be developed on a more diversified basis.

#### *Balance of trade*

17. The Council notes with satisfaction the favourable balance of trade and expresses the hope that it will be maintained.

#### *Co-operatives*

18. The Council, recalling its previous recommendation on the matter at its seventh and ninth sessions, notes with regret that the development of co-operatives is still somewhat slow. The Council, however, takes note of the assurances given by the Administering Authority that close attention will be given to the problem of encouraging the development of co-operatives and everything possible will be done to increase the number of persons trained in the establishment and management of co-operatives.

#### *Ten-year plan*

19. The Council notes with interest the ten-year development plan and urges the Administering Authority to press forward with its implementation. The Council also urges the Administering Authority to take the necessary measures to improve statistical services so as to provide an increasingly detailed factual basis for future planning.

### **SOCIAL ADVANCEMENT**

#### *Status of women*

20. The Council, recalling its previous recommendation at the seventh session, welcomes the adoption of the decree of 9 September 1951 which, *inter alia*, regulates the system of "bride-price" so as to eliminate its worst features; notes that no child marriages have taken place in 1951 and expresses its satisfaction with the improvement in the status of women.

#### *Labour code*

21. The Council, recalling its previous recommendations at its fifth, seventh and ninth sessions, regrets that

the legislation providing for a labour code for the Territory has not yet been finally approved by the French Parliament; expresses the hope that action on this legislation will be completed shortly; and requests the Administering Authority to provide full information on the matter in its next annual report.

#### *Migrant workers*

22. The Council requests the Administering Authority to make a close study of the problems of migrant workers, especially those who go into neighbouring territories for the harvesting and transportation of the cocoa crops, including the question of adequate supervision of such migratory movements; and requests the Administering Authority to provide full information on the matter in its next annual report.

#### *Public health*

23. The Council, noting that the medical and health services had been further expanded and, in particular, that the total number of medical visits in the year 1951 in the Territory was 4,700,000 and that the proportion of the population suffering from sleeping sickness had been reduced in twenty years from 17 per cent to 0.2 per cent, considers, nevertheless, that in the field of health, a great deal remains to be done; expresses the

hope that the Administering Authority will continue its efforts to improve the medical facilities still further and in particular to expand the provisions for the full medical training of indigenous medical students.

24. The Council, noting that the Administering Authority has given attention to the problem of infant mortality, urges it to give further study to the problem; and requests the Administering Authority to provide full information on the matter in the next annual report.

#### EDUCATIONAL ADVANCEMENT

25. The Council notes with satisfaction that further progress has been made in the field of education and that in particular 15 per cent of the budget is being expended on education and that new schools have been built and their number increased; nevertheless, it considers that an intensified effort should be made in this field, in particular as regards teacher-training, technical and vocational training of workers and adult education. The Council recommends that the Administering Authority should give preference to educational facilities in the north as a step towards equalizing educational advancement in the Territory. The Council also notes with interest UNESCO's comments on the Territory's educational advancement; and requests the Administering Authority to give them careful consideration.

### **(f) Cameroons under British administration, 1951**

#### **DOCUMENT T/L.314**

#### **Report of the Drafting Committee**

[Original text: English]  
[21 July 1952]

1. At its 445th meeting, on 15 July 1952, the Trusteeship Council appointed a Drafting Committee composed of the representatives of Belgium, the Dominican Republic, El Salvador and France to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Cameroons under British administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held two meetings, at the first of which it elected Mr. F. Huré (France) as its Chairman.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.290), as revised to take into account additional information submitted to the Council (T/L.290/Corr.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and annexed them to the present report.

5. The Committee considered the question of the preparation of a draft for inclusion in the report of the Council covering the work of the Standing Committee on Administrative Unions on the administrative union

of the Cameroons with Nigeria. The Drafting Committee noted that the Drafting Committees on other Trust Territories had decided to omit from their reports any reference to the question of administrative unions pending consideration by the Council of the general report of the Standing Committee on Administrative Unions. The Drafting Committee on the Cameroons under British administration decided to follow this example and not to propose in the present report any conclusion or recommendation concerning the administrative union between the Trust Territory and Nigeria.

6. The Committee also wishes to draw attention to the fact that it did not draft any observation or recommendation on the Bakweri land problem in view of the fact that the Standing Committee on Petitions has examined this question and has presented a draft resolution (T/L.308, draft resolution 2) on it to the Council. The Committee noted that the terms of this resolution, as adopted by the Council, will in any case be included in the chapter on the Cameroons in the normal course of events.

7. In connexion with the draft recommendation on corporal punishment (para. 19) the representative of Belgium requested the Committee to take note of the fact that his delegation found itself unable, for reasons which it had stated in the Council and in the General Assembly, to support the recommendation proposed on this question.

8. The Committee recommends to the Trusteeship Council that it should adopt the working paper on

conditions in the Cameroons under British administration (T/L.290 and Corr.1) as the basic text for the chapter on that Territory to be included in the next report of the Council to the General Assembly; that it should adopt the following conclusions and recommendations relating to conditions in the Cameroons; and that it should include those conclusions and recommendations at the end of the appropriate sections or subsections of the chapter on the Cameroons.

## II. POLITICAL ADVANCEMENT

### *Constitutional reforms; elections*

9. The Council, noting with interest the inauguration of the new Constitution for Nigeria and the Cameroons, welcomes the benefits which the Constitution makes available to the Trust Territory in the form of representation on the regional and central executive and legislative organs of government, the introduction of modern methods of suffrage, and general experience in democratic methods of government; notes nevertheless that indifference towards the first elections on the part of the indigenous inhabitants was observed in some parts of the Territory; and urges the Administering Authority to continue by all practicable means to foster the political education of the inhabitants and encourage them to play their full part in the operation of the new structure of government.

### *Local administration*

10. The Council, considering that the balanced political development of the population requires that during the consolidation of the new constitutional reforms a comparable advance should take place in the field of local government, and noting that it is the policy of the Administering Authority to bring about the evolution of existing tribal and other local government institutions into more modern and democratic forms, welcomes the steps already taken in this direction and awaits with interest information on additional measures and on the progress of their implementation.

## III. ECONOMIC ADVANCEMENT

### *General situation*

11. The Council, noting with satisfaction the continued buoyant economic situation of the Trust Territory and the particularly important contribution made to it by the operations of the Cameroons Development Corporation, draws attention nevertheless to the predominance of banana production in the economy of the Territory; recommends that the Administering Authority continue to give careful attention to the question of the diversification of agricultural production; and invites it to include further information on the matter in its next annual report.

### *Communications*

12. The Council, recalling the emphasis which it has previously placed upon the importance of road communications to the economic development of the Territory and equally to its social and educational development, notes with satisfaction the further concentration of planning and effort devoted to road construction by the Administering Authority and in particular its substantial further allocations of funds for the purpose, including a special allocation by the Nigerian Government of

£148,911 and another by the United Kingdom Government of £150,000; and urges it to press forward with its programmes in this field.

### *Operation of the Cameroons Development Corporation*

13. The Council, noting the continuing contribution of the Cameroons Development Corporation to the economic, social and educational development of the Trust Territory both through its own operations and through the allocation of its surplus profits for the benefit of the Territory as a whole, welcomes in particular the inauguration of a representative territorial conference as a means of determining the application of these profits to public projects; and expresses the hope that consultations of this kind will be continued and the scope of discussion broadened as and when appropriate.

14. The Council, recalling that it is the intention of the Administering Authority eventually to transfer the management and control of the Corporation to the indigenous inhabitants, and recognizing that too drastic a change from the present system of management might impair both the efficiency of the Corporation and its economic importance to the Territory, recommends that indigenous inhabitants continue to be brought into posts of responsibility with the Corporation as rapidly as they are equipped to do so; and in this connexion suggests that the excellent scholarship programme established by the Corporation be directed as far as may be practicable towards training in business and technical methods appropriate to the management of the Corporation.

## IV. SOCIAL ADVANCEMENT

### *Status of women*

15. The Council, noting the attention given to the problem of improving the status of women and the steps taken to this end, such as the establishment of domestic science centres, special health work among women and the appointment of women education officers, recommends that the Administering Authority continue its efforts to improve the status of women and requests it to provide further information in the next annual report on the measures undertaken.

16. The Council, noting the continued existence of child marriage, recommends that the Administering Authority continue to urge its progressive abolition.

### *Medical and health services*

17. The Council urges the Administering Authority to press forward with its efforts to expand medical and health facilities in the Territory, particularly the services in the northern area, and the steps being taken to modernize the treatment of leprosy.

18. The Council, noting the lack of adequate information as to the incidence and causes of infant mortality in the Territory, and recognizing the difficulties involved in obtaining such information, requests the Administering Authority to include in future annual reports as precise as possible an analysis of this aspect of public health.

### *Corporal punishment*

19. The Council, noting the recent action of the Administering Authority to limit the award of corporal punishment and to remove from the Native courts the power to award this punishment to adults in the

southern Cameroons, again draws the attention of the Administering Authority to the previous recommendations of the Council and the General Assembly on this subject, and in particular resolution 562 (VI) of the latter organ, and urges the Administering Authority to make every effort to bring about the complete abolition of corporal punishment.

#### V. EDUCATIONAL ADVANCEMENT

##### *General situation*

20. The Council, noting that although budgetary allocations for education have continued to increase, the estimated rate of illiteracy in the Territory remains high, and noting that the Administration has access to the studies of UNESCO and other organizations on educational problems, expresses the hope that the Administering Authority will utilize the technical knowledge of UNESCO and other organizations, and recommends that it take further steps to meet the educational needs of the Territory.

21. The Council, attaching particular importance to the progressive education of women, requests that future annual reports include statistics showing the school enrolment of boys and girls separately.

##### *Primary education*

22. The Council recommends that the Administering Authority increase its efforts to provide facilities for primary education, particularly in the northern part of the Territory, and urges the Administering Authority to take steps to ensure that the local authorities

which are responsible for education in the northern part of the Territory adequately carry out the role entrusted to them.

##### *School fees*

23. The Council, recalling its previous recommendation for the eventual establishment of free primary education, and noting that fees continue to be charged at primary schools in the southern part of the Territory, recommends that the Administering Authority renew its policy in this respect with a view to taking progressive measures, such as allowing an increasing number of exemptions from the payment of fees, towards the ultimate objective of free education.

##### *Teachers*

24. The Council, noting that the number of teachers diminished during the period under review, expresses the hope that this decrease will prove only temporary and that the accelerated supply of teachers of high standard anticipated by the Administering Authority will result in a progressive improvement in the situation.

##### *Adult and community education*

25. The Council, noting the further progress made in adult education during the year under review, particularly through the influence and activities of the Cameroons Development Corporation, expresses the hope that in view of the high percentage of illiteracy in the Territory, continued efforts will be made by the Administering Authority in this field.

### (g) Cameroons under French administration, 1951

#### DOCUMENT T/L.321

#### Report of the Drafting Committee

[Original text: English]  
[23 July 1952]

1. At its 449th meeting, on 17 July 1952, the Trusteeship Council appointed a Drafting Committee composed of the representatives of China, El Salvador, the United Kingdom and the United States of America to propose, on the basis of the discussions which had taken place in the Council, conclusions and recommendations on conditions in the Cameroons under French administration and to make recommendations concerning the chapter on that Territory to be included in the next report of the Council to the General Assembly.

2. The Drafting Committee held two meetings, at the first of which it elected Dr. R. Eguizabal (El Salvador) as its Chairman.

3. The Drafting Committee decided to recommend that the Secretariat working paper (T/L.294), as revised to take into account additional information submitted to the Council (T/L.294/Corr.1), should be the basic text for the chapter on conditions in the Trust Territory.

4. In the light of the general discussion by the Council on conditions in the Territory, the Committee drafted a number of conclusions and recommendations which it considered as reflecting the opinions of the Council as a whole and annexed them to the present report.

5. On the question of land alienation the Committee did not draft any recommendation in view of the fact that this question will be discussed in detail in the Committee on Rural Economic Development of Trust Territories.

6. The Committee considered the question of preparing a draft for inclusion in the report of the Council covering the work of the Standing Committee on Administrative Unions on the various aspects of the administrative arrangement affecting the Cameroons under French administration and the French Union. The Drafting Committee noted that the Drafting Committees on other Trust Territories had decided to omit from their reports any reference to the question of administrative unions pending consideration by the Council of the general report of the Standing Committee on Administrative Unions. The Drafting Committee on the Cameroons under French administration decided to follow this example and not to propose in the present report any conclusion or recommendation concerning the various aspects of the administrative arrangement affecting the Cameroons under French administration and the French Union.

7. The Committee accordingly recommends to the Trusteeship Council that it should adopt the working

paper on conditions in the Cameroons under French administration (T/L.294 and Corr.1) as the basic text for the chapter on that Territory in the next report of the Council to the General Assembly; that it should adopt the following conclusions and recommendations relating to conditions in the Cameroons under French administration; and that it should include those conclusions and recommendations at the end of the appropriate sections or sub-sections of the chapter on the Cameroons under French administration in the next report of the Council to the General Assembly.

#### DRAFT RECOMMENDATIONS

##### POLITICAL ADVANCEMENT

###### *Suffrage*

8. The Trusteeship Council, recalling its previous recommendations on the matter at the fourth and ninth sessions, commends the Administering Authority for the enactment in June 1951 of a law which further extends the franchise and notes with satisfaction the marked increase during 1951 of the number of registered voters; it also takes note of the fact that the Administering Authority considers that the measures already taken constitute a substantial advance towards the ultimate goal of universal suffrage, and that indigenous representatives have a great majority in the elected organs already existing; expresses the hope that further measures will be examined with a view to attaining as soon as practicable the goal of universal suffrage and a single college, and that efforts will be made through encouragement and instruction to increase the proportion of voters among the present electorate.

###### *Territorial Assembly*

9. The Council, recalling its previous recommendations at the fourth, sixth and ninth sessions, notes with interest that the Representative Assembly has been transformed by law of 6 February 1952 into the Territorial Assembly and that an extension of the Assembly's powers is provided for in the legislation before the French Parliament, the enactment of which is expected shortly.

The Council, noting with satisfaction that the total membership of the Territorial Assembly has been increased and that the proportion between African and European members has been altered in favour of the former, expresses the hope that the Administering Authority will further increase the African membership and that the bill extending the powers of the Territorial Assembly will be enacted with the least possible delay.

###### *Regional administration*

10. The Council, recalling its previous recommendation at the ninth session, welcomes the statement by the Administering Authority to the effect that it was hoped to bring into operation in 1952 the reform of regional councils, which had been under consideration by the Territorial Assembly for several years, and that elected rural municipalities, which constitute an important measure of decentralization by the creation of regional budgets, would also be established in the same year; and expresses the hope that the efforts of the Administering Authority to develop regional councils will meet with early success.

##### *Judicial system*

11. The Council, recalling its previous recommendation at the sixth session, notes with satisfaction that the separation of judicial and executive powers has been achieved and that the judicial autonomy of the Territory has been completed by establishing a court of appeal at Yaoundé.

##### ECONOMIC ADVANCEMENT

###### *General*

12. The Council considers that the economic development of the Territory is proceeding along sound lines. In particular, the Council notes the expansion of trade, the implementation of the ten-year development plan, the growing industrialization of the Territory, the increase of hydro-electric power, and the increase of investments by the Administering Authority and by private individuals. In view of the relatively large number of Europeans in the Territory, the Council, while recognizing that the Administering Authority is faced with the delicate task of reconciling the economic interests of Europeans and of indigenous inhabitants, expresses its confidence that the economic interests of the indigenous inhabitants will continue to be carefully guarded and that in particular their rights to land and forest resources will be fully protected.

###### *Forests*

13. The Council, recalling its previous recommendations at the sixth and ninth sessions, regrets the opposition shown by the indigenous population with respect to the classification of forests; and expresses the hope that the Administering Authority will continue in its efforts to maintain adequate forest cover and will succeed in overcoming the hesitations of the indigenous inhabitants in this matter.

###### *Transport and communications*

14. The Council, recalling its previous recommendations at the sixth and ninth sessions, considers that the development of transport and communications is vital to the progress of the Territory; notes with satisfaction that surface and air communication and transport facilities are being extended and improved; and recommends that the Administering Authority still extend further those facilities in the Territory, and, in particular, expand the network of secondary roads.

##### SOCIAL ADVANCEMENT

###### *Status of women*

15. The Council, recalling its previous recommendation at the ninth session, welcomes the adoption of the decree of 14 September 1951, which governs monogamic marriage and gives girls who have reached majority the right to marry despite the opposition of their parents; and, while noting with satisfaction the improvement in the status of women, nevertheless, expresses the hope that the Administering Authority will further its efforts to achieve a greater improvement in the status of women in the Territory.

###### *General statistics: standard of living*

16. The Council, noting with satisfaction that the statistical services have been developed and modernized to such an extent that scientific and methodical inquiries

can be conducted into the standard of living of the different social categories of the indigenous inhabitants; noting also with interest the figures presented in the annual report for 1951; expresses its confidence that the Administering Authority will supply more detailed information in its next annual report.

#### *Public health*

17. The Council, noting with satisfaction that the expenditure on public health has increased to 12.9 per cent of the total ordinary budget of the Territory, and that, in addition to this appropriation, 435.5 million CFA francs out of the special budget of the ten-year plan have been devoted to building and purchase of technical equipment for the public health service; noting further that the Administering Authority has co-operated in the field of public health with the World Health Organization; reiterates its previous recommendation at the fourth and ninth sessions and, in particular, recommends that the Administering Authority continue to ensure the widest possible provision of medical facilities in the Territory and to this end further intensify its efforts to train African medical personnel.

#### *Prison system*

18. The Council, noting with satisfaction the intention of the Administering Authority to improve the penitentiary system in the Territory, expresses the hope that the projected reforms will be carried out in the near future; and requests the Administering Authority to provide full information on the matter in the next annual report.

#### *Housing and town planning*

19. The Council, noting that overcrowding in the principal towns continues to make housing conditions difficult for both Africans and Europeans; noting further that the Administering Authority, in addition to building

new houses has taken many other measures to overcome the housing shortage as well as to develop plans for improving of housing throughout the Territory, considers, nevertheless, that many problems connected with housing require study and action; expresses the hope that the Administering Authority will vigorously pursue its programme for dealing with this problem.

The Council requests the Administering Authority to provide full information on the matter in its next annual report.

### EDUCATIONAL ADVANCEMENT

#### *General*

20. The Council notes with satisfaction that further progress has been made in the field of education and, in particular, the increase of budgetary appropriation for education and the continued efforts to increase the number and improve the quality of the teaching staff; it considers, nevertheless, that efforts should be intensified in this field. The Council recommends that the Administering Authority further the educational advancement of the Territory, more particularly, by extending education to women and by expanding technical education, the teacher-training programme and by promoting vocational and adult education.

#### *Higher education*

21. The Council, recalling its previous recommendations at the fifth and sixth sessions and noting that the Administering Authority does not consider it advisable at the present time to establish a university in the Territory, recommends that the Administering Authority undertake a preliminary study of the question of establishing higher educational facilities in the Territory as soon as practicable; and requests the Administering Authority to provide full information on the matter in its next annual report.

### Check list of documents

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations</i>
T/1008	Letter dated 5 June 1952 from the Director-General of the United Nations Educational, Scientific and Cultural Organization to the Secretary-General .....	1	
T/1012	Observations of the United Nations Educational, Scientific and Cultural Organization on the reports for 1951 on the Trust Territories of Tanganyika, Togoland under British administration, Togoland under French administration, the Cameroons under British administration and the Cameroons under French administration ....	2	
<b>(a) Somaliland under Italian administration, 1951</b>			
A/1856	Report of the Trusteeship Council covering its third special session, and its eighth and ninth sessions		<i>Official Records of the General Assembly Sixth Session, Supplement No. 4</i>
A/AC.33/SR.1 to 55	United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration: summary records of the 1st to the 55th meetings		Mimeographed documents only
A/AC.33/PV.1	United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration: verbatim record of the 1st meeting		Ditto
E/SR.591	Economic and Social Council: provisional summary record of the 591st meeting		Ditto

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T/947 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Somaliland under Italian administration		See <i>Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 4</i>
T/951	Special report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951: observations on the organization and functioning of visiting missions		<i>Ibid. Tenth Session, Annexes, agenda item 11</i>
T/979	Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration covering the period from 1 April 1951 to 31 March 1952 .....	9	
T/980	Replies of the Administering Authority to the requests for additional information made by individual members of the Council (T/L.229)		Mimeographed document only
T/993	Note dated 19 May 1952 from the Secretary-General to the Trusteeship Council transmitting the report on the administration of Somaliland under Italian administration for the year 1951		Ditto
T/C.2/SR.24	Standing Committee on Petitions: summary record of the 20th meeting		Mimeographed document only
T/1006 and Corr.1	Observations of the Administering Authority on the report of the Visiting Mission [on Somaliland under Italian administration]		See <i>Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 4</i>
T/L.249	Report of the Committee on Visiting Missions		<i>Ibid. Tenth Session, Annexes, agenda item 11</i>
T/L.266 and Corr.1	Outline of conditions in Somaliland under Italian administration: working paper prepared by the Secretariat		These documents, together with documents T/L.285, T/L.303 and T/L.304, constitute the chapter on Somaliland under Italian administration in the Trusteeship Council's report to the General Assembly at its seventh session
T/L.277/Corr.1	Union of Soviet Socialist Republics: proposals concerning Somaliland under Italian administration to be included in the Trusteeship Council's report to the General Assembly as recommendations of the Council		Incorporated in the 421st meeting
T/L.285	Report of the Drafting Committee .....	34	
T/L.303	Summary of observations on Somaliland under Italian administration made by individual members of the Council		See observation on document T/L.266 and Corr.1
T/L.304	Amendments suggested by the Secretariat to the outline of conditions set forth in document T/L.266 and Corr.1		Ditto
T/Pet.11/23	Petition from the International Ethiopian Council for Study and Report concerning Somaliland under Italian administration		Mimeographed document only
T/Pet.11/38	Petition from Mr. Kulmie Aden Ahmed concerning Somaliland under Italian administration		Ditto
T/PV.348	Trusteeship Council, ninth session, verbatim record of the 348th meeting		Ditto
T/PV.349	Trusteeship Council, ninth session, verbatim record of the 349th meeting		Ditto
<b>(b) Tanganyika, 1951</b>			
T/235	Revision of the rules of procedure — Union of Soviet Socialist Republics: amendment to the rules of procedure		See <i>Official Records of the Trusteeship Council, Fourth Session, Annex</i>
T/946 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Tanganyika		<i>Ibid., Eleventh Session, Supplement No. 3</i>
T/953	Petition from the representatives of the Wa-Meru tribe (T/Pet.2/99) concerning Tanganyika: observations of the Administering Authority		See <i>Annexes, agenda item 5</i>



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T/953/Add.1	Petitions concerning Tanganyika: observations of the Administering Authority		Mimeographed document only
T/953/Add.4	Petitions concerning Tanganyika: observations of the Administering Authority		Ditto
T/977	Observations of the Administering Authority on the report of the Visiting Mission [on Tanganyika]		See <i>Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 3</i>
T/989	Note dated 13 May 1952 from the Secretary-General to the Trusteeship Council transmitting the report on the administration of Tanganyika for the year 1951		Ditto
T/1017 and Corr.1	Report of the Standing Committee on Administrative Unions on Tanganyika		See <i>Annexes</i> , agenda item 10
T/C.1/SR.7	Standing Committee on Administrative Unions: summary record of the 7th meeting		Mimeographed document only
T/C.1/SR.14	Standing Committee on Administrative Unions: summary record of the 14th meeting		Ditto
T/L.268	Eighth report of the Standing Committee on Petitions		See <i>Annexes</i> , agenda item 5
T/L.276 and Corr.1	Outline of conditions in Tanganyika: working paper prepared by the Secretariat		These documents, together with documents T/L.291, as amended at the 442nd meeting, T/L.301 and T/L.320, constitute the chapter on Tanganyika in the Trusteeship Council's report to the General Assembly at its seventh session
T/L.283	Union of Soviet Socialist Republics: proposals concerning Tanganyika to be included in the Trusteeship Council's report to the General Assembly as recommendations of the Council		Incorporated in the 428th meeting
T/L.291	Report of the Drafting Committee.....	37	
T/L.301	Summary of observations on Tanganyika made by individual members of the Council		See observation on documents T/L.276 and Corr.1
T/L.320	Amendments suggested by the Secretariat to the outline of conditions set forth in document T/L.276 and Corr.1		Ditto
<b>(c) Ruanda-Urundi, 1951</b>			
T/217 and Add.1	Report of the United Nations Visiting Mission to the Trust Territory of Ruanda-Urundi under Belgian administration		See <i>Official Records of the Trusteeship Council Fourth Session, Supplement No. 2</i>
T/948	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Ruanda-Urundi		<i>Ibid.</i> , <i>Eleventh Session, Supplement No. 2</i>
T/998	Note dated 21 May 1952 from the Secretary-General to the Trusteeship Council transmitting the report on the administration of Ruanda-Urundi for the year 1951		Mimeographed document only
T/1011	Report of the Standing Committee on Administrative Unions on Ruanda-Urundi		See <i>Annexes</i> , agenda item 10
T/C.1/SR.14	Standing Committee on Administrative Unions: summary record of the 14th meeting		Mimeographed document only
T/L.267 and Corr.1	Outline of conditions in Ruanda-Urundi: working paper prepared by the Secretariat		These documents, together with documents T/L.293 and T/L.302, constitute the chapter on Ruanda-Urundi in the Trusteeship Council's report to the General Assembly at its seventh session
T/L.279	Text of the Order approving the establishment of the Syndicate for the Electrification of Kivu and Ruanda-Urundi, communicated by the Belgian delegation		

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T/L.284	Union of Soviet Socialist Republics: proposals concerning Ruanda-Urundi to be included in the Trusteeship Council's report to the General Assembly as recommendations of the Council		Incorporated in the 429th meeting
T/L.293	Report of the Drafting Committee.....	39	
T/L.302	Summary of observations on Ruanda-Urundi made by individual members of the Council		See observation on documents T/L.267 and Corr.1
T/Pet.3/43	Petition from Mr. Joseph Marie Ngwela concerning Ruanda-Urundi		Mimeographed document only
T/Pet.2/91- T/Pet.3/38	Petition from Mr. Richard Buybe concerning Tanganyika and Ruanda-Urundi		See <i>Official Records of the Trusteeship Council, Sixth Session, Annex, Vol. II</i>
T/PV.351	Trusteeship Council, ninth session, verbatim record of the 351st meeting		Mimeographed document only
T/PV.358	Trusteeship Council, ninth session, verbatim record of the 358th meeting		Ditto
T/PV.360	Trusteeship Council, ninth session, verbatim record of the 360th meeting		Ditto
<b>(d) Togoland under British administration, 1951</b>			
A/1856	Report of the Trusteeship Council covering its third special session, and its eighth and ninth sessions		See <i>Official Records of the General Assembly, Sixth Session, Supplement No. 4</i>
A/2134	Information from Non-Self-Governing Territories: summary of information transmitted by the United Kingdom of Great Britain and Northern Ireland		Mimeographed document only
T/798	Reports of the United Nations Visiting Mission to Trust Territories in West Africa		<i>Official Records of the Trusteeship Council Seventh Session, Supplement No. 2</i>
T/857	Petition from the Nkonya State Council concerning Togoland under British administration (T/Pet.6/212): observations of the Administering Authority		Mimeographed document only
T/962	Observations of the United Nations Educational, Scientific and Cultural Organization on the reports for 1950-1951 on the Trust Territories of Western Samoa, New Guinea, Nauru and the Pacific Islands		See <i>Official Records of the Trusteeship Council, Tenth Session Annexes, agenda item 3</i>
T/990	Note dated 13 May 1952 from the Secretary-General to the Trusteeship Council transmitting the report on the administration of Togoland under British administration for the year 1951		Mimeographed document only
T/1020 and Corr.1	Report of the Standing Committee on Administrative Unions on Togoland under British administration		See <i>Annexes, agenda item 10</i>
T/Com.6/L.1	Communication from the Dagomba State Council concerning Togoland under British administration		Ditto
T/L.281 and Corr.1	Outline of conditions in Togoland under British administration: working paper prepared by the Secretariat		These documents, together with documents T/L.298 and T/L.319, constitute the chapter on Togoland under British administration in the Trusteeship Council's report to the General Assembly at its seventh session
T/L.292	Union of Soviet Socialist Republics: proposals concerning Togoland under British administration to be included in the Trusteeship Council's report to the General Assembly as recommendations of the Council		Incorporated in the 435th meeting
T/L.298	Report of the Drafting Committee.....	42	
T/L.319	Summary of observations on Togoland under British administration made by individual members of the Council		See observation on documents T/L.281 and Corr.1
T/Pet.6/15 and Add.1	Petition from the Conference of Farmers of Togoland under United Kingdom Trusteeship concerning Togoland under British administration		See <i>Official Records of the Trusteeship Council Fifth Session, Annex</i>

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T/Pet.6/212	Petition from the Nkonya State Council concerning Togoland under British administration	Ditto	
T/Pet.6/317	Petition from the Na of Bimbilla, Paramount Chief of Nanumbas, concerning Togoland under British administration	Ditto	
T/Pet.6/318	Petition from the Mamprusi Native Authority concerning Togoland under British administration	Ditto	
T/Pet.6/22-T/Pet.7/17	Petition from Chief Mensah Komedja II, President of the Nuatjee Regional Section of the <i>Unité togolaise</i> , concerning Togoland under British administration and Togoland under French administration	Ditto	
<b>(e) Togoland under French administration, 1951</b>			
A/933	Report of the Trusteeship Council covering its fourth and fifth sessions		See <i>Official Records of the General Assembly, Fourth Session, Supplement No. 4</i>
A/1856	Report of the Trusteeship Council covering its third special session, and its eighth and ninth sessions		<i>Ibid.</i> , Sixth Session, Supplement No. 4
T/994	Note dated 19 May 1952 from the Secretary-General to the Trusteeship Council transmitting the report on the administration of Togoland under French administration for the year 1951		Mimeographed document only
T/L.280 and Corr.1	Outline of conditions in Togoland under French administration: working paper prepared by the Secretariat		These documents, together with documents T/L.311, T/L.322 and T/L.325, constitute the chapter on Togoland under French administration in the Trusteeship Council's report to the General Assembly at its seventh session
T/L.297	Union of Soviet Socialist Republics: proposals concerning Togoland under French administration to be included in the Trusteeship Council's report to the General Assembly as recommendations of the Council		Incorporated in the 440th meeting
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T/L.325	Summary of observations on Togoland under French administration made by individual members of the Council		See observation on documents T/L.280 and Corr.1
<b>(f) Cameroons under British administration, 1951</b>			
T/798	Reports of the United Nations Visiting Mission to Trust Territories in West Africa		<i>Official Records of the Trusteeship Council, Seventh Session, Supplement No. 2</i>
T/992	Note dated 14 May 1952 from the Secretary-General to the Trusteeship Council transmitting the report on the administration of the Cameroons under British administration for the year 1951		Mimeographed document only
T/992/Add.1	Addendum to the report on the administration of the Cameroons under British administration for the year 1951		Ditto
T/L.201	Union of Soviet Socialist Republics: proposals concerning the Trust Territory of the Cameroons under British administration to be included in the Trusteeship Council's report to the General Assembly as recommendations of the Council		See <i>Official Records of the Trusteeship Council Ninth Session, Annexes</i> , agenda item 4 (d)
T/L.290 and Corr.1	Outline of conditions in the Cameroons under British administration: working paper prepared by the Secretariat		These documents, together with documents T/L.314, T/L.318 and T/L.323, constitute the chapter on the Cameroons under British administration in the Trusteeship Council's report to the General Assembly at its seventh session

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T/L.318	Amendments suggested by the Secretariat to the outline of conditions set forth in documents T/L.290 and Corr.1		See observation on documents T/L.290 and Corr.1
T/L.323	Summary of observations on the Cameroons under British administration made by individual members of the Council		See observation on documents T/L.290 and Corr.1
T/PV.366	Trusteeship Council, ninth session, verbatim record of the 366th meeting		Mimeographed document only
T/PV.400	Trusteeship Council, tenth session, verbatim record of the 400th meeting		Ditto
T/PV.406	Trusteeship Council, tenth session, verbatim record of the 406th meeting		Ditto
<b>(g) Cameroons under French administration, 1951</b>			
T/995	Note dated 19 May 1952 from the Secretary-General to the Trusteeship Council transmitting the report on the administration of the Cameroons under French administration for the year 1951		Mimeographed document only
T/1010	Questionnaire as approved by the Trusteeship Council at its 414th meeting, eleventh session, on 6 June 1952		<i>Official Records of the Trusteeship Council. Eleventh Session, Special Supplement</i>
T/L.294 and Corr.1 and 2	Outline of conditions in the Cameroons under French administration: working paper prepared by the Secretariat		These documents, together with documents T/L.321, T/L.327 and T/L.328, constitute the chapter on the Cameroons under French administration in the Trusteeship Council's report to the General Assembly at its seventh session
T/L.296	Union of Soviet Socialist Republics: proposals concerning the Cameroons under French administration to be included in the Trusteeship Council's report to the General Assembly as recommendations of the Council		Incorporated in the 450th meeting
T/L.321	Report of the Drafting Committee.....	48	
T/L.327	Amendments suggested by the Secretariat to the outline of conditions set forth in documents T/L.294 and Corr.1 and 2		See observation on documents T/L.294 and Corr.1 and 2
T/L.328	Summary of observations on the Cameroons under French administration made by individual members of the Council		Ditto
T/Pet.5/71	Petition from the <i>Bureau régional de Wouri de l'Union camerounaise des syndicats chrétiens</i> concerning the Cameroons under French administration		See <i>Official Records of the Trusteeship Council, Sixth Session, Annex, Vol. II</i>
T/Pet.5/89 and Add.1	Petition from the <i>Comité directeur de l'Union des populations du Cameroun and the Bureau de l'Union des syndicats confédérés du Cameroun</i> concerning the Cameroons under French administration		Mimeographed document only
T/Pet.5/92 and Add.1	Petition from the <i>Kumzé</i> , Traditional Assembly of the Bamileké people concerning the Cameroons under French administration		Ditto
T/Pet.5/98	Petition from Mr. Constantin Alega Amagou concerning the Cameroons under French administration		Ditto
T/Pet.5/56-T/Pet.4/31	Petition from the <i>Ngondo, Assemblée traditionnelle du peuple, Duala</i> , concerning the Cameroons under French and under British administration		See <i>Official Records of the Trusteeship Council, Sixth Session, Annex, Vol. II</i>





Agenda item 5: Examination of petitions listed in the annex to the agenda

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## DOCUMENT T/953

**Petition from the representatives of the Wa-Meru Tribe concerning Tanganyika (T/Pet.2/99): observations of the Administering Authority**

[Original text: English]  
[11 January 1952]

*Note:* The following observations were transmitted by the United Kingdom delegation to the United Nations by a letter dated 22 December 1951.

1. The matter raised in this petition concerns the implementation of one of the recommendations made by the Arusha-Moshi Lands Commission. The petitioners write as representing the Meru tribe as a whole, but in fact the most they can claim is that they express the views of the people living in the Ngare-Nanyuki area.

2. The petitioners complain against the decision that 350 taxpayers and their families (not 3,000 families as stated in the petition) should move from the Ngare-Nanyuki area to available and suitable land to the south of this area. In considering this petition it is important to note that the moving of these people forms only one part of a general plan which is as a whole very greatly in the interests of the African population. It has involved among other things the taking over of a number of ex-enemy estates for tribal use and the acquisition of certain other alienated lands.

3. As part of a general settlement of land problems the Arusha-Moshi Lands Commission recommended that the area to the north and north-east of Meru Mountain (including the Ngare-Nanyuki area) should be set aside for cattle ranching. This area, which already contains a number of non-native cattle farmers, consists in the main of arid lands, suitable for ranching but, except for occasional pockets of good land, not suitable for cultivation. The Commission recommended that the small Meru population which had settled in the Ngare-Nanyuki area should be moved to better land to the south adjoining the main tribal lands.

4. The scheme as finally approved by the Secretary of State for the Colonies was announced by the Government of Tanganyika in June, 1949, after it had been accepted by the Native Authority. It involved the removal of the Meru families in question and the acquisition for tribal use of 3,945 acres of former German estates, 7,145 acres of other non-native estates

and 100 acres of mission-owned land. In addition, an area of some 159,000 acres of new land adjoining the main tribal lands of the lower slopes of Meru Mountain is being developed to provide for the expansion of the tribe.

5. Although, as already stated, the scheme was publicly announced in June, 1949, and has been fully explained to the people, no protests against the moving of the families from the Ngare-Nanyuki area were made until very recently. In the meantime the other parts of the scheme have been put into operation. Certain of the alienated lands have been compulsorily acquired by the government, despite protests from the occupiers, and the development of the new lands is proceeding. Already a piped water supply some 9½ miles in length, from the Mau Forest Reserve and passing through the settlement area, has been laid down, and water points for domestic supplies and the watering of stock are in course of preparation. In addition to the piped supply, seven boreholes have been or are being sunk and will soon be in operation. Two cattle dips are being provided along the line of the piped water supply. One of these is complete and the other one nearly so. An agronomic survey of the area is proceeding. The Lutheran Mission, which formerly operated a dispensary in the area from which movement is taking place, has agreed to carry on its medical work in the new settlement area and the necessary arrangements have already been made.

6. In their memorandum the petitioners refer to the purchase by the tribe some years ago of two former German farms in the Ngare-Nanyuki area which they are now required to leave. In this connexion it must be noted that not only is the price paid for these farms to be fully refunded, but under the present scheme a much larger area of alienated land is being made available to the tribe free of any payment. The whole cost of acquisition has been borne by the government and the Meru people are not being asked to make any contribution. Moreover the heavy cost of developing



the new settlement areas is being met entirely by the government. Those being moved will receive compensation for disturbance. Free transport to the new lands will be provided and they will be given every assistance in establishing themselves there. Encampments are to be erected at the watering points along the pipe line and free food will be provided for the incoming settlers for a reasonable period while they are putting up their own homes.

7. In short, the question of the movement of the people at present living in the Ngare-Nanyuki area cannot be considered in isolation as an entirely separate issue. It is part of a general scheme from which the tribe as a whole derives considerable benefit. As has been shown, action has already been taken to put the other parts of the scheme into effect and it is not possible at this stage to accept the objections of a section of the Meru people to carrying out their part of the bargain. Even if such a course were now

practicable it would certainly not be in the interests of the tribe to abandon the whole scheme. As far as the Ngare-Nanyuki families are concerned the new land provided for them is of much better agricultural value than that they now occupy and offers better prospects for their future advancement.

8. On 23 August 1951, the petitioners addressed the Secretary of State in the same terms as the letter of that date which accompanies the present petition. They were informed that the Secretary of State had considered their representations but that, having regard to all the facts set out above, he was unable to agree that that part of the general scheme which formed the subject of their representations should not be carried out. The whole question has been the subject of careful examination and re-examination and in the circumstances the Administering Authority suggests the Trusteeship Council should decide that no action by it is called for on this petition.

### DOCUMENT T/953/Add.2 (*excerpt*)

#### Petitions concerning Tanganyika: observations of the Administering Authority

[Original text: English]  
[18 January 1952]

*Note by the Secretariat:* The following observations of the United Kingdom Government were communicated to the Secretariat by a letter dated 15 January 1952 from the United Kingdom Delegation. They relate to the following petitions:

#### PETITION FROM MR. GAMALIELL SABLAK (T/Pet.2/143)

1. The petitioner, whose address is not stated, claims to represent the views of the Meru people on a number of matters. Most of these have been raised in other petitions—including that of the Chief and elders of Meru (T/Pet.2/142)—and further detailed observations are therefore not thought to be necessary.

2. In regard to education the need for increased facilities is recognized and every effort is being made to provide them as rapidly as possible. As regards the percentage figures given by the petitioner, he presumably refers to the number of pupils going on beyond the primary stage. As will be seen from the revised ten-year development plan the figure should be 20 per cent and not 5 per cent.

3. On the subject of land and kindred matters—paragraphs 2, 3, 6, 7 of his memorandum—the petitioner commits himself to a number of somewhat exaggerated statements. Such redistribution of land as is taking place in the Meru area is in implementation of approved recommendations of the Arusha-Moshi Lands Commission. Where this involves any movement of population not only is new and better land made available but every assistance is given to those who are moved in establishing themselves in their new holdings. In this connexion the petitioner's reference to the Leganga and Duluti areas is irrelevant, since these are areas of alienated land, mostly freehold, dating

back to the time of the former German Administration. The particular farms named in paragraph 3 are former German properties in the Ngare-Nanyuki area acquired by the Meru tribe some years ago. They have been occupied by Africans since then but it is quite untrue to say that "natives have lived there generations after generations". The question of moving a number of Meru from the Ngare-Nanyuki area is fully dealt with in the observations on the petition of Mr. Munya Lengoroi and two others (T/Pet.2/99). The presentation of such petitions as these is evidence of the fact that land redistribution proposals do not find favour with all of those affected, but the allegation that any questioning of Government action results in imprisonment or deportation is too palpably false to merit further comment. As regards some of the other exaggerated statements made by the petitioner, the appointment of the Arusha-Moshi Lands Commission had as one of its objects the preparation of plans for a redistribution of land in order to afford relief to congestion of the native population in tribal lands, with particular reference to the provision of adequate means of access to other areas suitable for grazing, cultivation and settlement. From the implementation of the recommendations of the Commission the Meru people derive considerable benefit, including the development of extensive new areas of good agricultural land and valuable pastures.

## DOCUMENT T/L.268

## Eighth report of the Standing Committee on Petitions

[Original text: English]  
[3 June 1952]

1. The Standing Committee on Petitions was established by the Trusteeship Council at the 397th meeting, tenth session, and is composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America.

2. At its 14th, 16th, 19th and 20th meetings on 19, 20 and 22 May and 2 June 1952, the Committee, in accordance with the provisions of paragraph 9 of the report of the Committee on Examination of Petitions (T/L.243 and Corr.1), discussed the procedure to be applied to those documents listed in the annex to the provisional agenda for the eleventh session of the Council which concerned general problems to which the attention of the Council has already been called and on which it has taken decisions or made recommendations.

3. The Committee rejected a proposal submitted by the representative of the Union of Soviet Socialist Republics 14th meeting to the effect that all the petitions listed in the annex to the provisional agenda for the eleventh session of the Trusteeship Council should be examined one by one and that a decision by the Standing Committee and the Trusteeship Council should be taken on each petition.

4. The Committee was of the opinion that, while it is not precluded from considering general problems such as are referred to in paragraph 3 above and has in fact given consideration to many of them, nevertheless the most desirable forum for the discussion of such general problems is the Council in plenary session during its examination of the annual reports on the Territories concerned.

5. The Committee therefore decided not to apply the established procedure for the examination of petitions to the documents which are listed in annex A of the present report in so far as they concern general problems. Instead, and in order to facilitate the reference by members of the Trusteeship Council to the general problems raised in those documents, the Committee submits herewith (annex B) for the Council's information a topical index which indicates for each Trust Territory the general problems raised in the order normally followed in the examination of annual reports and, in the case of each subject, makes reference by symbol to the relevant documents listed in the annex to the provisional agenda for the eleventh session as well as to the pertinent observations of the Administering Authority.

6. The Committee recommends to the Trusteeship Council that the Secretary-General be requested to reply individually to the authors of the documents listed in annex A that the general problems raised by them have been brought to the attention of the Trusteeship Council for the use of its members in connexion with the examination of conditions in the Trust Territories concerned, and to inform them of the action, if any, taken by the Council on the questions which they have raised.

7. The representative of the Union of Soviet Socialist Republics declared that he had voted against the above decision because it violated the Charter of the United Nations in regard to the question of the consideration of petitions from the indigenous population of the Trust Territories, did not take into account the very difficult conditions of life of the indigenous population and made impossible consideration of the most important petitions from the indigenous population which raise the questions of the anti-democratic policy of the Administering Authorities which violated the rights and interests of the indigenous population.

## ANNEX A

I. List of documents enumerated in the annex to the provisional agenda of the eleventh session of the Trusteeship Council which wholly concern general problems.

(a) *Tanganyika*

T/Pet.2/101	T/Pet.2/118	T/Pet.2/142
T/Pet.2/102	T/Pet.2/120	T/Pet.2/147
T/Pet.2/103	T/Pet.2/123	T/Pet.2/149
T/Pet.2/106	T/Pet.2/124	T/Pet.2/151
T/Pet.2/110	T/Pet.2/125	T/Pet.2/153
T/Pet.2/111	T/Pet.2/130 and Add.1	T/Pet.2/R.2
T/Pet.2/112	T/Pet.2/132	T/Pet.2/R.3
T/Pet.2/113	T/Pet.2/138	T/Pet.2/R.4
T/Pet.2/114	T/Pet.2/140	

(b) *Ruanda-Urundi*

T/Pet.3/48	T/Pet.3/53	
T/Pet.3/50	T/Pet.3/R.1	T/Pet.3/R.3
T/Pet.3/51	T/Pet.3/R.2	

(c) *Cameroons under French administration*

T/Pet.5/104

(d) *Togoland under British administration*

T/Pet.6/305

(e) *Togoland under French administration (Ewe and Togoland unification question)*

T/Pet.7/259 T/Pet.7/287

(f) *Togoland under British administration and Togoland under French administration (Ewe and Togoland unification question)*

T/Pet.6/299-T/Pet.7/257	T/Pet.6/307-T/Pet.7/285
T/Pet.6/300-T/Pet.7/258	T/Pet.6/308-T/Pet.7/286
T/Pet.6/302-T/Pet.7/260	T/Pet.6/310-T/Pet.7/288
T/Pet.6/303-T/Pet.7/261	T/Pet.6/311-T/Pet.7/289
T/Pet.6/304-T/Pet.7/262	T/Pet.6/312-T/Pet.7/290
T/Pet.6/306-T/Pet.7/263	T/Pet.6/313-T/Pet.7/291

(g) *Somaliland*

T/Pet.11/34	T/Pet.11/185	T/Pet.11/104
T/Pet.11/35	T/Pet.11/186	T/Pet.11/105
T/Pet.11/40	T/Pet.11/187	T/Pet.11/110
T/Pet.11/42	T/Pet.11/188	T/Pet.11/111
T/Pet.11/43	T/Pet.11/189	T/Pet.11/116
T/Pet.11/66	T/Pet.11/190	T/Pet.11/117
T/Pet.11/67	T/Pet.11/192	T/Pet.11/119
T/Pet.11/69	T/Pet.11/193	T/Pet.11/121
T/Pet.11/73	T/Pet.11/194	T/Pet.11/141
T/Pet.11/74	T/Pet.11/195	T/Pet.11/143
T/Pet.11/75	T/Pet.11/197	T/Pet.11/146
T/Pet.11/76	T/Pet.11/199	T/Pet.11/152

T/Pet.11/153	T/Pet.11/78	T/Pet.11/200
T/Pet.11/155	T/Pet.11/79	T/Pet.11/201
T/Pet.11/161	T/Pet.11/80	T/Pet.11/204
T/Pet.11/163	T/Pet.11/81	T/Pet.11/205
T/Pet.11/167	T/Pet.11/86	T/Pet.11/207
T/Pet.11/169	T/Pet.11/87	T/Pet.11/208
T/Pet.11/170	T/Pet.11/91	T/Pet.11/209
T/Pet.11/172	T/Pet.11/93	T/Pet.11/210
T/Pet.11/173	T/Pet.11/94	T/Pet.11/212
T/Pet.11/175	T/Pet.11/95	T/Pet.11/213
T/Pet.11/176	T/Pet.11/96	T/Pet.11/215
T/Pet.11/177	T/Pet.11/98	T/Pet.11/216
T/Pet.11/178	T/Pet.11/101	T/Pet.11/217
T/Pet.11/180	T/Pet.11/102	T/Pet.11/221
T/Pet.11/184	T/Pet.11/103	T/Pet.11/R.1
		T/Pet.11/243

Documents listed in the annex to the provisional agenda	Written observations of the Administering Authority
(3) T/Pet.2/120	T/953/Add.4
(4) T/Pet.2/124	T/953/Add.4
(5) T/Pet.2/130	T/953/Add.4
(6) T/Pet.2/148	T/953/Add.4
(7) T/Pet.2/154	T/953/Add.4
	T/953/Add.4
(1) T/Pet.2/112	T/953/Add.4
(2) T/Pet.2/120	T/953/Add.4
(3) T/Pet.2/130	T/953/Add.4

- (b) Relations with neighbouring territories
- (c) Inter-territorial organizations

### III. Political advancement

(a) Rate of political advancement	T/Pet.2/103	T/953/Add.4
(b) Administration		
(i) Civil Service	(1) T/Pet.2/102 (2) T/Pet.2/103 (3) T/Pet.2/112 (4) T/Pet.2/120 (5) T/Pet.2/125 (6) T/Pet.2/127 (7) T/Pet.2/130 (8) T/Pet.2/134 (9) T/Pet.2/R.3	T/953/Add.1 T/953/Add.4 T/953/Add.4 T/953/Add.4 T/953/Add.1 T/953/Add.1 T/953/Add.4 T/953/Add.2 None
(ii) Local administration	(1) T/Pet.2/104 (2) T/Pet.2/122 (3) T/Pet.2/130 (4) T/Pet.2/138 (5) T/Pet.2/148	T/953/Add.3 T/953/Add.2 T/953/Add.4 T/953/Add.4 T/953/Add.4
(c) Legislative: constitutional development and political representation	(1) T/Pet.2/103 (2) T/Pet.2/106 (3) T/Pet.2/108 (4) T/Pet.2/111 (5) T/Pet.2/116 (6) T/Pet.2/120 (7) T/Pet.2/127 (8) T/Pet.2/130 (9) T/Pet.2/134 (10) T/Pet.2/138 (11) T/Pet.2/140 (12) T/Pet.2/143 (13) T/Pet.2/149 (14) T/Pet.2/154	T/953/Add.4 T/953/Add.2 T/953/Add.4 T/953/Add.4 T/953/Add.2 T/953/Add.4 T/953/Add.1 T/953/Add.4 T/953/Add.2 T/953/Add.4 T/953/Add.2 T/953/Add.4 T/953/Add.4
(d) Judicial (deportations)	T/Pet.2/120	T/953/Add.4

### IV. Economic advancement

(a) General	(1) T/Pet.2/103 (2) T/Pet.2/124	T/953/Add.4 T/953/Add.2
(b) Taxation	(1) T/Pet.2/121 (2) T/Pet.2/R.2 (3) T/Pet.2/R.4	T/953/Add.2 None None
(c) Credit facilities	(1) T/Pet.2/103 (2) T/Pet.2/108 (3) T/Pet.2/120 (4) T/Pet.2/150	T/953/Add.4 T/953/Add.4 T/953/Add.4 T/953/Add.4
(d) Land and agriculture		
(i) Land alienation	(1) T/Pet.2/103 (2) T/Pet.2/111 (3) T/Pet.2/113 (4) T/Pet.2/116 (5) T/Pet.2/119 (6) T/Pet.2/120 (7) T/Pet.2/123 (8) T/Pet.2/137 (9) T/Pet.2/142	T/953/Add.4 T/953/Add.4 T/953/Add.2 T/953/Add.2 T/953/Add.2 T/953/Add.4 T/953/Add.1 T/953/Add.2 T/953/Add.2

## II. List of documents enumerated in the annex to the provisional agenda of the eleventh session of the Trusteeship Council which partly concern general problems.

### Tanganyika

T/Pet.2/104	T/Pet.2/122	T/Pet.2/144
T/Pet.2/108	T/Pet.2/127	T/Pet.2/148
T/Pet.2/115	T/Pet.2/134	T/Pet.2/150
T/Pet.2/116	T/Pet.2/137	T/Pet.2/154
T/Pet.2/119	T/Pet.2/143	T/Pet.2/156
T/Pet.2/121		

### Somaliland

T/Pet.11/41	T/Pet.11/108	T/Pet.11/157
T/Pet.11/68	T/Pet.11/109	T/Pet.11/171
T/Pet.11/70	T/Pet.11/112	T/Pet.11/191
T/Pet.11/77	and Add.2	T/Pet.11/196
T/Pet.11/85	T/Pet.11/114	T/Pet.11/198
T/Pet.11/88	T/Pet.11/118	T/Pet.11/223
T/Pet.11/89	T/Pet.11/120	T/Pet.11/226
T/Pet.11/90	T/Pet.11/140	
T/Pet.11/92		

### Ruanda-Urundi

T/Pet.3/39	T/Pet.3/44	T/Pet.3/55
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### Cameroons under French administration

T/Pet.5/97	T/Pet.5/99
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### Cameroons under British administration and Cameroons under French administration

T/Pet.4/79-T/Pet.5/105
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### Togoland under French administration

T/Pet.7/292 and Add.1	T/Pet.7/293
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### ANNEX B

### TOPICAL INDEX

#### Tanganyika

Documents listed in the annex to the provisional agenda	Written observations of the Administering Authority
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#### I. Status of the Territory and its inhabitants

(a) Status of the Territory	(1) T/Pet.2/113	T/953/Add.2
	(2) T/Pet.2/124	T/953/Add.2
	(3) T/Pet.2/134	T/953/Add.2
	(4) T/Pet.2/137	T/953/Add.2
	(5) T/Pet.2/149	T/953/Add.4
(b) Status of the inhabitants	(1) T/Pet.2/120	T/953/Add.4
	(2) T/Pet.2/130	T/953/Add.4

#### II. International and regional relations

(a) Relationship with the United Nations	(1) T/Pet.2/108 (2) T/Pet.2/118	T/953/Add.4 T/953/Add.4
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	Documents listed in the annex to the provisional agenda	Written observations of the Administering Authority		Documents listed in the annex to the provisional agenda	Written observations of the Administering Authority
(d) Land and agriculture (continued)	(10) T/Pet.2/143 (11) T/Pet.2/144 (12) T/Pet.2/147 (13) T/Pet.2/154 (14) T/Pet.2/156 (15) T/Pet.2/R.3	T/953/Add.2 T/953/Add.2 T/953/Add.4 T/953/Add.4 T/968 None		(7) T/Pet.2/140 (8) T/Pet.2/148 (9) T/Pet.2/151 (10) T/Pet.2/153 (11) T/Pet.2/154 (12) T/Pet.2/R.4	T/953/Add.2 T/953/Add.4 T/953/Add.4 T/953/Add.4 T/953/Add.4 None
(ii) Indigenous land tenure	(1) T/Pet.2/119 (2) T/Pet.2/120 (3) T/Pet.2/143 (4) T/Pet.2/148 (5) T/Pet.2/154	T/953/Add.2 T/953/Add.4 T/953/Add.2 T/953/Add.4 T/953/Add.4	(ii) Distribution of schools	(1) T/Pet.2/132 (2) T/Pet.2/140 (3) T/Pet.2/154	T/953/Add.2 T/953/Add.2 T/953/Add.4
(iii) Compulsory cultivation and inoculation of livestock	T/Pet.2/156	T/968	(iii) Distribution of Government grants	T/Pet.2/R.3	None
(iv) Measures to combat soil erosion	(1) T/Pet.2/124 (2) T/Pet.2/156 (3) T/Pet.2/R.4	T/953/Add.2 T/968 None	(iv) School leaving age	(1) T/Pet.2/110 (2) T/Pet.2/143 (3) T/Pet.2/154 (4) T/Pet.2/R.3 (5) T/Pet.2/R.4	T/953/Add.2 T/953/Add.2 T/953/Add.4 None None
(e) Mining	(1) T/Pet.2/144 (2) T/Pet.2/150	T/953/Add.2 T/953/Add.4	(v) Inter-racial education	(1) T/Pet.2/116 (2) T/Pet.2/120	T/953/Add.2 T/953/Add.4
(f) Trade and commerce	(1) T/Pet.2/104 (2) T/Pet.2/148 (3) T/Pet.2/150 (4) T/Pet.2/154 (5) T/Pet.2/R.2	T/953/Add.3 T/953/Add.4 T/953/Add.4 T/953/Add.4 None	(vi) School curricula	(1) T/Pet.2/112 (2) T/Pet.2/130 (3) T/Pet.2/153 (4) T/Pet.2/R.4	T/953/Add.4 T/953/Add.4 T/953/Add.4 None
(g) Communications	(1) T/Pet.2/106 (2) T/Pet.2/108 (3) T/Pet.2/110	T/953/Add.2 T/953/Add.4 T/953/Add.2	(vii) Language of instruction	(1) T/Pet.2/103 (2) T/Pet.2/116	T/953/Add.4 T/953/Add.2
V. Social advancement			(viii) School fees	(1) T/Pet.2/142 (2) T/Pet.2/148 (3) T/Pet.2/R.2 (4) T/Pet.2/R.3	T/953/Add.2 T/953/Add.4 None None
(a) Immigration	(1) T/Pet.2/116 (2) T/Pet.2/124 (3) T/Pet.2/130	T/953/Add.2 T/953/Add.2 T/953/Add.4	(ix) Kindergarten schools	T/Pet.2/112	T/953/Add.4
(b) Racial discrimination <sup>a</sup>	(1) T/Pet.2/114 (2) T/Pet.2/130 (3) T/Pet.2/134 (4) T/Pet.2/137 (5) T/Pet.2/138	T/953/Add.2 T/953/Add.4 T/953/Add.2 T/953/Add.2 T/953/Add.4	(b) Voluntary agency schools	(1) T/Pet.2/104 (2) T/Pet.2/132 (3) T/Pet.2/153 (4) T/Pet.2/154 (5) T/Pet.2/R.4	T/953/Add.3 T/953/Add.2 T/953/Add.4 T/953/Add.4 None
(c) Medical and health facilities	(1) T/Pet.2/104 (2) T/Pet.2/111 (3) T/Pet.2/130	T/953/Add.3 T/953/Add.4 T/953/Add.4	(c) Primary education	(1) T/Pet.2/130 (2) T/Pet.2/137 (3) T/Pet.2/144 (4) T/Pet.2/153 (5) T/Pet.2/R.3	T/953/Add.4 T/953/Add.2 T/953/Add.2 T/953/Add.4 None
(d) Wages <sup>b</sup>	(1) T/Pet.2/108 (2) T/Pet.2/115 (3) T/Pet.2/122 (4) T/Pet.2/123 (5) T/Pet.2/127 (6) T/Pet.2/149 (7) T/Pet.2/156	T/953/Add.4 T/953/Add.2 T/953/Add.2 T/953/Add.1 T/953/Add.1 T/953/Add.4 T/968	(d) Secondary education	(1) T/Pet.2/103 (2) T/Pet.2/104 (3) T/Pet.2/106 (4) T/Pet.2/111 (5) T/Pet.2/127 (6) T/Pet.2/130 (7) T/Pet.2/134 (8) T/Pet.2/137 (9) T/Pet.2/140 (10) T/Pet.2/144 (11) T/Pet.2/154	T/953/Add.4 T/953/Add.3 T/953/Add.2 T/953/Add.4 T/953/Add.1 T/953/Add.4 T/953/Add.2 T/953/Add.2 T/953/Add.2 T/953/Add.2 T/953/Add.4
(e) Labour conditions	(1) T/Pet.2/121 (2) T/Pet.2/123 (3) T/Pet.2/134	T/953/Add.2 T/953/Add.1 T/953/Add.2	(e) Technical and vocational training	(1) T/Pet.2/103 (2) T/Pet.2/111 (3) T/Pet.2/112 (4) T/Pet.2/113 (5) T/Pet.2/130 (6) T/Pet.2/134 (7) T/Pet.2/137 (8) T/Pet.2/140 (9) T/Pet.2/144 (10) T/Pet.2/149 (11) T/Pet.2/151	T/953/Add.4 T/953/Add.4 T/953/Add.4 T/953/Add.2 T/953/Add.4 T/953/Add.2 T/953/Add.2 T/953/Add.2 T/953/Add.2 T/953/Add.4 T/953/Add.4
(f) Penal system (treatment of offenders)	(1) T/Pet.2/111 (2) T/Pet.2/130 (3) T/Pet.2/149	T/953/Add.4 T/953/Add.4 T/953/Add.4	(f) Territorial college	(1) T/Pet.2/106 (2) T/Pet.2/108	T/953/Add.2 T/953/Add.4
VI. Educational advancement					
(a) General					
(i) Inadequacy of school facilities and of educational development programme	(1) T/Pet.2/103 (2) T/Pet.2/104 (3) T/Pet.2/110 (4) T/Pet.2/111 (5) T/Pet.2/120 (6) T/Pet.2/130	T/953/Add.4 T/953/Add.3 T/953/Add.2 T/953/Add.4 T/953/Add.4 T/953/Add.4			

<sup>a</sup> Note: See also references under Civil Service, wages, land alienation and tenure and medical and health facilities.

<sup>b</sup> Note: See also references under Civil Service.

	Documents listed in the annex to the provisional agenda	Written observations of the Administering Authority		Documents listed in the annex to the provisional agenda	Written observations of the Administering Authority
(f) Territorial College (continued)	(3) T/Pet.2/111 (4) T/Pet.2/113 (5) T/Pet.2/120 (6) T/Pet.2/130 (7) T/Pet.2/134 (8) T/Pet.2/140 (9) T/Pet.2/144	T/953/Add.4 T/953/Add.2 T/953/Add.4 T/953/Add.4 T/953/Add.2 T/953/Add.2 T/953/Add.2	II. Political advancement		
(g) Overseas training (scholarships)	(1) T/Pet.2/103 (2) T/Pet.2/112 (3) T/Pet.2/120 (4) T/Pet.2/130	T/953/Add.4 T/953/Add.4 T/953/Add.4 T/953/Add.4	(a) Representative Assembly	(1) T/Pet.5/97 (2) T/Pet.5/99 (3) T/Pet.5/104	T/1001 None None
			(b) Administrative services	T/Pet.5/97	T/1001
			(c) Suffrage	(1) T/Pet.5/97 (2) T/Pet.5/99 (3) T/Pet.5/104	T/1001 None None
			III. Economic advancement		
			Provident Society	T/Pet.5/97	T/1001
			IV. Social advancement		
I. International relations			(a) Human rights and fundamental freedoms	T/Pet.5/97	T/1001
Relations with the United Nations	T/Pet.3/48	T/944	(b) Racial discrimination	(1) T/Pet.5/97 (2) T/Pet.5/99	T/1001 None
II. Political advancement			(c) Prison systems	T/Pet.5/97	T/1001
(a) Legislative and executive powers	T/Pet.3/48	T/944	Cameroons under British administration and Cameroons under French administration		
(b) Indigenous political structure	(1) T/Pet.3/44 (2) T/Pet.3/48 (3) T/Pet.3/R.2	T/944 T/944 T/944	I. Status of the Territory and its inhabitants		
(c) Judicial organ or organization	(1) T/Pet.3/44 (2) T/Pet.3/48 (3) T/Pet.3/50 (4) T/Pet.3/51 (5) T/Pet.3/53	T/944 T/944 T/944 T/944 T/944	(a) Status of the Territory	T/Pet.4/79-T/Pet.5/105 and Add.1	None
III. Economic advancement			(b) Status of the indigenous inhabitants	T/Pet.4/79-T/Pet.5/105 and Add.1	None
(a) Land tenure and European settlement	(1) T/Pet.3/44 (2) T/Pet.3/R.3	T/944 T/944	II. Relations with the Trusteeship Council		
(b) Mines	(1) T/Pet.3/48 (2) T/Pet.3/R.3	T/944 T/944		T/Pet.4/79-T/Pet.5/105 and Add.1	None
(c) Internal trade	(1) T/Pet.3/44 (2) T/Pet.3/53	T/944 T/944	III. Political advancement		
IV. Social advancement			(a) Constitutional development	T/Pet.4/79-T/Pet.5/105 and Add.1	None
(a) Emigration	(1) T/Pet.3/44	T/944	(b) Participation of indigenous inhabitants in the administration	T/Pet.4/79-T/Pet.5/105 and Add.1	None
(b) Human rights and fundamental freedom	(1) T/Pet.3/48 (2) T/Pet.3/R.1 (3) T/Pet.3/R.2 (4) T/Pet.3/R.3	T/944 T/944 T/944 T/944	IV. Economic advancement	T/Pet.4/79-T/Pet.5/105 and Add.1	None
(c) Racial discrimination	(1) T/Pet.3/39 (2) T/Pet.3/48 (3) T/Pet.3/50 (4) T/Pet.3/51 (5) T/Pet.3/53 (6) T/Pet.3/55	T/943 T/944 T/944 T/944 T/944 T/961	V. Educational advancement	T/Pet.4/79-T/Pet.5/105 and Add.1	None
(d) Labour and manpower	(1) T/Pet.3/44 (2) T/Pet.3/48 (3) T/Pet.3/53	T/944 T/944 T/944	Togoland under British administration		
(e) Penitentiary system and corporal punishment	(1) T/Pet.3/44 (2) T/Pet.3/50 (3) T/Pet.3/51 (4) T/Pet.3/53	T/944 T/944 T/944 T/944	Economic advancement	T/Pet.6/305	T/960
V. Educational advancement	(1) T/Pet.3/44 (2) T/Pet.3/48	T/944 T/944	Togoland under French administration		
Cameroons under French administration			I. Political advancement		
I. International relations			(a) Suffrage	T/Pet.7/292 T/Pet.7/292/Add.1 T/Pet.7/293 T/Pet.7/292/Add.1	T/999
(a) Unification of the Cameroons	(1) T/Pet.5/97 (2) T/Pet.5/99	T/1001 None	(b) Chefferies		
(b) Relations with the United Nations	T/Pet.5/99	None	II. Social advancement		
			Forced labour	T/Pet.7/292/Add.1	
			III. Educational advancement		
			General	T/Pet.7/292/Add.1	

## Somaliland

	Documents listed in the annex to the provisional agenda	Written observations of the Administering Authority		Documents listed in the annex to the provisional agenda	Written observations of the Administering Authority
<i>I. Political advancement</i>					
(a) General policy and administration	(1) T/Pet.11/40 (2) T/Pet.11/66 (3) T/Pet.11/74 (4) T/Pet.11/76 (5) T/Pet.11/77 (6) T/Pet.11/79 (7) T/Pet.11/80 (8) T/Pet.11/81 (9) T/Pet.11/86 (10) T/Pet.11/89 (11) T/Pet.11/90 (12) T/Pet.11/93 (13) T/Pet.11/101 (14) T/Pet.11/103 (15) T/Pet.11/109 (16) T/Pet.11/110 (17) T/Pet.11/111 (18) T/Pet.11/112 (19) T/Pet.11/112/Add.2 (20) T/Pet.11/114 (21) T/Pet.11/116 (22) T/Pet.11/117 (23) T/Pet.11/119 (24) T/Pet.11/120 (25) T/Pet.11/143 (26) T/Pet.11/146 (27) T/Pet.11/155 (28) T/Pet.11/157 (29) T/Pet.11/161 (30) T/Pet.11/169 (31) T/Pet.11/173 (32) T/Pet.11/175 (33) T/Pet.11/176 (34) T/Pet.11/180 (35) T/Pet.11/186 (36) T/Pet.11/188 (37) T/Pet.11/190 (38) T/Pet.11/193 (39) T/Pet.11/196 (40) T/Pet.11/201 (41) T/Pet.11/207 (42) T/Pet.11/210 (43) T/Pet.11/212 (44) T/Pet.11/213 (45) T/Pet.11/215 (46) T/Pet.11/216 (47) T/Pet.11/217 (48) T/Pet.11/243	T/952 T/978 T/982 T/982 T/982 T/982	(c) Administrative services (continued)	(5) T/Pet.11/78 (6) T/Pet.11/91 (7) T/Pet.11/94 (8) T/Pet.11/95 (9) T/Pet.11/96 (10) T/Pet.11/101 (11) T/Pet.11/103 (12) T/Pet.11/108 (13) T/Pet.11/112 (14) T/Pet.11/112/Add.2 (15) T/Pet.11/116 (16) T/Pet.11/117 (17) T/Pet.11/120 (18) T/Pet.11/121 (19) T/Pet.11/157 (20) T/Pet.11/176 (21) T/Pet.11/209 (22) T/Pet.11/216	
			(d) Administration of justice	(1) T/Pet.11/40 (2) T/Pet.11/66 (3) T/Pet.11/79 (4) T/Pet.11/90 (5) T/Pet.11/101 (6) T/Pet.11/112 (7) T/Pet.11/112/Add.2 (8) T/Pet.11/120 (9) T/Pet.11/121 (10) T/Pet.11/157 (11) T/Pet.11/161	T/952 T/982
			(e) Official language	(1) T/Pet.11/40 (2) T/Pet.11/42 (3) T/Pet.11/43 (4) T/Pet.11/68 (5) T/Pet.11/69 (6) T/Pet.11/112 (7) T/Pet.11/173 (8) T/Pet.11/176 (9) T/Pet.11/209 (10) T/Pet.11/213	T/952
			(f) Boundary with Ethiopia	(1) T/Pet.11/73 (2) T/Pet.11/109 (3) T/Pet.11/193 (4) T/Pet.11/212 (5) T/Pet.11/213 (6) T/Pet.11/243	T/988
<i>II. Economic advancement</i>					
			(a) General development	(1) T/Pet.11/69 (2) T/Pet.11/74 (3) T/Pet.11/79 (4) T/Pet.11/104 (5) T/Pet.11/105 (6) T/Pet.11/109 (7) T/Pet.11/117 (8) T/Pet.11/120 (9) T/Pet.11/153 (10) T/Pet.11/157 (11) T/Pet.11/172 (12) T/Pet.11/189 (13) T/Pet.11/194 (14) T/Pet.11/195 (15) T/Pet.11/199 (16) T/Pet.11/200 (17) T/Pet.11/201 (18) T/Pet.11/204	T/978
(b) Territorial Council, Residency and Municipal Councils	(1) T/Pet.11/40 (2) T/Pet.11/41 (3) T/Pet.11/70 (4) T/Pet.11/79 (5) T/Pet.11/80 (6) T/Pet.11/81 (7) T/Pet.11/89 (8) T/Pet.11/108 (9) T/Pet.11/112 (10) T/Pet.11/112/Add.2 (11) T/Pet.11/120 (12) T/Pet.11/121 (13) T/Pet.11/223	T/952 T/978 T/982			
(c) Administrative services	(1) T/Pet.11/40 (2) T/Pet.11/66 (3) T/Pet.11/67 (4) T/Pet.11/75	T/952 T/975 T/982	(b) Trade and industry	(1) T/Pet.11/40 (2) T/Pet.11/74 (3) T/Pet.11/79	T/952 T/978 T/978

	<i>Documents listed in the annex to the provisional agenda</i>	<i>Written observations of the Administering Authority</i>		<i>Documents listed in the annex to the provisional agenda</i>	<i>Written observations of the Administering Authority</i>
(b) Trade and industry (continued)	(4) T/Pet.11/80 (5) T/Pet.11/81 (6) T/Pet.11/87 (7) T/Pet.11/89 (8) T/Pet.11/92 (9) T/Pet.11/101 (10) T/Pet.11/103 (11) T/Pet.11/105 (12) T/Pet.11/109 (13) T/Pet.11/110 (14) T/Pet.11/112 (15) T/Pet.11/112/Add.2 (16) T/Pet.11/114 (17) T/Pet.11/117 (18) T/Pet.11/120 (19) T/Pet.11/121 (20) T/Pet.11/141 (21) T/Pet.11/152 (22) T/Pet.11/153 (23) T/Pet.11/157 (24) T/Pet.11/184 (25) T/Pet.11/195	T/982 T/982 T/982	(f) Famine	(1) T/Pet.11/177 (2) T/Pet.11/184 (3) T/Pet.11/187	T/982
			(g) Immigration	(1) T/Pet.11/120 (2) T/Pet.11/140 (3) T/Pet.11/157 (4) T/Pet.11/163	T/952
			III. Social advancement		
			(a) General situation	(1) T/Pet.11/40 (2) T/Pet.11/101  (3) T/Pet.11/105 (4) T/Pet.11/108 (5) T/Pet.11/109 (6) T/Pet.11/116 (7) T/Pet.11/120 (8) T/Pet.11/121 (9) T/Pet.11/146 (10) T/Pet.11/172 (11) T/Pet.11/175 (12) T/Pet.11/184 (13) T/Pet.11/187 (14) T/Pet.11/192	T/952 T/959/ Add.1 T/982 T/996
(c) Land and agri- culture	(1) T/Pet.11/40 (2) T/Pet.11/69 (3) T/Pet.11/74 (4) T/Pet.11/80 (5) T/Pet.11/88 (6) T/Pet.11/89 (7) T/Pet.11/101 (8) T/Pet.11/109 (9) T/Pet.11/110 (10) T/Pet.11/120 (11) T/Pet.11/121 (12) T/Pet.11/141 (13) T/Pet.11/157 (14) T/Pet.11/159 (15) T/Pet.11/163 (16) T/Pet.11/169 (17) T/Pet.11/170 (18) T/Pet.11/172 (19) T/Pet.11/173 (20) T/Pet.11/176 (21) T/Pet.11/209 (22) T/Pet.11/210 (23) T/Pet.11/R.1	T/952 T/952 T/978 T/982 T/982	(b) Labour	(1) T/Pet.11/40 (2) T/Pet.11/86 (3) T/Pet.11/90 (4) T/Pet.11/101 (5) T/Pet.11/102 (6) T/Pet.11/103 (7) T/Pet.11/104 (8) T/Pet.11/105 (9) T/Pet.11/108 (10) T/Pet.11/112 (11) T/Pet.11/112/Add.2 (12) T/Pet.11/114 (13) T/Pet.11/116 (14) T/Pet.11/117 (15) T/Pet.11/119 (16) T/Pet.11/120 (17) T/Pet.11/121 (18) T/Pet.11/141 (19) T/Pet.11/157 (20) T/Pet.11/163 (21) T/Pet.11/169 (22) T/Pet.11/175 (23) T/Pet.11/176 (24) T/Pet.11/184 (25) T/Pet.11/192 (26) T/Pet.11/196 (27) T/Pet.11/204 (28) T/Pet.11/209	T/952 T/964 T/978 T/978 T/982
(d) Water supplies	(1) T/Pet.11/110 (2) T/Pet.11/112 (3) T/Pet.11/112/Add.2 (4) T/Pet.11/157 (5) T/Pet.11/163 (6) T/Pet.11/169 (7) T/Pet.11/170 (8) T/Pet.11/172 (9) T/Pet.11/176 (10) T/Pet.11/184 (11) T/Pet.11/205 (12) T/Pet.11/210 (13) T/Pet.11/212 (14) T/Pet.11/213 (15) T/Pet.11/R.1	T/978 T/982 T/991	(c) Health services	(1) T/Pet.11/40 (2) T/Pet.11/74 (3) T/Pet.11/77 (4) T/Pet.11/81 (5) T/Pet.11/88 (6) T/Pet.11/89 (7) T/Pet.11/90 (8) T/Pet.11/101 (9) T/Pet.11/103 (10) T/Pet.11/108 (11) T/Pet.11/109 (12) T/Pet.11/110 (13) T/Pet.11/112 (14) T/Pet.11/112/Add.2 (15) T/Pet.11/114 (16) T/Pet.11/116	T/952 T/982 T/991
(e) Communications	(1) T/Pet.11/77 (2) T/Pet.11/90 (3) T/Pet.11/105 (4) T/Pet.11/112 (5) T/Pet.11/112/Add.2 (6) T/Pet.11/117 (7) T/Pet.11/120 (8) T/Pet.11/121	T/982 T/982 T/982			



	<i>Documents listed in the annex to the provisional agenda</i>	<i>Written observations of the Administering Authority</i>		<i>Documents listed in the annex to the provisional agenda</i>	<i>Written observations of the Administering Authority</i>
(c) Health Services (continued)	(17) T/Pet.11/119 (18) T/Pet.11/120 (19) T/Pet.11/121 (20) T/Pet.11/157 (21) T/Pet.11/163 (24) T/Pet.11/169 (25) T/Pet.11/170 (26) T/Pet.11/172 (27) T/Pet.11/173 (28) T/Pet.11/176 (29) T/Pet.11/187 (30) T/Pet.11/192 (31) T/Pet.11/193 (32) T/Pet.11/199 (33) T/Pet.11/205 (34) T/Pet.11/207 (35) T/Pet.11/208 (36) T/Pet.11/210 (37) T/Pet.11/212 (38) T/Pet.11/213		(a) General (continued)	(25) T/Pet.11/141 (26) T/Pet.11/157 (27) T/Pet.11/169 (28) T/Pet.11/170 (29) T/Pet.11/173 (30) T/Pet.11/175 (31) T/Pet.11/176 (32) T/Pet.11/180 (33) T/Pet.11/184 (34) T/Pet.11/187 (35) T/Pet.11/190 (36) T/Pet.11/191 (37) T/Pet.11/196 (38) T/Pet.11/205 (39) T/Pet.11/208 (40) T/Pet.11/209 (41) T/Pet.11/210 (42) T/Pet.11/211 (43) T/Pet.11/212 (44) T/Pet.11/213 (45) T/Pet.11/216 (46) T/Pet.11/221 (47) T/Pet.11/R.1	
(d) Prostitution	(1) T/Pet.11/101 (2) T/Pet.11/109 (3) T/Pet.11/141	T/982			
(e) Prisons	(1) T/Pet.11/66 (2) T/Pet.11/101 (3) T/Pet.11/103	T/982	(b) Teaching of Arabic	(1) T/Pet.11/40 (2) T/Pet.11/42 (3) T/Pet.11/43 (4) T/Pet.11/69 (5) T/Pet.11/79 (6) T/Pet.11/80 (7) T/Pet.11/81 (8) T/Pet.11/85 (9) T/Pet.11/86 (10) T/Pet.11/88 (11) T/Pet.11/89 (12) T/Pet.11/101 (13) T/Pet.11/112 (14) T/Pet.11/112/Add.2 (15) T/Pet.11/116 (16) T/Pet.11/141 (17) T/Pet.11/157 (18) T/Pet.11/169 (19) T/Pet.11/170 (20) T/Pet.11/171 (21) T/Pet.11/173 (22) T/Pet.11/176 (23) T/Pet.11/187 (24) T/Pet.11/209 (25) T/Pet.11/212 (26) T/Pet.11/213 (27) T/Pet.11/R.1	T/952 T/982
IV. Educational advancement					
(a) General	(1) T/Pet.11/34 (2) T/Pet.11/35 (3) T/Pet.11/40 (4) T/Pet.11/43 (5) T/Pet.11/67 (6) T/Pet.11/77 (7) T/Pet.11/80 (8) T/Pet.11/81 (9) T/Pet.11/85 (10) T/Pet.11/86 (11) T/Pet.11/89 (12) T/Pet.11/90 (13) T/Pet.11/101 (14) T/Pet.11/103 (15) T/Pet.11/109 (16) T/Pet.11/110 (17) T/Pet.11/112 (18) T/Pet.11/112/Add.2 (19) T/Pet.11/114 (20) T/Pet.11/116 (21) T/Pet.11/118 (22) T/Pet.11/119 (23) T/Pet.11/120 (24) T/Pet.11/121	T/940 T/952 T/982 T/988	(c) Somali alphabet	(1) T/Pet.11/221	T/978

## DOCUMENT T/L.269

## Ninth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

[Original text: English]  
[3 June 1952]

1. The Standing Committee on Petitions, established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 9th, 10th, 11th, 12th, 13th

and 20th meetings on 5, 6, 7 May and 2 June 1952, the following petitions concerning Somaliland under Italian administration:

(1) Petition from Representatives of the Disso, Emit and Wanghel Tribes (T/Pet.11/45 and Add.1);

- (2) Petitions from the Somali Youth League, Branch of Bardera (T/Pet.11/46);
- (3) Petition from the *Hisbia Dighil* and *Mirifle*, Branch of Bardera (T/Pet.11/47);
- (4) Petition from Mr. Hussen id Barre Samantar and others (T/Pet.11/50);
- (5) Petitions from Messrs. Haji Hassan, Iusuf Haji Hassan and others (T/Pet.11/51);
- (6) Petition from the Somali Youth League, Galcaio District (T/Pet.11/52 and Add.1);
- (7) Petition from the Somali Youth League, Branch of Lugh Ferrandi (T/Pet.11/60 and Add.1);
- (8) Petition from Messrs. Haji Hassan Gama, Haji Hassan Egal and others (T/Pet.11/62);
- (9) Petition from Mr. Hussen Gassim Mahumud (T/Pet.11/71);
- (10) Petition from Mr. Mohamed Mahamud and others (T/Pet.11/72);
- (11) Petition from Messrs. Saleh Mohamed and Ahamed Mohamed (T/Pet.11/83);
- (12) Petition from Mr. Ismail Adan Mumin (T/Pet.11/122);
- (13) Petition from Mr. Salah Abdi Mohamed Musse (T/Pet.11/123);
- (14) Petition from Mr. Ismail Fara Issa (T/Pet.11/124);
- (15) Petition from Mr. Ahamed Mohamed Ulo (T/Pet.11/126);
- (16) Petition from Mr. Ismail Nur Shirmarke (T/Pet.11/128);
- (17) Petition from Mr. Issa Yusuf Mead (T/Pet.11/129 and Add.1-2);
- (18) Petition from Mr. Osman Mussa Arrale (T/Pet.11/130);
- (19) Petition from Mr. Yusuf Ali (T/Pet.11/131);
- (20) Petition from Mr. Hassan Gulen and four other ex-soldiers (T/Pet.11/132);

- (21) Petition from Mr. Mohamed Ali Ahmed and others (T/Pet.11/140);
- (22) Petition from Mr. Scerif Abubakar (T/Pet.11/148);
- (23) Petition from Mr. Hagi Ibrahim and others (T/Pet.11/154);
- (24) Petition from Mr. Abdullahi Ali Hassan (T/Pet.11/162);
- (25) Petition from the Members of the Committee of S.A.C.A.M.B.S. (T/Pet.11/165);
- (26) Petition from the *Unione Patriottica Bimalia* and from the *Hisbia Dighil* and *Mirifle*, Merca (T/Pet.11/166);
- (27) Petition from Somali Women in Gardo (T/Pet.11/179);
- (28) Petition from Mr. Ahmed Ali Isse (T/Pet.11/202);
- (29) Petition from Mr. Mohamed Ali Uene (T/Pet.11/203).

2. Mr. P. Spinelli participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions and recommends that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 1-27 inclusive.

4. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous population.

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PETITION FROM REPRESENTATIVES OF THE DISSO, EMIT  
AND WANGHEL TRIBES (T/PET.11/45 AND ADD.1)

*Summary of the petition*

5. The petitioners complain that contrary to the will of the people, the three tribes of Emit, Disso and Wanghel have no Chiefs of their own and have been placed under the Authority of the Elai Chiefs. They claim that although a *scir* (tribal gathering) convened at Baidoa had decided that these tribes should have their own Chiefs, the Administration appointed a special Committee to consider this question and endorsed the Committee's decision that these tribes should remain under the authority of the Elai Chiefs. They request the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration to intervene in order that decisions on this question may be postponed until the matter has been investigated on the spot by the Administrator himself.

6. In three further communications one of which is addressed to the Visiting Mission (T/Pet.11/45/Add.1), the petitioners protest against the arrests of eight members of the Disso tribe, four of whom were arrested for having objected to the amalgamation of their tribe with the Elai tribe and the other four for refusing to sow cotton on their farms.

*Observations of the Administering Authority (T/964)*

7. The Administering Authority states that the request of the Emit, Disso and Wanghel tribes to be granted recognition of their ownership of the land they inhabit and for a Chief of their own is without legal foundation under customary law. The matter has been discussed and decided by a special assembly of all the *Mirifle* Chiefs convened for the purpose. The objection raised by the petitioners with regard to the

proceedings of the special assembly is groundless. The record of the session shows that the appointment of a small committee was unanimously approved and that the findings of that committee were adopted by all the members of the assembly except one.

8. With regard to the arrests of eight members of the Disso Tribe, the Administering Authority states that these tribesmen were arrested because they had committed a series of illegal acts against the Elai. They were prosecuted and sentenced by due process of law.

*Action taken by the Standing Committee*

9. This petition was examined and discussed at the 9th and 20th meetings of the Standing Committee on 5 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9 and T/C.2/SR.20.

10. At its 20th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 1.

PETITIONS FROM THE SOMALI YOUTH LEAGUE, BRANCH OF BARDERA (T/PET.11/46) AND FROM THE HISBIA DIGHIL AND MIRIFLE, BRANCH OF BARDERA (T/PET.11/47)

*Summary of the petitions*

11. The Somali Youth League (T/Pet.11/46) complains that soldiers acting in league with their officers have made trouble several times for members of the local population.

12. The *Hisbia Dighil* and *Mirifle* (T/Pet.11/47) complains that the Somali Youth League does not tell the truth and that the latter endeavours to make trouble because it is against the Administration, the Somali soldiers and their officers.

*Observations of the Administering Authority (T/959)*

13. The Administering Authority states that the incident in question is insignificant. On the morning of 5 May 1951, in the food market of Bardera, some women, wives of Somali soldiers had a quarrel with some milk vendors. The incident seemed to be closed, but during the afternoon there was a sequel when three Somali soldiers intervened in defence of their wives. The immediate action of the Cadi of Bardera, who dispersed the opposing parties, prevented an aggravation of the discussion.

*Action taken by the Standing Committee*

14. This petition was examined and discussed at the 9th and 20th meetings of the Standing Committee on 5 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9 and T/C.2/SR.20.

15. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM MR. HUSSEN ID BARRE SAMANTAR AND OTHERS (T/PET.11/50)

*Summary of the petition*

16. The petitioners protest against spreading of anti-locust poison by the local authorities in the Nogal Province. They request that spreading of poison be discontinued in the area occupied by the Garoe population.

*Observations of the Administering Authority (T/959)*

17. The Administering Authority states that as soon as the Administration received the complaints against the scattering of bran treated with *gammesamo* it gave instructions to the various authorities in the zone to explain that the substance used is inoffensive both to human beings and to cattle and to inform the people that the campaign against the locusts is in the interest of the economic welfare of the country. The explanations given concerning the harmlessness of the "anti-locust" substance and the clear intention of the Administration to act according to the law against any person preventing the normal course of the "anti-locust" campaign have resulted in the immediate return of tranquillity in the zone without any incident.

*Action taken by the Standing Committee*

18. This petition was examined and discussed at the 9th and 20th meetings of the Standing Committee on 5 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9 and T/C.2/SR.20.

19. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 3.

PETITIONS FROM MESSRS. HAJI HASSAN, IUSUF HAJI HASSAN AND OTHERS (T/PET.11/51) AND FROM MESSRS. HAJI HASSAN GIAMA, HAJI HASSAN EGAL AND OTHERS (T/PET.11/62)

*Summary of the petitions*

20. The petitioners complain that the local authority has curtailed their foreign trade not for the benefit of Somaliland but because of Italian politics. They

request that they be allowed to barter hides and butter for imported cotton cloth and food.

*Observations of the Administering Authority (T/964)*

21. The Administering Authority states that in view of the fact the Territory's resources are so limited that potential exports can cover only one-third of imports it was necessary to set up an organic yearly purchasing plan and a system of exchange controls. The exchange system would normally require all import and export applications to be centralized in the Central Office for Foreign Currency and Trade and co-ordinated with the general purchasing plan. However, the Trusteeship Administration, aware of the desirability of facilitating the traditional flow of trade between the Territory and the neighbouring countries and the supply of food to the outlying Residencies (including Galcaio), delegated to the Residents towards the end of March 1951 the power to authorize imports under private clearing arrangements to the amount of 10,000 somalos per operation, in the case of foodstuffs.

22. Subsequently, in order to conciliate the Galcaio merchants, the Administration authorized the Residents to issue import licences for printed cotton to the value of 2,000 somalos per clearing operation within the limit of each district's needs.

23. These special facilities do not affect the right of merchants to apply from time to time to the Central Office for Foreign Currency and Trade for import licences in respect of transactions having a value of more than 10,000 somalos. For the time being butter is being exported only against full payment in hard currency but as regards all the other goods produced in the Galcaio region, including hides, there are no provisions prohibiting clearing arrangements.

24. The traders in Galcaio were informed of these regulations and have expressed their satisfaction at the facilities afforded them, which have in practice met all their wishes.

*Action taken by the Standing Committee*

25. This petition was examined and discussed at the 10th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10 and T/C.2/SR.20.

26. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 4.

PETITION FROM THE SOMALI YOUTH LEAGUE, GALCAIO DISTRICT (T/PET.11/52 AND ADD.1)

*Summary of the petition*

27. The petitioners state that owing to the building of a new stone house for the anti-locust service, on top of the Berdat and Matandubo Wells where local cattle is watered, there has been "trouble" between the local authorities and the population and that when the population demonstrated against the project the Resident and the lieutenant of the *carabinieri* gave orders to fire on the people and unjustly imprisoned innocent men. They further state that they requested that the house should not be built or at least that it should not be constructed over the wells.

28. In a further communication (T/Pet.11/52/Add.1), the petitioners allege that the 10 Somali Youth League members arrested have not been given food for 85 hours and that permission to send food to these prisoners has been denied them by the Commissioner.

*Observations of the Administering Authority  
(T/959 and T/982)*

29. The Administering Authority states that some of the local population opposed the construction of the warehouse because they feared that it would prevent the cattle from going to some wells and that the "antilocust" poison would pollute these wells. The fear is quite groundless and the intervention of the local authorities who explained the matter restored tranquillity.

30. However, on 26 June 1951, several groups of Somalis attempted to demolish the foundations of the warehouse which was being built. The police, who arrived promptly, were stoned and had to fire in the air to intimidate the throng. Eleven of those who took part in the demonstration were arrested and were arraigned before the judicial authorities in accordance with the law. They were sentenced to various terms of imprisonment by the Penal Court in Mogadiscio.

31. With regard to the complaints that prisoners have not been given food, the Administering Authority states that the 11 persons arrested on 26 June staged a hunger-strike from 20 to 24 July 1951 with the purpose of making trouble for the political authorities and inducing the authorities to grant them their freedom. On 27 July, they were transferred to Mogadiscio for trial.

*Action taken by the Standing Committee*

32. The petition was examined and discussed at the 9th and 20th meetings of the Standing Committee on 5 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9 and T/C.2/SR.20.

33. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

34. At its 20th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 5.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF LUGH FERRANDI (T/PET.11/60 AND ADD.1)

*Summary of the petition*

35. The petitioners state that a certain Elmi Hassan Farad Guled was secretly arrested in Mogadiscio in July 1951 and that, after being jailed in Mogadiscio for 28 days and at Baidoa for 3 days, he was brought to Lugh Ferrandi where he was beaten every evening by *carabinieri*.

36. The petitioners imply that, although Guled was arrested on the charge that he had killed an Italian officer in 1941, the real reason for his arrest was his participation in the riots of 11 January 1948. They further state that, after being released on 24 August 1951, Guled was arrested again on the very next day and is still under arrest.

*Observations of the Administering Authority (T/964 and T/C.2/SR.20)*

37. The Administering Authority states that the Somali Elmi Hassan Farad Guled was placed under arrest in July 1951 at the police station of Lugh Ferrandi on the charge of having committed a double murder at a time and place quite unconnected with the circumstances of the massacre of 11 January 1948 at Mogadiscio. He was interrogated under normal conditions without maltreatment. On the conclusion of the interrogation, the Military Prosecutor of the Territory ordered the arrest of the accused on 18 September 1951 and his removal to the central jail at Mogadiscio to await trial on the charge of insubordination with violence against two superior officers and robbery, both with aggravating circumstances. The case is still pending. An exceptionally lengthy investigation was necessary because the case referred to a crime committed eleven years ago.

*Action taken by the Standing Committee*

38. This petition was examined and discussed at the 10th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10 and T/C.2/SR.20.

39. At its 20th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 6.

PETITION FROM MR. HUSSEN GASSIM MAHAMUD (T/PET.11/71)

*Summary of the petition*

40. The petitioner, a watchman in the service of the Administration states that he was injured and permanently disabled in a military truck accident. Although the Commissioner of Benadir had promised to keep him in service all his life, he was later discharged without any reason. He requests that his case be examined and that compensation be offered to him for the injury which he suffered.

*Observations of the Administering Authority (T/975)*

41. The Administering Authority states that the accident referred to occurred when a military truck skidded and overturned. The petitioner suffered a compound fracture of the left foot which was judged curable in 60 days should no complications ensue. As a matter of fact he remained over three months in the hospital. No indemnity was required to be paid to the injured man by the driver, who was acquitted by the Commissary judge after investigation of the accident, or by the Security Corps, as he was on his way to town for reasons unconnected with his duties. However, in consideration of the injuries which he suffered, the Command of the Security Corps immediately paid him the sum of 300 somalos as compensation.

42. Upon the recommendation of the Administration, the petitioner recently resumed his work as a cook for the non-commissioned officers' mess in Mogadiscio.

*Action taken by the Standing Committee*

43. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

44. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 7.

PETITION FROM MR. MOHAMED MAHAMUD AND OTHERS  
(T/PET.11/72)

*Summary of the petition*

45. The petitioners, Somali owners of dhows (boats) residing at Alula, state that all the dhows have been detained with their cargoes at the docks of Alula by order of the local authorities who have instructed all dhow owners that, if they wish to sail, the Italian flag must be raised on the dhows. They further state that they refuse to comply with the order because some 47 dhows which raised the Italian flag have been lost. Pointing out that the dhows are the only source of livelihood for the local population, the petitioners request the Advisory Council to intervene on their behalf.

*Observations of the Administering Authority (T/967)*

46. On the question of fact, the Administering Authority points out that the dhows which were laid up at Alula on the date of the petition were unemployed not because they had been forbidden to leave the port but because the seasonal maritime traffic had not yet been resumed.

47. On the question of law, the Administering Authority states that in conformity with the maritime custom and international practice in matters of navigation, the flag of the country of registration must be flown.

48. The rule that dhows of the Territory which are not registered abroad must fly the flag of the Italian Merchant Marine derives from the obligation placed upon the Administering Authority to ensure the inhabitants of the Territory diplomatic and consular protection outside the Territory. The dhows of Migiurtinia, small ships which ply between neighbouring foreign ports, cannot be exempted from this requirement simply because, according to the petitioners, the British Authorities confiscated some dhows from Migiurtinia which were in the port of Aden at the outbreak of the Second World War.

49. The most recent communication received from Migiurtinia show that the Alula dhow owners have realized that their claim is unreasonable and have hoisted the flag of the Italian Merchant Marine.

*Action taken by the Standing Committee*

50. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

51. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 8.

PETITION FROM MESSRS. SALEH MOHAMED AND AHAMED MOHAMED (T/PET.11/83)

*Summary of the petition*

52. The petitioners state that when the Italian Government declared war on Great Britain, their dhow (boat) anchored in the harbour of Aden was confiscated by the British Authorities together with its cargo valued at 30,000 rupees. They claim compensation for the damage. It is also stated that an application for compensation was submitted to the Chief Administrator on 7 August 1951, but no reply was obtained.

*Observations of the Administering Authority (T/967)*

53. The Administering Authority states that the question of repayment for losses which certain Somalis claim to have suffered owing to the recent world war is being studied by the competent organs of the Italian Government. Any decision on this matter lies with these organs, in view of the fact that the cost of any compensation for such losses will be borne by the Italian Treasury. An explanation to this effect was given to the petitioners when they approached the Administration directly in August of last year.

*Action taken by the Standing Committee*

54. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

55. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 9.

PETITION FROM MR. ISMAIL ADAN MUMIN (T/PET.11/122)

*Summary of the petition*

56. The petitioner states that he joined the Italian Army in 1934, was wounded in service on several occasions and was taken prisoner by the British during the last war. He further states that in the course of the war he lost his two brothers as well as his savings amounting to 46,000 lire which he had deposited with his battalion paymaster.

57. He complains that when he applied to the present Italian Administration to obtain a pension for his wounds, as well as his back-pay, the re-imbursment of his lost savings and a compensation for the death of his brothers, his requests were refused on the ground that he had belonged to the Ethiopian Army. He further complains that his request to be re-enlisted in the army was also refused.

58. The petitioner asks the Visiting Mission to consider his case.

*Observations of the Administering Authority (T/975)*

59. The Administering Authority states that from the information which has been gathered it emerges that the requests of Ismail Adan Mumin are under examination by the appropriate Commission. It



observes that the general question of payment of arrears was examined by the Trusteeship Council at its ninth session in connexion with the petition T/Pet.11/5. In its resolution 349 (IX) the Council decided that no action by it was called for on that petition.

*Action taken by the Standing Committee*

60. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

61. At its 20th meetings, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 10.

PETITION FROM MR. SALAH ABDI MOHAMED MUSSE (T/PET.11/123)

*Summary of the petition*

62. The petitioner, one of the Somali traders whose property was looted at Baidoa in April 1950, requests that the Trusteeship Council instruct the Administration to compensate him for all the items he lost during that incident. These items are listed in an annex to the petition and are evaluated at 11,266.75 somalos.

63. He states that the Administration promised the traders whose property had been looted that their shops and houses would be repaired by the local authorities, that compensation would be given them and that every facility such as exemption from currency restrictions would be extended to them in order that they might rebuild their commercial activities. The petitioner complains that none of these promises have been fulfilled by the Administration.

*Observations of the Administering Authority (T/982)*

64. The Administering Authority states that the petitioner's claims were examined by the appropriate commission of Baidoa, which determined that they were totally unfounded. The Commission in fact found out that the claimant has resided in Bardera for more than two years and that all he possesses in Baidoa is a house which was in no way damaged during the incidents of April 1950.

65. For general observations on the question, the Administering Authority refers to its observations on petition T/Pet.11/55/Add.1 (T/982).

*Action taken by the Standing Committee*

66. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

67. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 11.

PETITION FROM MR. ISMAIL FARA ISSA (T/PET.11/124)

*Summary of the petition*

68. The petitioner, a 70-year-old ex-serviceman, states that he joined the Italian Army in 1911 and was not formally discharged until 1950 after the arrival

of the present Italian Administration, having thus served the Italian Government for 42 years during which he was wounded and decorated on several occasions. He further states that when his six-room barrack was burnt in an air-raid during the last war, compensation for this loss was promised him by the then existing Italian government.

69. The petitioner complains that on the arrival of the present Italian Administration, he submitted three applications requesting the payment of pensions for his wounds and for long service as well as the replacement of his barrack but his requests were refused on the grounds that he is a member of the Somali Youth League.

70. The petitioner requests the assistance of the Visiting Mission in this matter.

*Observations of the Administering Authority (T/975)*

71. The Administering Authority states that the question of the payment of arrears was examined by the Trusteeship Council at its ninth session in connexion with petition T/Pet.11/5. In its resolution 349 (IX) the Council decided that no action by it was called for on that petition.

72. As regards the compensation for a shed that the petitioner claims was destroyed during a British air-raid on Mogadiscio the Administering Authority states that the question of payment of war damages suffered by Somalis during the last world war is being examined by the proper organizations of the Italian Government. Any decision upon this subject should be taken by the above organizations as the costs of eventual indemnities will be charged to the Italian Treasury.

73. Ismail Fara Issa's allegation that his rights were not acknowledged on account of his affiliation to the Somali Youth League is totally unfounded. This is evidenced by the fact that the claimant was regularly discharged on 21 August 1950 by the Residence of Gardo, receiving all back payments to which he was entitled as a former employee of the Italian pre-war Administration, namely 575.50 somalos.

*Action taken by the Standing Committee*

74. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

75. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 12.

PETITION FROM MR. AHAMED MOHAMED ULO (T/PET.11/126)

*Summary of the petition*

76. The petitioner, a 67-year-old ex-serviceman, states that he served in the Italian Army from 1912 to 1941 and that in the course of those years he was decorated on three occasions. He further states that during the last war his property was looted.

77. The petitioner complains that when the present Italian Administration took over he applied for a long-service pension, his back-pay, compensation for his looted property and a job but his requests were



refused because he is a member of the Somali Youth League.

78. He requests the Visiting Mission to consider his case.

*Observations of the Administering Authority (T/975)*

79. With regard to payment of arrears, the Administering Authority states that according to information received from the proper commission in Mogadiscio it emerges that Ahmed Mohamed Ulo was discharged from the army in 1939 with no right to a pension and that therefore no pension was due to him during the war years. The general question of payment of arrears was examined by the Trusteeship Council at its ninth session in connexion with petition T/Pet.11/5. In its resolution 349 (IX) the Council decided that no action by it was called for on that petition.

80. With regard to the complaint concerning war damage, the matter of indemnity for the damage suffered by Somalis during the last world war is being examined by the proper organizations of the Italian Government. The Resident of Mogadiscio furnished explanations to the interested party on this point.

*Action taken by the Standing Committee*

81. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

82. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 13.

PETITION FROM MR. ISMAIL NUR SHIRMAKE (T/PET.11/128)

*Summary of the petition*

83. The petitioner states that he has served in the Italian Army for 41 years during which he was wounded and decorated on several occasions. He further states that when he was taken prisoner by the British Ethiopian troops, about 36,000 lire were "looted" from him.

84. He complains that he applied to the Italian authorities for pensions for long service and wounds, his back-pay and a "light job", but thus far his request have not been satisfied.

85. He requests the Visiting Mission to consider his case.

*Observations of the Administering Authority (T/982 and T/C.2/SR.20)*

86. The Administering Authority states that the petitioner was employed by the Italian Administration in Ethiopia (former Government of Gondar) and that therefore he is not entitled to the payment of arrears by the Trusteeship Administration. The petitioner comes from Eritrea and is not normally a resident of Somaliland.

*Action taken by the Standing Committee*

87. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

88. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution.

PETITION FROM MR. ISSA YUSUF MEAD (T/PET.11/129 AND ADD.1-2)

*Summary of the petition*

89. The petitioner, a Somali trader, states that property belonging to himself and his family was looted and that they were evacuated to Mogadiscio during the Baidoa incident of April 1950 which, he alleges, was instigated by the Administration. After the evacuation, four members of his family died from starvation.

90. The petitioner charges that the Administration has failed to comply with its promises to all traders whose property had been looted that it would repair their houses and shops, that compensation would be granted them and that currency restrictions would not be imposed upon their commercial activities.

91. He requests that the Trusteeship Council instruct the Administration to give him indemnity for the damages sustained, a list of which is attached to the petition.

*Observations of the Administering Authority (T/982)*

92. The Administering Authority states that the petitioner's claims were examined by the appropriate Commission of Baidoa which determined that they were unfounded. The claimants suffered no damage to their house or shops. They were robbed of money at a *dura* near Bur Acaba, but the Chiefs of that region, to whom they appealed, discovered the robbers and obliged them to return the stolen property.

93. For general comments on the question, the Administering Authority refers to its observations on petition T/Pet.11/55/Add.1 (T/982).

*Action taken by the Standing Committee*

94. This petition was examined and discussed at the 11th and 20th meetings of this Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

95. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 15.

PETITION FROM MR. OSMAN MUSSA ARRALE (T/PET.11/130)

*Summary of the petition*

96. The petitioner alleges that during the Baidoa incident of April 1950 his property was looted by pro-Italian elements armed by the local authorities. After that incident he was evacuated to Mogadiscio by the Administration which promised him—and other traders whose properties were also looted—that their houses would be repaired and the losses compensated, and that no currency restriction would be imposed upon their trading activity.

97. The petitioner claims that the AFIS [*Amministrazione Fiduciaria Italiana della Somalia*] did not comply with its promise and failed to arrest the looters; he hopes that justice will be done.

*Observations of the Administering Authority (T/982)*

98. The Administering Authority states that the petitioner's claims were examined by the appropriate Commission of Baidoa, which determined that they were unfounded. The claimant suffered no damage during the incidents of April 1950.

99. For general comments on the question, the Administering Authority refers to its observations on petition T/Pet.11/55/Add.1 (T/982).

*Action taken by the Standing Committee*

100. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

101. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 16.

PETITION FROM MR. YUSEF ALI (T/PET.11/131)

*Summary of the petition*

102. The petitioner, an ex-sergeant of the Somali and Police Force complains that he was discharged from Service without any plausible reasons and that his salary covering April, June and 12 days of July was not paid to him.

103. He requests that the Trusteeship Council considers his case in order that the arrears of salary may be paid to him.

104. Attached to the petition are two letters addressed to the local authorities, one concerning the above case and the other concerning the petitioner's family troubles.

*Observations of the Administering Authority (T/982)*

105. The Administering Authority states that Sergeant Yusuf Ali was discharged from the Police Force because of bad conduct. His salary, covering the period until his discharge, has been paid in full. His request for compensation for annual leave not taken was rejected because, under the regulations of the Somaliland Police Force, such compensation is not allowed.

*Action taken by the Standing Committee*

106. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

107. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 17.

PETITION FROM MR. HASSAN GULEN AND FOUR OTHER EX-SOLDIERS (T/PET.11/132)

*Summary of the petition*

108. The petitioners, who served in the former Italian Colonial Army for a considerable time and were wounded in the course of the campaign against Ethiopia state that after recognizing their physical disability the former Italian Government granted them

a life-long pension which they drew until 1941. After the present Administration took over, it reviewed their claim and granted them a pension which, however, was suddenly suspended in 1950 and 1951 without any reason being given. The petitioners complain that all their applications in this regard remained without reply and that some of them are presently in prison while others, among them the signatories of the petition, were chased away and have taken refuge in the bush.

109. They request the assistance of the Visiting Mission and point out that their affiliation with the Somali Youth League lessens their rights and that the Administration would threaten them with imprisonment if it knew about the present complaint.

*Observations of the Administering Authority (T/975)*

110. The Administering Authority states that, from investigations carried out by this Administration, it emerges that none of the petitioners could be entitled to a pension as none of them could exhibit the "pension book" issued by the Italian State to all pensionaries. However, the appropriate Commission of Mogadiscio subjected all the interested parties to a medical examination in May 1950, with the result that none of them was found to be entitled to a pension.

111. The petitioners who, up to the period of British occupation had belonged to the elite *Campagna Veterani e Invalidi* — were granted a settlement equal to the settlement of former military personnel in active service up to 1941. Only Hersi Ali Uarsame received no such payment, because his membership in the above-mentioned group was not ascertained.

112. It should, however, be noted that the question of pensions forms part of the general question of payment of salary arrears which was examined by the Trusteeship Council at its ninth session in connexion with petition T/Pet.11/5. In its resolution 349 (IX) the Council decided that no action by it was called for on that petition.

113. As to the petitioners' allegation that they might be imprisoned for having approached the Visiting Mission, it is without any foundation whatsoever.

*Action taken by the Standing Committee*

114. This petition was examined and discussed at the 11th and 20th meetings of the Standing Committee on 6 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11 and T/C.2/SR.20.

115. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 18.

PETITION FROM MR. MOHAMED ALI AHMED AND OTHERS (T/PET.11/140)

*Summary of the petition*

116. The petitioners, who before the war were employed by the Italian Government as road-building labourers, state that they were forced to join the Italian Army in 1939 and were made prisoners of war by the British forces in 1941 after the Italians had evacuated to Ethiopia. They further state that they lost their property during their captivity and that before withdrawing the Italians promised them three months' salary.

117. They complain that, although the present Italian Administration promised, and granted, ten years' back-pay to all former servicemen and government employees, their repeated requests that they be given this back-pay as well as the promised three months' salary have been rejected.

118. The petitioners request the Visiting Mission to intervene in their favour.

*Observations of the Administering Authority*  
(T/975)

119. The Administering Authority refers to its observations on petition T/Pet.11/37, T/952 and T/C.2/SR.5 which was examined by the Trusteeship Council at its tenth session [resolution 450 (X)].

120. In those observations the Administering Authority states that requests made by some ex-employees of the *Azienda Autonoma Statale Somala* to be granted arrears of pay were examined by the Commission for Payment of Arrears to Somali Servicemen which concluded that the requests could not be approved because the applicants belonged to the category of "casual workers" and not to one of the categories specifically referred to in article I of Ordinance No. 20 (categories of personnel to be granted arrears of pay). There are no substantial reasons to justify considering a possible extension of the provisions of the ordinance. The Administering Authority further states that the petitioners have legal recourse against the decision of the Administration.

*Action taken by the Standing Committee*

121. This petition was examined and discussed at the 12th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.12 and T/C.2/SR.20.

122. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 19.

PETITION FROM MR. SCERIF ABUBAKAR (T/PET.11/148)

*Summary of the petition*

123. The petitioner states that an Italian settler, Mr. Del Bufalo, killed his 24-year-old son in a car accident. Although the evidence pointed to his culpability, the defendant was acquitted by the judge of the Court House of Mogadiscio who merely advised him, as a generous gesture, to pay to the family of the deceased a sum of 1,500 somalos.

124. The petitioner contends that that sum is unacceptable, as Moslem Law stipulates a *diah* (compensation for murder) of 100 camels, that is to say, no less than 20,000 somalos. He therefore was compelled to employ a lawyer at considerable cost to obtain the full compensation he is entitled to, but up to now no results have been achieved.

125. The petitioner requests the intervention of the United Nations in this matter.

*Observations of the Administering Authority*  
(T/982)

126. The Administering Authority states that the Judge of Somalia acquitted Mr. Del Bufalo on the

charge of manslaughter. In accordance with the law, that judgment was final. However, the plaintiff is entitled to sue Mr. Del Bufalo for compensation, and the case is still pending.

*Action taken by the Standing Committee*

127. This petition was examined and discussed at the 12th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.12 and T/C.2/SR.20.

128. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 20.

PETITION FROM MR. HAGI IBRAHIM AND OTHERS  
(T/PET.11/154)

*Summary of the petition*

129. The petitioners, land owners in Ungugi (District of Merca), complain that although there are many agricultural machines at the disposal of farmers, they are asked to pay 60 shillings, and more recently, 120 shillings, per hectare for the hire of these machines. They further complain that some of their lands are being illegally held by several European concessionaires. In both cases, they request the intervention of the Visiting Mission on their behalf.

130. Attached to the petition are two letters from the Resident of Merca informing one of the petitioners that the concession of Mr. and Mrs. Acerbi has been legally granted by Governor's Decree No. 16342 of 10 November 1939.

*Observations of the Administering Authority*  
(T/978)

131. The Administering Authority states that the petitioners are under the erroneous impression that farm machinery, owned by private individuals, can be placed at the disposal of Somali farmers by the Administration. Only in exceptional cases and when not in use by its owners is farm machinery leased to third parties, including the Administration, at a price which includes the cost of amortization. To foster Somali agriculture, the Administering Authority is planning to set up a nucleus of farm machinery for experimental purposes which would be leased to Somali farmers at prices lower than those now prevailing.

132. Concerning the legal ownership of land held by European concessionaires, the Administering Authority refers to the observations contained in the letters by the Resident of Merca which are attached to the petition.

*Action taken by the Standing Committee*

133. The petition was examined and discussed at the 12th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.12 and T/C.2/SR.20.

134. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the land alienated from it in one way or another and prohibit any future alienation of land belonging to the indigenous

population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

135. At its 20th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 21.

PETITION FROM MR. ABDULLAHI ALI HASSAN (T/PET.11/162)

*Summary of the petition*

136. The petitioner submits two complaints as follows:

(a) In the first case, he requests compensation for two broken fingers, explaining that on 15 September 1950, a Somali assaulted him and broke two fingers of his left hand. Both the Cadi of Lugh-Ferrandi and the Cadi of Baidoa decided that he should receive 12 camels as compensation but he has not yet received anything because the *maresciallo* lost his papers concerning his claim.

(b) In the second case, the petitioner complains against the Italian Administration because he was discharged from the *Ilalo* corps after he and another *Ilalo* had let a camel escape by negligence. He adds that whereas he was discharged, the other *Ilalo* remained in service and that even when the lost camel was found, the Resident refused to re-employ him.

*Observations of the Administering Authority*  
(T/975)

137. The Administering Authority comments on the petitioner's complaints as follows:

(a) The case concerning the assault was erroneously referred to the Cadi of Lugh. Under the existing laws the proper authority to deal with the incident would have been the Commissary Judge. The Cadi of Lugh sentenced the aggressor — Mohamed Abdulle — to give Abdullahi Ali 10 camels and 200 Somalos. The defendant then appealed to the Tribunal of the Cadis of Baidoa, but at this point the question was brought before the Commissary Judge. The latter sentenced Mohammed Abdulle to 8 months and 29 days imprisonment (previously served) and remanded the two parties to the Cadi of Lugh for the determination and liquidation of the damage suffered by the former *Ilalo* (*diah*). The Cadi confirmed his earlier sentence and it was therefore necessary to consider the defendant's appeal against the Cadi's sentence which had been stopped because of the action being brought before the Commissary Judge. The appeal is still pending.

(b) As for the dismissal, Abdullahi was found guilty of serious negligence in the performance of his duties, of false statements regarding another *Ilalo*, and of a false report made to his Resident. On account of such behaviour he was dismissed from the service.

*Action taken by the Standing Committee*

138. This petition was examined and discussed at the 13th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.13 and T/C.2/SR.20.

139. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 22.

PETITION FROM THE MEMBERS OF THE COMMITTEE OF S.A.C.A.M.B.S. (T/PET.11/165)

*Summary of the petition*

140. The petitioners, members of the S.A.C.A.M.B.S., *Società Anonima Cooperativa Agricola Mille Braccia Somalia* state that they have devoted all their energies and money to establishing this agricultural society with the object of giving work to themselves and other unemployed Somalis.

141. They complain that, although the Administration had promised them a piece of land situated at Balad as well as technical and financial assistance for their enterprise, it later refused to keep its promises, because they were members of the Somali Youth League.

142. The petitioners request the intervention of the Advisory Council in order that they may obtain the land which was assigned to them and in order to ensure that the other promises of the Administration will be kept.

*Observations of the Administering Authority*  
(T/982 and T/C.2/SR.20)

143. The Administering Authority states that the petitioners' complaint is not unfounded. Following the recognition of exploitable land in the Balad District (see observations on petition T/PET.11/115 in documents T/982 and T/C.2/SR.20) the Administration prepared a plan to distribute that land, which foresaw the allotment of 150 hectares to the S.A.C.A.M.B.S. However, this arrangement could not be carried out because the local population objected that the members of the Association were not indigenous to the land and had no right to exploit it instead of the indigenous inhabitants.

144. The Administering Authority further states that the S.A.C.A.M.B.S. has been assigned, and has accepted, an alternative piece of land for exploitation in the Villabruzzi area, and that assistance is being given it by the Administration to develop this land.

*Action taken by the Standing Committee*

145. This petition was examined and discussed at the 13th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.13 and T/C.2/SR.20.

146. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 23.

PETITION FROM THE UNIONE PATRIOTTICA BIMALIA AND FROM THE HISBIA DIGHIL AND MIRIFLE, MERCA (T/PET.11/166)

*Summary of the petition*

147. The petitioners complain of the activities of a certain Hassan Omar. They charge that he is an agitator who makes trouble for the Administration and the entire population. In particular, they charge that he organized systematic opposition to the Administration, that he incited pupils not to attend schools, cotton-growing peasants not to deliver their crops in accordance with regular contracts, and up-country people not to pay their hut tax.

148. Pointing out that Hassan Omar is not a Somali, the petitioners request that he be expelled from Merca and, if possible, from Somaliland.

*Observations of the Administering Authority*  
(T/982)

149. The Administering Authority admits that much of the information contained in the petition corresponds to the truth. However, it observes that, until the present, Hassan Omar's activities have not been sufficiently inflammatory to warrant action under the existing penal laws and that it would not be conceivable to order his expulsion from the District of Merca or from the Territory, as it has not been proved that he comes from abroad.

*Action taken by the Standing Committee*

150. This petition was examined and discussed at the 13th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.13 and T/C.2/SR.20.

151. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 24.

PETITION FROM SOMALI WOMEN IN GARDU (T/PET.11/179)

*Summary of the petition*

152. The petitioners, members of the Women's Branch of the Somali Youth League, state that on 13 September 1951 some of them were arrested without cause when attending a party at the League's club. They were taken to prison and their leaders were detained for 24 hours. They were later told that they would be exiled if they were seen in the Somali Youth League club again.

*Observations of the Administering Authority*  
(T/982)

153. The Administering Authority states that on the day following the incident at Gardu, on which it has already made its observations in connexion with petition T/Pet.11/90 (T/982) five Somali women supporters of the Somali Youth League quarrelled with some other women supporters of the *Lega Progressista Somala* and even assailed a Somali policeman who was trying to pacify the contending parties. The five Somali women were set free after a few hours' detention and the two parties were pacified.

*Action taken by the Standing Committee*

154. The petition was examined and discussed at the 13th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.13 and T/C.2/SR.20.

155. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

156. At its 20th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 25.

PETITION FROM MR. AHMED ALI ISSE (T/PET.11/202)

*Summary of the petition*

157. The petitioner complains that on 13 August 1950, while he was travelling on the road, a *carabiniere* (Italian policeman) brutally assaulted him, breaking one of his teeth, and then arrested him, holding him in detention for one day. He states that he has submitted two applications requesting that the damage he had sustained be dealt with in accordance with the law in force, but with no avail.

158. The petitioner further complains that while he was awaiting a reply to his applications, he received a notification enjoining him, without any explanation, to pay a fine of 12.12 shillings [12.12 somalos] or to face an imprisonment of five days.

159. He requests the intervention of the Visiting Mission in order that he may receive compensation for his broken tooth.

*Observations of the Administering Authority*  
(T/975)

160. The Administering Authority states that the incident referred to in the petition took place when the petitioner attempted to enter the Stadium of Mogadiscio without paying and resisted the *carabiniere* who was on duty there. It does not emerge from the investigation made that during the struggle the petitioner suffered a broken tooth, or that he requested a medical examination for that reason.

161. The petitioner was denounced, but not detained, for resisting a public official. The Judge of the Regional Commissariat of Benadir, taking into account the attenuating circumstances, condemned the accused to one month suspended sentence and to the trial costs of 12.12 somalos. No appeal was filed, so the sentence was enforced.

*Action taken by the Standing Committee*

162. This petition was examined and discussed at the 13th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.13 and T/C.2/SR.20.

163. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policies which violate the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

164. At its 20th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 26.

PETITION FROM MR. MOHAMED ALI UENE (T/PET.11/203)

*Summary of the petition*

165. The petitioner, the former paid chief of the *rer Nasie-Cunsia* states that the Administration relieved

him of his position against the wishes of the tribe. Representatives of the tribe who protested against the choosing of the new chief were imprisoned or dismissed and the request of the tribesmen to convene a *Scir* (assembly) to determine whether the new chief would be elected by vote was rejected by the Administration.

166. The petitioner further states that he addressed three petitions in that connexion to the Administration but received no reply. He requests that the Trusteeship Council consider the matter in order that he may be reinstated in accordance with the wishes of his tribesmen.

*Observations of the Administering Authority*  
(T/978)

167. The Administering Authority states that the petitioner was removed from the list of salaried chiefs after a *Scir* held by his own tribe had deposed him and chosen a new chief. After a brief account of the events which led to the conviction of the tribesmen referred to in the petition, the Administering Authority further states that no request for a new *Scir* had been received. As the petitioner persisted in demanding a revision of the decision taken at the *Scir* which had deposed him, the Administering Authority informed

him that, as a prerequisite for a new *Scir*, he should produce evidence that at least a certain number of tribesmen of the *rer Nasie-Cunsia* favoured its convocation. Up to the present no such evidence has been produced by the petitioner.

*Action taken by the Standing Committee*

168. This petition was examined and discussed at the 13th and 20th meetings of the Standing Committee on 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.13 and T/C.2/SR.20.

169. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as resolution 27.

DRAFT RESOLUTIONS

*For the texts of draft resolutions 1 to 27 included, adopted without change at the 440th meeting of the Trusteeship Council, see resolutions 499 (XI), 500 (XI), 502 (XI), 503 (XI), 504 (XI), 511 (XI), 517 (XI), 518 (XI), 521 (XI), 541 (XI), 542 (XI), 543 (XI), 545 (XI), 547 (XI), 548 (XI), 549 (XI), 550 (XI), 551 (XI), 559 (XI), 564 (XI), 568 (XI), 573 (XI), 575 (XI), 567 (XI), 579 (XI), 585 (XI) and 586 (XI).*

DOCUMENT T/L.273

**Tenth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration**

[Original text: English]  
[4 June 1952]

1. The Standing Committee on Petitions established by the Trusteeship Council at the 297th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 9th, 10th, 11th, 13th, 14th, 15th, 16th, 17th, 18th and 20th meetings on 5, 6, 7, 19, 20, 21 May and 2 June 1952, the following petitions concerning Somaliland under Italian administration:

(1) Petition from the Somali Youth League, Branch of Bardera (T/Pet.11/33);

(2) Petition from Mr. Idris Omar Gude and others, from Goluen (T/Pet.11/39);

(3) Petition from the *Unione Difesa della Somalia* (T/Pet.11/44);

(4) Petition from the Somali Youth League, Branch of Dolo (T/Pet.11/49);

(5) Petition from the Somali Youth League, Branch of Dusa Mareb (T/Pet.11/53);

(6) Petition from Mr. Yusuf Mussa Abucar (T/Pet.11/55 and Add.1-2);

(7) Petition from Certain Merchants of Mogadiscio (T/Pet.11/56);

(8) Petition from the Somali Youth League, Branch of Merca (T/Pet.11/57);

(9) Petition from Mr. Darman Hassan and others (T/Pet.11/59 and Add.1);

(10) Petitions from Mr. Haji Mohamed Yusuf Alim (T/Pet.11/63 and T/Pet.11/168);

(11) Petition from the Somali Youth League, Branch of Dusa Mareb (T/Pet.11/64);

(12) Petition from Mr. Nur Allakal and others (T/Pet.11/65 and Add.1-3);

(13) Petition from the Somali Youth League, Branch of Afmadu (T/Pet.11/68);

(14) Petition from the Somali Youth League, Branch of Brava (T/Pet.11/70);

(15) Petition from Mr. Salah Mohamed Abocar (T/Pet.11/82);

(16) Petition from the Workers of the *Autoparco Civile* (T/Pet.11/84);

(17) Petition from the Somali Youth League, Branch of Gardo (T/Pet.11/90 and T/Pet.11/191);

(18) Petition from Messrs. Haji Mohamed Hassono and Haji Iman (T/Pet.11/127);

(19) Petition from Mr. Haji Mohammed Yusuf Alim (T/Pet.11/168);

(20) Petition from the Somali Youth League, Branch of Gardo (T/Pet.11/191).

2. Mr. P. Spinelli participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 1-8 inclusive.

4. The representative of the Union of Soviet Socialist Republics voted against the present report in view of

the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous

inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous populations.

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# PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF BARDERA (T/PET.11/33)

## *Summary of the petition*

5. The petitioners charge that the local authorities of Bardera are stirring up discord among the Somali people and cite, in support of their allegation, the following incidents which took place at Bardera:

(a) Some police officers tried to confiscate land belonging to Sheik Abdullah Sheikh Miyo. The latter appealed against this confiscation to the Administration but received no reply.

(b) The wives of two Somalis were forced by policemen to undergo medical examinations on the pretext that they had spread diseases among soldiers.

(c) On 6 March 1951, a member of the Somali Youth League, Abed Sheikh Daron was attacked and beaten by policemen. On the same date policemen closed the road leading from the Mosque to the Administration offices with the object of inciting people to make a disturbance.

(d) On 10 and 11 March, three Somalis were beaten by the police.

(e) Soldiers were forbidden to mix with Somalis or to join the Somali Youth League. On 11 March, when on patrol, they were ordered to beat any Somali they met on the road.

(f) The Administration stopped the ferry over the Bardera river "although it knew that the river would overflow".

6. The petitioners further complain that Bardera has no schools, in spite of its large population and their repeated requests to the Government. They appeal to the United Nations to provide them with schools. They also appeal to the United Nations for a large hospital and adequate medical supplies, stating that they now have a small hospital with only twelve beds.

## *Observations of the Administering Authority (T/940 and T/C.2/SR.14)*

7. The Administering Authority replies to each of the complaints of the petitioners as follows:

(a) The *carabinieri Carini* acted as a police agent in order to enforce a sentence pronounced by the Cadi of Dinsor against Sheik Abdullah Sheikh Miyo in a matter pertaining to property and cultivation. Sheik Abdullah was informed of his right to file an appeal.

(b) The two women mentioned in the petition, Habiba Mohamed and Cadigia (not better identified) were notorious prostitutes suspected of having spread

venereal diseases. They were summoned to police headquarters where they were invited to go, on their own, to the infirmary for a medical examination, which they did not wish to do and did not do.

(c) The Somali Abdi Sheikh Don Egal was arrested for assaulting police agents. As to the incident of 7 March 1951, it was only a normal police measure intended to ensure orderly traffic.

(d) The incident mentioned in paragraph 4 of the petition (summarized in sub-paragraph (d) above) concerns a dispute between two Somalis for private reasons. It was solved according to the *sciarittica* [Koranic] law.

(e) The order given to soldiers is merely the general provision forbidding soldiers to take active part in the political activities of any party whatsoever. The statement concerning ill treatment of passers-by at the hands of the police on 11 March is completely untrue.

(f) The ferry had to be repaired and set up elsewhere. After a few weeks it was replaced by another one. The delay was due to the rains which closed the roads to traffic.

(g) There are various Koranic schools intermittently subsidized by the Administration. The Administration also opened a grade school for boys and is planning to establish two more schools in the area.

(h) The hospital existing at present is sufficient for the needs of the town. It will be improved in future.

## *Action taken by the Standing Committee*

8. The petition was examined and discussed at the 9th, 14th and 20th meetings of the Standing Committee on 5, 19 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9, T/C.2/SR.14 and T/C.2/SR.20.

9. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the lands alienated from it in one way or another, prohibit any future alienation of the lands of the indigenous population, put an end to its anti-democratic policy which violates the rights and interests of the indigenous population of the Trust Territory and allocate funds for the construction of schools and a hospital in the Bardera region. As a result of the Committee's rejection of this proposal by 5 votes to 1, he was not in a position to support the draft resolution.



10. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 1.

PETITION FROM MR. IDRIS OMAR GUDE AND OTHERS,  
FROM GOLUEN (T/PET.11/39)

*Summary of the petition*

11. The petitioners, of the Goluen Tribe, charge that an Italian, Sig. Del Bufalo, has wrongfully taken possession of their agricultural farms with the help of the Authorities. They state that, when the matter was submitted to the *Commissario*, the latter told them that the farms were occupied by Sig. Del Bufalo under a lease negotiated with the British Administration and that all he could do was to take 40 hectares from Sig. Del Bufalo for the people of Goluen.

12. The petitioners further charge that, after they had submitted a petition on this subject to the Administration, two of them were arbitrarily arrested and detained for five days on the order of the Resident of Merca, and that upon another occasion six farmers were arrested and sentenced to imprisonment for opposing the cutting of trees and plantations when Sig. Del Bufalo sent his men to clear out their farms.

13. They request the restitution of their properties wrongfully occupied by Sig. Del Bufalo, the liberation of the six farmers unjustly imprisoned, reparation for the damages sustained, due measures against the wrongdoers and the protection of their lives and properties.

*Observations of the Administering Authority (T/982 and T/C.2/SR.15)*

14. The Administering Authority explains at length the background of the land dispute referred to in the petition. It states that a survey carried out in March 1951 shows that all the claims of the local population to the land leased to Del Bufalo were unfounded. However, at his own discretion, the Commissioner suggested, and it was agreed, that 31 hectares of the contested land be turned over by Del Bufalo to the local population in exchange for another piece of land.

15. Despite all this, a group of Somalis overran the land allotted to Del Bufalo and assaulted Corporal Ibrahim Musse Roble who was directing the agricultural work. Six persons, recognized in the group, were arrested, and prosecuted according to the law.

*Action taken by the Standing Committee*

16. The petition was examined and discussed at the 9th, 15th and 20th meetings of the Standing Committee on 5, 19 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9, T/C.2/SR.15 and T/C.2/SR.20.

17. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the land alienated from it in one way or another, prohibit any future alienation of land belonging to the indigenous population and put an end to its anti-democratic policy which violates the rights and interests of the indigenous population. As a result of the Committee's rejection of

this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

18. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM THE *Unione Difesa della Somalia* (T/PET.11/44)

*Summary of the petition*

19. The petitioners complain that contrary to the principles of democracy the representative for Brava on the Territorial Council was appointed without consultation of the population concerned. They request that the people be given freedom to choose their own representatives on the Territorial Council.

*Observations of the Administering Authority (T/952 and T/C.2/SR.15)*

20. The Administering Authority explains the procedure followed for the designation of the representative of Brava on the Territorial Council. The Residency Council of Brava, in November 1950, designated five members for the Lower Webi Shebeli Regional Assembly, among whom was Adde Megne Abdalla, Chief of Bidda. The Regional Assembly, on 10 December 1950, designated Adde Megne Abdalla and Megne Haji Abdulkadir as representatives of Brava population to the Territorial Council. The Administrator, having to choose one of the two candidates, according to the system indicated in the Annual Report, appointed Adde Megne who was a more educated and advanced person.

21. The Administering Authority further states that it contemplates the gradual introduction of the elective principle in the selection of members of the Territorial Council.

*Action taken by the Standing Committee*

22. This petition was examined and discussed at the 9th, 15th and 20th meetings of the Standing Committee on 5, 19 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9, T/C.2/SR.15 and T/C.2/SR.20.

23. At its 20th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 3.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH  
OF DOLO (T/PET.11/49)

*Summary of the petition*

24. The petitioners complain that the commandant of the police station at Dolo prohibited any celebration on the occasion of the anniversary of the Somali Youth League. They request that the United Nations Advisory Council examine the matter.

*Observations of the Administering Authority (T/959 and T/C.2/SR.15)*

25. The Administering Authority states that the celebration of the eighth anniversary of the Somali Youth League, 15 May 1951, was authorized by the Administration to be held throughout the Territory. The anniversary was freely commemorated at Dolo without incident, but the next day the Chief of the Police, acting strictly in accordance with the law, had to intervene to break up an unauthorized procession. The intervention

of the police, however, did not provoke incidents and there was no use of force.

*Action taken by the Standing Committee*

26. The petition was examined and discussed at the 9th, 15th and 20th meetings of the Standing Committee on 5, 19 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9, T/C.2/SR.15 and T/C.2/SR.20.

27. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which violates the rights and interests of the indigenous population of the Trust Territory, in particular the right of association and the right of assembly. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

28. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 4.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF DUSA MAREB (T/PET.11/53)

*Summary of the petition*

29. The petitioners set forth the following complaints:

(a) Two Somalis, Hassan Dini and Abdi Hussein, who, together with two other persons, were taken before the Resident, Dr. Matsola, in connexion with a dispute concerning a well, were sent to prison by the Resident because they were members of the Somali Youth League, while the other two were released at once.

(b) A Somali, Mohamed Warsama, was imprisoned because he told a soldier "you are a trusteeship democrat".

(c) An ex-*Capo banda*, Hassan Elmi Gulet, was imprisoned on the pretext that he had insulted the Resident but actually because he had challenged the latter's decision to give him his back pay as a private and not according to his rank.

(d) The moneys paid by Haly are a political trick.<sup>1</sup>

(e) The Resident forces people to join the League of Somali Progress. A chief called Abdi Ali Wael who refused to do so was kept in prison for five days.

(f) Captain Ventura of the 3rd Battalion imprisoned Sergeant Hassan Raghe Idle on a charge concerning the Somali Youth League and proposed that he be dismissed.

(g) All big trees were cut down, by order of the Resident.<sup>1</sup>

*Observations of the Administering Authority (T/982 and T/C.2/SR.15)*

30. The Administering Authority comments on each of the petitioners' complaints as follows:

(a) Hassan Dini and Abdi Hussein were arrested and denounced to the judicial authorities for assaulting some soldiers. Two other persons, who were believed to have taken part in the brawl, were similarly denounced

without, however, being arrested. The charges against the latter were subsequently withdrawn but Hassan Dini and Abdi Hussein were sentenced to four months' imprisonment for assault. Subsequently, Hassan Dini was fined 300 shillings for defrauding the Administration.

(b) Mohamed Watsama was sentenced to two years' imprisonment on a charge of instigating members of the armed forces to disobey the law. An appeal against this sentence is pending.

(c) Hassan Elmi Gulet was detained for two days for disorderly conduct and for insulting the Resident; the latter pardoned him after the friendly intervention of some Averghedir chiefs.

(d) The Italian Government considers the settlement of arrears of pay to Somali personnel of the former Italian administration as a juridical and moral obligation towards its former employees.

(e) The allegation of discrimination on the part of the Resident of Dusa Mareb is without foundation. It is not true that Abdi Ali Jusuf Wael was imprisoned; his salary was merely suspended pending investigation concerning arrears of pay given to him on behalf of a person who, it was found out, had never existed.

(f) The complaint concerning Sergeant Hassan Raghe Idle apparently refers to matters of internal discipline among Somali troops. A Somali sergeant who feels that he has suffered an injustice should present his complaint directly to the authorities concerned and not through the intermediary of a third party.

(g) Trees have been cut down by order of the Resident in order to use wood for building the Residency. There has been no abusive felling of trees in the area.

*Action taken by the Standing Committee*

31. The petition was examined and discussed at the 9th, 15th and 20th meetings of the Standing Committee on 5, 19 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9, T/C.2/SR.15 and T/C.2/SR.20.

32. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority immediately put an end to its anti-democratic policy which violates the rights and interests of the indigenous population of the Trust Territory. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

33. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 5.

PETITION FROM MR. YUSUF MUSSA ABUCAR (T/PET.11/55 AND ADD.1-2)

*Summary of the petition*

34. The petitioner, an interpreter of the Political Office in Hamar during the Italian occupation of Ethiopia and a victim of the Baidoa incidents of April 1950, submits the two following complaints for consideration by the Trusteeship Council.

35. With regard to the Baidoa incident, the petitioner complains that although the Administration pro-

<sup>1</sup> The meaning of these complaints is not clear.

mitted that the traders whose property had been lost would be granted compensation and export-import licence facilities, his requests in that connexion have consistently been refused. He further refutes the statement made by the representative of Italy to the Trusteeship Council to the effect that the President of the Somali Youth League declared that the Baidoa problem was satisfactorily settled by the Italian Administration. What the latter said, the petitioner points out, was that the promises of the Administration would be a good solution to the problem; however, the Administration has not kept its word.

36. With regard to the payment of arrears, the petitioner complains that although the Italian Government has promised that all Somalis who had worked for it as interpreters or clerks would be given ten-years' back pay, he has been denied that back pay. He further complains that his request to be re-engaged as an interpreter has also been turned down by the Italian Administration.

*Observations of the Administering Authority (T/982 and T/C.2/SR.16)*

37. With regard to the Baidoa incidents, the Administering Authority states that the question of indemnities was examined by the Trusteeship Council at its ninth session. The Council recommended that the victims of the incidents who had any reasonable claims to present be allowed to submit their claims to the competent authorities. This recommendation was brought to the knowledge of the population of Baidoa. But the Administration did more: it saw fit to facilitate imports and exports by those of the victims who were traders. Toward this end, a committee constituted at Baidoa examined all the 70 claims submitted, 54 of which were rejected as unfounded. The petitioner's claim was among those rejected because the Committee gathered that he had suffered only slight damage to his house for which he had already received compensation.

38. With regard to the payment of arrears of salary, the Administering Authority states that under the provisions of Order No. 20 of 10 May 1950, arrears are payable only to the personnel of the pre-war Italian Administration. As an employee of the former Government of Hamar, the petitioner is not entitled to receive back pay.

*Action taken by the Standing Committee*

39. This petition was examined and discussed at the 10th, 16th and 20th meetings of the Standing Committee on 6, 20 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.16 and T/C.2/SR.20.

40. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 6.

PETITION FROM CERTAIN MERCHANTS OF MOGADISCIO (T/PET.11/56)

*Summary of the petition*

41. The petitioners complain that (a) the Italian Administration has increased the cost of trading licences without having taken any measures to promote trading; (b) the Municipality compels them to sell at controlled prices and to attach price labels on each commodity,

whereas they have to buy from wholesale merchants under a free bargaining system; and (c) the Municipality compels them to close their shops at 8 p.m. whereas shops selling foodstuffs should remain open late in the evening in order to meet the needs of the Somali workers who finish work at 7 or 8 p.m.

42. They request the Advisory Council to put an end to these allegedly unjustified controls and to give them freedom in their trading.

43. Attached is a petition addressed to the Administration stating, in addition to the above-mentioned complaints, that the Municipality inflicts unwarranted fines on traders and that only the officials who propose the fines are given hearings, and not the traders.

*Observations of the Administering Authority (T/959/Add.1 and T/C.2/SR.16)*

44. The Administering Authority replies to each of the complaints of the petitioners as follows:

(a) The cost of trading licences has not been increased since the Trusteeship Administration was established.

(b) The price control regulations apply to both wholesale and retail traders, who may bring any cases concerning these regulations before the Price Control Board in Mogadiscio.

(c) Public establishments have always been obliged to close at a fixed hour. The decision that food stores should close at 8 p.m. was based on the habits of the people and on the assumption that foodstuffs would certainly be purchased before that time.

(d) The fines imposed on offenders are based on legal provisions and a municipal ordinance which does not provide for arbitration. No abuses are known to have occurred. The above has been explained to the petitioner, as has also the reason for the infliction of the penalty.

*Action taken by the Standing Committee*

45. This petition was examined and discussed at the 10th, 16th and 20th meetings of the Standing Committee on 6, 20 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.16 and T/C.2/SR.20.

46. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 7.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF MERCA (T/PET.11/57)

*Summary of the petition*

47. The petitioners set forth a number of grievances against the Lieutenant of the *Carabinieri* at Merca which are outlined as follows:

(a) On 15 May he purposely sabotaged a public demonstration staged with the permission of the Resident and declared that he would not allow anybody to believe that Somaliland belonged to Somalis. He also told the petitioners that it was forbidden to listen to the radio and to play accordion after 8 p.m. and to deliver lectures to members after 9 p.m.

(b) He arbitrarily arrests traders and other people who come to Merca and deports them back to the villages of their origin.

(c) He forbids police constables to frequent public places managed by members of the Somali Youth League and even to speak to any person, particularly a member of the Somali Youth League. Because of this order, several Somali soldiers were compelled to resign, for instance Sergeant Barre who refused to forbid Somalis to set chairs outside the premises and Constable Hassan Mudei.

(d) He arrests guiltless Somalis and marches them handcuffed along the public road.

48. The petitioners further cite five cases of allegedly unjustified arrest as follows:

(a) A Somali driver who called at the police station to be paid for the transport of two Somali soldiers, was arrested and kept in the guard room for over four hours.

(b) A lorry owner was also arrested and his lorry unloaded inside the station, because he requested payment for the transport of some *Ilalos*.

(c) Two Somali women were arrested because they asked for an explanation when some *carabinieri* requested them to lift their veils and threw light on their faces.

(d) A young man who called at the station to lay information against a debtor of his, was arrested and manhandled.

(e) A member of the Somali Youth League was arrested and detained for nine hours because he had interceded with the Police Lieutenant on behalf of some Somalis, from whom the latter had confiscated some tables.

49. The petitioners request the intervention of the Advisory Council and the Administrator to put an end to the activities of the Lieutenant of the *Carabinieri* at Merca.

*Observations of the Administering Authority (T/959/Add.1 and T/C.2/SR.17)*

50. The Administering Authority comments on each of the complaints of the petitioners as follows:

(a) The Somali Youth League was authorized to celebrate the anniversary of the foundation of the Party by a dance, but permission to stage a semi-military parade was refused. When such a parade took place nevertheless, the officer in command of the *Carabinieri* at Merca ordered it to disperse. The Somali Youth League was not forbidden to listen to the wireless, to play musical instruments after 8 p.m. or to hold lectures at its headquarters after 9 p.m.

(b) The arrests referred to in the petition were legally made either in the interest of public order or because the individuals concerned were sought for offences which they had committed.

(c) It is true that members of the police force have been forbidden to frequent the headquarters of the Somali Youth League, as well as the headquarters of any party, but it is not true that policemen have been forbidden to frequent public places managed by members of the Somali Youth League and to greet their friends. The manager of the bar of the Merca Branch of the Somali Youth League was not given permission to put tables and chairs on the pavement outside the headquarters because he refused to pay the fee required for the occupation of public ground. Constable Hassan Mudei resigned for family reasons.

(d) There is one solitary instance of a prisoner's having been taken through the streets of Merca handcuffed: It was done in the case of a dangerous convict who was transported in the manner laid down in the regulations.

51. With regard to the five instances of allegedly unjustified arrests, the Administering Authority states the following:

(a) The first lorry driver was put in a cell following a misunderstood order. He did not stay more than half-an-hour and was afterwards given all the money due to him.

(b) The second driver's lorry was unloaded in accordance with the highway code because it was overloaded.

(c) The two Somali women were not arrested but were simply taken into the police station by two policemen who met them during their search for a robber. They were set free at once.

(d) The young man was arrested for brawling. He was released after investigation, i.e., after one day.

(e) A certain Hassan Omar was arrested for making a false claim for the return of a number of confiscated objects. The Chief of Police deeming that the expressions used by Hassan amounted to threats to a public official incarcerated him for a few hours and then passed the case over to the judicial authorities which, while recognizing that the accused had conducted himself in a disrespectful manner toward the Chief of Police, acquitted him after a regular inquiry.

52. With regard to the problem of vagrancy, the Administering Authority further states that the Administration has established facilities to help juvenile vagrants and is contemplating a similar measure for adult vagrants.

*Action taken by the Standing Committee*

53. The petition was examined and discussed at the 10th, 17th and 20th meetings of the Standing Committee on 6, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.17 and T/C.2/SR.20.

54. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which violates the rights and interests of the indigenous population of the Trust Territory. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

55. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 8.

PETITION FROM MR. DARMAN HASSAN AND OTHERS  
(T/Pet.11/59 AND ADD.1)

*Summary of the petition*

56. The petitioners, appealing on behalf of the sailors, crane operators, divers and carpenters of Gallotti's Lighterage Enterprise, complain that although their work is arduous and risky, they receive a daily salary of only 2.85 to 6 somalos while elsewhere employees are granted an average salary of 8 somalos per day. They

protest against the lack of regulations governing conditions of employment, stating in particular that they have to work on holidays, and that in case of accidents while on duty, they are not compensated in a fair and reasonable degree. They further complain that certain Italians incense employees with offensive words and that in several instances, sailors have been employed in loading and unloading goods.

57. After indicating that the manager of Gallotti's Lighterage Enterprise has refused to improve their conditions, the petitioners request that their wages be increased and that their engagement be regulated by a contract containing clauses advantageous to the worker, in particular in regard to the question of accidents while on duty. They also state that negotiations with a view to improving their conditions should be conducted between the company and the workers without the intervention of chiefs and notables who they allege have been bribed by the management in several past mediations.

58. In a further communication (T/Pet.11/59/Add.1), the petitioners complain about the wages and the conditions of work of the Somali employees of the Port and Marine Works.

*Observations of the Administering Authority (T/964, T/982 and T/C.2/SR.17)*

59. The Administering Authority states that the Trusteeship Administration has carefully examined the complaints which are the subject of this petition (the addendum refers to the same subject). It found that the basic rates of pay of the Gallotti Company correspond adequately to the qualifications and skill of each employee and are not lower than the wages of persons employed in comparable posts either by the Administration or by other private firms. As regards assistance in cases of illness, it has been found that the firm in question complies with local practice, which is to provide half pay for the duration of the illness. Matters of welfare and compensation for industrial accidents are governed by Ordinance No. 27 which introduced compulsory accident insurance into the Territory on the lines of the practice adopted in all the more advanced countries. In all labour disputes, workers are at liberty to apply for mediation to the Bureau of Labour, and, if the outcome is not satisfactory, they have access to the courts.

60. With regard to the complaint that sailors have been wrongly required to do the work of loading and unloading, the Administering Authority states that in exceptional cases when the need arises for technical reasons, sailors are asked to volunteer for this work. Lastly, inquiries have shown that the attitude of the Italian staff towards the Somali employees of the Gallotti Company is based on humanity, courtesy and respect.

#### *Action taken by the Standing Committee*

61. The petition was examined and discussed at the 10th, 17th and 20th meetings of the Standing Committee on 6, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.17 and T/C.2/SR.20.

62. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph

in which the Trusteeship Council would recommend that the Administering Authority take measures to satisfy the requests of the petitioners for an increase in wages and improvement in working conditions of the dock workers and other harbour workers. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

63. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 9.

PETITIONS FROM MR. HAJI MOHAMED YUSUF ALIM  
(T/Pet.11/63 AND T/Pet.11/168)

#### *Summary of the petitions*

64. The petitioner, who claims to have served satisfactorily in the army for 12 months with the rank of sergeant, alleges that on 12 August 1951 he was dismissed without reason. He charges that his kit was taken away leaving him without any clothes and that he was insulted and humiliated by the authorities because of his affiliation with the Somali Youth League and the mention of his intention to file a complaint with the Advisory Council.

65. He requests the Advisory Council (T/Pet.11/63) and the Visiting Mission (T/Pet.11/168) to consider his petition.

*Observations of the Administering Authority (T/975 and T/982)*

66. The Administering Authority states that Haji Mohamed Yusuf Alim was in fact discharged because his attitude was judged to be insufficiently military and did not conform with army regulations. Upon leaving his unit he was paid in full, that is, he was given rations, his pay, lodging and clothing allowance. His travelling expenses for the return trip to Mogadiscio were also covered, and he was allowed to travel with all his family on a military vehicle. His uniform was taken back, pursuant to regulations, but as he complained about this he was offered a second-hand shirt and a pair of trousers, which he refused.

67. From investigations carried out it emerges that there is no truth in his statements that he was insulted and humiliated.

#### *Action taken by the Standing Committee*

68. The petition was examined and discussed at the 10th, 13th and 20th meetings of the Standing Committee on 6, 7 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.13 and T/C.2/SR.20.

69. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the its draft resolution on the above petitions a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

70. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 10.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF DUSA MAREB (T/PET.11/64)

*Summary of the petition*

71. The petitioners allege that members of the Italian Administration, among them the Resident of Dusa Mareb, practise hunting without permission or licence in areas where animals belong to the indigenous population.

72. The petitioners moreover claim that the Resident refuses to grant hearings to, and to provide work for, members of the Somali Youth League. They request consideration of the complaints by the Advisory Council.

*Observations of the Administering Authority (T/967, T/982 and T/C.2/SR.17)*

73. The Administering Authority states that investigation has shown that at Dusa Mareb, as elsewhere in the Territory, hunting is carried on within the limits and according to the rules prescribed in the relevant regulations in force. With regard to the complaints against the Resident of Dusa Mareb, the Administering Authority refers to its observations in petition T/Pet.11/53 (T/982).

*Action taken by the Standing Committee*

74. This petition was examined and discussed at the 10th, 17th and 20th meetings of the Standing Committee on 6, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.17 and T/C.2/SR.20.

75. At its 20th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 11.

PETITION FROM MR. NUR ALLAKAL AND OTHERS (T/PET.11/65 AND ADD.1-3)

*Summary of the petition*

76. The petitioners submit to the United Nations a dispute between the Ualamoi tribesmen and the SAIS (*Società Agricola Italo-Somala*) which involves the following lands:

(a) Lands belonging to the villages of Bayahow and Balgurie. These villages were illegally occupied by the SAIS in 1921 without any contract or payment of compensation.

(b) Lands belonging to the village of Giohar Elle. This village was occupied by the SAIS soon after the present Administration took over, under the pretext that the lands belonged to the Company.

(c) Lands belonging to the villages of Ghedo Bercan and Temerre. In August 1951, the SAIS claimed that certain lands in these villages belonged to it. To support this claim, the Company produced four witnesses who are not recognized by the petitioners. The matter is said to be still pending.

77. In connexion with the last claim, the petitioners state that in order to break the opposition of the population concerned, 150 armed soldiers have been dispatched to the villages, fourteen persons have been imprisoned and homes looted. They further state that the SAIS plan to construct a road through the villages and that the population concerned is strongly opposed to such a project.

78. In conclusion, the petitioners request that:

(a) All lands alienated by the SAIS from the Ualamoi tribesmen be returned to them;

(b) The tribesmen whose property has been looted (whose names are listed in the petition) be compensated.

79. In a further communication (T/Pet.11/65/Add.3) the petitioners complain that contrary to a decision of the *scir*, the Administration refused to remove their tribal chief Hagi Abdulle Isgove and they request that a new *scir* be convened to consider the matter again. They further request that the Administration should not grant assistance to certain Ualamoi tribesmen to constitute an agricultural co-operative.

*Observations of the Administering Authority (T/978, T/988 and T/C.2/SR.17)*

80. The Administering Authority gives the background to the incident referred to in the petition. In August 1951 the SAIS (*Società Agricola Italo-Somala*) began mapping out operations intended to demarcate the boundaries of its property in the Villabruzzi area, which it had acquired by formal deed thirty years earlier. With a view to protecting the interests of the Somali tribes in the area and in accordance with the Trusteeship Agreement, the mapping out operations were directed by a technician from the Administration. From the outset of these operations, a number of the inhabitants from the villages of Ghedo Bercan and Temerre took a decidedly hostile attitude and threatened to evict the police from the area by force of arms. As a result of this threat, five people were detained, of whom four were subsequently released, while the fifth, reputed to be the ringleader, was sentenced to eight months' imprisonment. Following further threats of armed attack, a search for arms was made in dwellings in Ghedo Bercan. A quantity of arms was discovered and thirteen persons were placed under arrest, of whom ten were sentenced to short terms of imprisonment. It is flatly denied that any looting took place during the search; apart from the arms, nothing was removed from the dwellings searched.

81. No inhabitant from the two villages was ordered to abandon the lands under their cultivation, nor was it hinted that any might be evicted in the future. SAIS is not building any road in the area in question. No damage has been caused to land under cultivation by the mapping operations. SAIS intends to delimit its own property in agreement with the inhabitants concerned and negotiations to that effect are being carried out.

82. With regard to Chief Isgove the Administering Authority states that no *scir* has been held to remove Chief Isgove and no request has been made to date to convene a *scir*. The Administration further expresses the desire that internal disputes among members of the Ualamoi and Sagalo tribes should be settled so that Somali agricultural co-operatives may be established in Villabruzzi with the assistance of the Administering Authority.

*Action taken by the Standing Committee*

83. The petition was examined and discussed at the 10th, 17th and 20th meetings of the Standing Committee on 6, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.17 and T/C.2/SR.20.



84. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the land alienated from it in one way or another, prohibit any future alienation of land belonging to the indigenous population and put an end to its anti-democratic policy which violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

85. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 12.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF AFMADU (T/PET.11/68)

*Summary of the petition*

86. The petitioners claim that the Administering Authority has disregarded the wishes of the people by substituting the Italian language for Arabic in schools, courts, etc., and they state that this policy interferes with the Moslem religion.

87. The petitioners moreover insist on the reopening of the Farwama Canal as well as other canals which in the past have provided them and their livestock with water; they request that new wells be dug in order to alleviate the hardships which they endure owing to lack of water.

88. With regard to health services they allege that Afmadu has neither a hospital nor a doctor and that medical supplies are inadequate.

89. They request consideration of their complaints by the Advisory Council.

*Observations of the Administering Authority (T/978 and T/C.2/SR.17)*

90. The Administering Authority comments on each of the points raised by the petitioners as follows:

(a) The hours devoted to teaching the Arabic language in Somali-type elementary schools exceed those given to any other subject.

(b) The Administering Authority is fully alive to the hardships caused by the scarcity of water and points out that the Trusteeship Council examined a similar petition (T/Pet.11/25) at its ninth session (resolution 372 (IX)). In addition to the measures taken at that time to cope with the situation, the Administering Authority has examined the possibility of reopening the Farwama Canal. The estimates of the expenditure involved were so high that the contemplated work had to be postponed. The reopening of the canal, however, would not by itself solve the problem of the scarcity of water should the river dry up; only deep wells could provide water in such eventuality. Negotiations are in progress for the acquisition of the drilling machinery required for boring deep wells out of the \$50,000 which should be placed at the disposal of the Administering Authority under President Truman's Point Four programme of technical assistance for under-developed countries.

(c) There is a dispensary at Afmadu, which receives quarterly all the necessary medical supplies. A second dispensary will be opened shortly.

*Action taken by the Standing Committee*

91. The petition was examined and discussed at the 10th, 17th and 20th meetings of the Standing Committee on 6, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.17 and T/C.2/SR.20.

92. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority appropriate the necessary funds for the construction of a hospital that would meet the needs of the inhabitants and also for the acquisition of medical equipment and medical supplies. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

93. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 13.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF BRAVA (T/PET.11/70)

*Summary of the petition*

94. The petitioner complains of the inadequacy of the educational and medical facilities at Brava. He further complains that the Municipal Council of Brava is composed of government employees and members of the political parties which are loyal to Italy, instead of representatives of the people.

*Observations of the Administering Authority (T/967, T/C.2/SR.17 and T/C.2/SR.18)*

95. The Administering Authority replies to each of the complaints of the petitioner as follows:

(a) *Educational facilities:* In addition to a children's home and an Italian-type elementary school, there is a Somali-type elementary school at Brava which this year is providing education for 278 pupils. All the teaching material and textbooks requested were duly supplied to this school.

(b) *Hospital:* There is a hospital with ten beds operating at Brava, in the charge of a medical officer. Between January and September of this year, the Administration supplied the hospital with 1,115 kg. of medicaments. In case of need, the neighbouring residency of Merca which possesses an ambulance is asked to lend it.

(c) *The Municipal Council of Brava:* The Council consists of five leading local personalities who represent the economic and social groups of the population living within the municipality, and not political bodies. The political authorities have no influence over the selection of councillors who are freely appointed by the Residency Boards.

96. The Administering Authority further states that the medical and educational facilities in the Brava area will further be improved.

*Action taken by the Standing Committee*

97. The petition was examined and discussed at the 10th, 17th, 18th and 20th meetings of the Standing Committee on 6, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.10, T/C.2/SR.17, T/C.2/SR.18 and T/C.2/SR.20.

98. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority appropriate the necessary sums to meet health and educational needs of the indigenous population of the area. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

99. At its 20th meeting, the Committee adopted by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 14.

PETITION FROM MR. SALAH MOHAMED ABOCAR (T/PET.11/82)

*Summary of the petition*

100. The petitioner, a Somali ex-serviceman states that he has served in the Italian Army for 26 years, was wounded several times on the battlefield and lost all his belongings including a sum of 27,000 lire deposited in the *Banco di Napoli* while he was a prisoner of war. He complains that the Italian Administration turned down his request for back-pay on the grounds that he was not considered to be a member of the Somali forces and that when he later decided to request a job, offering to be re-enlisted, he was again refused on the grounds that he was born in Migiurtinia. He further complains that all the offices of the Administration are "blocked" by soldiers.

101. The petitioner requests that the Visiting Mission consider his case and intervene on his behalf.

*Observations of the Administering Authority (T/975 and T/C.2/SR.18)*

102. With regard to the payment of arrears of pay, the Administering Authority states that Salah Mohamed Abocar's claim was rejected by the proper Commission in Mogadiscio because the payment of arrears, pursuant to Order No. 20 of 20 May 1950 is restricted to civilian and military personnel of the former Government of Somaliland, whereas the claimant was attached to the former Government of Eritrea. The Administering Authority further observes that the Trusteeship Council examined the general question of the payment of such arrears in connexion with petition T/Pet.11/5 and decided in its resolution 349 (IX) that no action by the Council is called for on the question.

103. With regard to non-restitution of a deposit of 27,000 lire that Salah Mohamed asserts to have left with the *Banco di Napoli* when he was captured, investigations are being carried out at the Central Office of the bank in Rome.

104. The statement according to which the Offices of the Administration are "blocked" by soldiers is untrue; admission to public offices is freely permitted to everyone.

*Action taken by the Standing Committee*

105. This petition was examined and discussed at the 11th, 18th and 20th meetings of the Standing Committee on 6, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.18 and T/C.2/SR.20.

106. At its 20th meeting, the Committee adopted, by 5 votes to 0 with 1 abstention, the draft resolution which is reproduced below as draft resolution 15.

PETITION FROM THE WORKERS OF THE *Autoparco Civile* (T/PET.11/84)

*Summary of the petition*

107. The petitioner, allegedly the Somali workers of the *Autoparco Civile*, complain that they have no fixed working hours and are compelled to work continuously, that they are not protected in case of sickness and that they are sometimes taken to jail or dismissed from service without any plausible reasons. They also complain that their monthly pay is only 115 somalos, without any sort of compensation, and in this connexion they allege that certain workers were recently bribed to inform the Visiting Mission that they draw a monthly salary of 500 somalos.

108. They request the Visiting Mission to consider their case. They also state that they did not sign the petition for fear of reprisals by the Administration.

*Observations of the Administering Authority (T/967 and T/C.2/SR.18)*

109. The Administering Authority states that the petition contains a series of false allegations regarding the Administration's treatment of its Somali employees at the *Autoparco Civile*. Among other falsehoods, the writers allege that they dare not sign their names for fear of exposing themselves to reprisals by the Administration. Although this is an anonymous petition, full of vague insinuations without any reference to solid facts, the Administration has duly inquired into its contents. The charges made have been found to be completely groundless. In particular, it is untrue that the drivers were given a special bonus of 110 somalos during the visit of the Visiting Mission in order to encourage them to report their wages falsely. Tables of the wages and rations provided by the *Autoparco Civile* for its employees are attached to the observations.

*Action taken by the Standing Committee*

110. This petition was examined and discussed at the 11th, 18th and 20th meetings of the Standing Committee on 6, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.18 and T/C.2/SR.20.

111. At its 20th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 16.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF GARDO (T/PET.11/90 AND T/PET.11/191)

*Summary of the petition*

112. The petitioners set forth the following complaints:

(a) The Somali Youth League headquarters formerly was in an old house given to the petitioners by the British Administration, on the repair of which they spent a considerable sum of money. When the Italians took over, they took possession of that house on the grounds that it belonged to them, and refused to refund the money spent on its reparation.

(b) After the eviction, the Somali Youth League sought permission to build a new house on land which



was not owned by anyone, but that permission was denied them because of the opposition of the L.P.S. [*Lega Progressista Somala*] Party.

(c) In order to protest against this situation, the petitioners sent telegrams to the Administrator and to the Secretary of the Somali Youth League of Migjirtinia, but the telegrams were withheld by the local authorities.

(d) On 12 September 1951, eight youngsters of the Somali Youth League were assaulted and beaten by 45 men of the L.P.S. The matter was reported to the authorities but the Resident refused to take appropriate action.

(e) A certain Emilio Lucano was sent to Gardo as a schoolmaster, but instead of teaching, he is taking part in politics and creating discord among the population.

(f) A number of women members of the Somali Youth League were arbitrarily arrested on 13 September 1951 while they were singing the League's anthem at the League's clubhouse. Some of them were imprisoned for 24 hours.

113. In addition to these complaints, the petitioners set forth a list of "Gardo's real needs" regarding communications, trade, wages, health services and education.

*Observations of the Administering Authority (T/982, T/C.2/SR.13 and T/C.2/SR.18)*

114. The Administering Authority replies to the specific complaints of the petitioners as follows:

(a) The eviction of the Somali Youth League from its premises was examined by the Council at its ninth session, in connexion with petition T/Pet.11/18. The Council called the attention of the petitioners to the observations of the Administering Authority to the effect that the premises were government property and were needed to house a school (resolution 368 (IX)).

(b) The land requested to construct new premises was previously assigned to another native. The Somali Youth League started procedure against the latter, but did not carry it through.

(c) From an investigation which was conducted, it emerges that the Resident convinced the senders of the untruths contained in the telegram and that the latter spontaneously took back the telegram and the money which they had paid for its transmittal. Although no harm ensued, the Administration admonished the official and ordered him to refrain from any further intervention of that nature.

(d) The incident referred to is a banal one. A group of young men of the Somali Youth League was attacked by members of the Progressive Somali League. No injuries were suffered and the following evening, the Resident settled the question between the two parties in a friendly way.

(e) The accusation against the teacher Emilio Lucano is without foundation. The latter's work has been exclusively restricted to his scholastic duties. The success of the school at Gardo evidences the good work accomplished by its teacher.

(f) The Somali women referred to by the petitioners were arrested because they assailed a policeman. They were set free after a few hours' detention.

115. The Administering Authorities further states it is fully aware of the requirements of Gardo and has taken appropriate action in this regard.

#### *Action taken by the Standing Committee*

116. The petition was examined and discussed at the 11th, 13th, 18th, and 20th meetings of the Standing Committee on 6, 7, 21 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.13, T/C.2/SR.18 and T/C.2/SR.20.

117. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which permits gross violations of the rights and interests of the indigenous population of the Trust Territory and comply with the petitioners' request for the construction of schools and hospitals and for higher wages for hired labour. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

118. At its 20th meeting, the Committee adopted by 5 votes to 1 the draft resolution which is reproduced below as draft resolution 17.

PETITION FROM MESSRS. HAJI MOHAMED HASSONO AND HAJI IMAN (T/Pet.11/127)

#### *Summary of the petition*

119. The petitioners, farmers of the Golwen tribe, charge that an Italian, Signor Del Bufalo, supported by the local authorities, has illegally taken possession of their agricultural farms. They state that Signor Del Bufalo obtained from the former British Military Administration the lease of 60 hectares of land for one year and that in addition to this land, he illegally seized 150 hectares of land belonging to the Golwen tribe after the establishment of the Italian Administration.

120. The petitioners further charge that they were arrested together with four other farmers and were unjustly sentenced to imprisonment for having opposed the cutting of fruit trees when Signor Del Bufalo sent his men to clear out their farms.

121. They request that the Trusteeship Council take appropriate steps to return their land to them.

*Observations of the Administering Authority (T/982 and T/C.2/SR.15)*

122. The Administering Authority explains at length the background of the land dispute referred to in the petition. It states that a survey carried out in March 1951 shows that all the claims of the local population to the land leased to Del Bufalo were unfounded. However, at his own discretion, the Commissioner suggested, and it was agreed, that 31 hectares of the contested land be turned over by Del Bufalo to the local population in exchange for another piece of land.

123. Despite all this, a group of Somalis overran the land allotted to Del Bufalo and assaulted Corporal Ibrahim Musse Roble who was directing the agricultural work. Six persons, recognized in the group, were arrested and prosecuted according to the law.

#### *Action taken by the Standing Committee*

124. The petition was examined and discussed at the 9th, 15th and 20th meetings of the Standing Committee

on 5, 19 May and 2 June 1952. The relevant discussion is contained in documents T/C.2/SR.9, T/C.2/SR.15 and T/C.2/SR.20.

125. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the land alienated from it in one way or another, and prohibit any future alienation of land belonging to the indigenous population. As a result of the Committee's rejection of this proposal by 5 votes to 1, he was not in a position to support the draft resolution.

126. At its 20th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 18.

#### DRAFT RESOLUTIONS

*For the texts of draft resolutions 1 to 18 included, adopted without change at the 440th meeting of the Trusteeship Council, see resolutions 495 (XI), 496 (XI), 498 (XI), 501 (XI), 505 (XI), 506 (XI), 507 (XI), 508 (XI), 510 (XI), 512 (XI), 513 (XI), 514 (XI), 515 (XI), 516 (XI), 520 (XI), 522 (XI), 526 (XI) and 546 (XI).*

#### DOCUMENT T/L.278

#### Eleventh report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration

*[Original text: English]  
[23 June 1952]*

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 11th, 12th, 13th, 18th, 21st, 22nd, 23rd, 24th, 29th and 30th meetings on 6, 7 and 21 May and 4, 5, 6, 9, 18 and 19 June 1952, the following petitions concerning Somaliland under Italian administration:

- (1) Petition from the *Comitato Centrale dei Commercianti*, Mogadiscio (T/Pet.11/92);
- (2) Petition from Mr. Mohamed Sheikh Nur (T/Pet.11/97);
- (3) Petition from the *Students of the Scuola Preparazione Politica-Amministrativa* (T/Pet.11/99);
- (4) Petition from the *Guardie Carcerarie Somale* (T/Pet.11/100);
- (5) Petition from the Somali Youth League, Branch of Afgoi (T/Pet.11/106);
- (6) Petition from Mr. Farah Mohamed Osman and others (T/Pet.11/107);
- (7) Petition from the Temporary Committee and members of the *Hisbia Dighil* and *Mirifle*, Mogadiscio (T/Pet.11/109);
- (8) Petition from the Somali Lorry Owners (T/Pet.11/113);
- (9) Petition from Mr. Ibrahim Moallim Ali and others (T/Pet.11/115);
- (10) Petition from the Somali Youth League, Branch of Alula (T/Pet.11/118);
- (11) Petition from Messrs. Farah Mohamed, Mohamed Ali and Jama Adeh (T/Pet.11/125);
- (12) Petition from Mr. Mohamed Awod Daar (T/Pet.11/133);
- (13) Petition from Mr. Yusuf Farah Abdi and others (T/Pet.11/134);
- (14) Petition from Mr. Haji Abo'Imanchio (T/Pet.11/135);
- (15) Petition from Mr. Mohamed Hirabe and thirty-six other ex-soldiers (T/Pet.11/136);

- (16) Petition from Mr. Nur Ahamed Hassan (T/Pet.11/137);
- (17) Petition from Mr. Carashe Ibrahim Ali and two other ex-soldiers (T/Pet.11/138);
- (18) Petition from Mr. Isaa Omar Ghodi (T/Pet.11/139);
- (19) Petition from Mr. Abdi Ade and six others (T/Pet.11/142);
- (20) Petition from Messrs. Salah Musse Hassan and Abdi Nur Uarsame (T/Pet.11/144);
- (21) Petition from Mr. Giama Ali Mattan (T/Pet.11/145);
- (22) Petition from Mr. Nohou Mohamed Abiker and others (T/Pet.11/147);
- (23) Petition from the Representatives of the Abgal-Yusuf Tribe (T/Pet.11/150);
- (24) Petition from Mr. Mohamed Amir (T/Pet.11/151);
- (25) Petition from Mr. Scerif Ahmed Abdalla (T/Pet.11/156);
- (26) Petition from the Representatives of the Wak-Bio Tribe (T/Pet.11/158);
- (27) Petition from Messrs. Abdulkadir Yerow Issack and Mohamed Sheikh Ahmed (T/Pet.11/159);
- (28) Petition from the Somali Youth League, Branch of Alula (T/Pet.11/160 and Add.1);
- (29) Petition from Mr. Ahmed Mohamed Hussen Mohamed (T/Pet.11/164);
- (30) Petition from the Pupils of the Evening School, Merca (T/Pet.11/171);
- (31) Petition from the Arab Community of Chisimaio (T/Pet.11/174);
- (32) Petition from Mr. Hassan Ibrahim Mohamed and thirteen others (T/Pet.11/181);
- (33) Petition from Mr. Hassan Yusuf and four others (T/Pet.11/183);
- (34) Petition from Representatives of the Merehan Tribe (T/Pet.11/211 and Corr.1);
- (35) Petition from Messrs. Salah Ibrahim, Mohamed Hussen and fifteen others (T/Pet.11/214);

(36) Petition from Chief Malim Aden Merehan (T/Pet.11/219).

2. Mr. P. Spinelli participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 1 to 35, excluding 17 and 19.

4. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous populations.

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**PETITION FROM THE *Comitato Centrale dei Commercianti*, MOGADISCIO (T/PET.11/92)**

*Summary of the petition*

5. The petitioners submit for consideration by the Visiting Mission the following complaints regarding trade and industry in the Territory:

(a) The SAIS (*Società Agricola Italo-Somala*) monopolizes the production of and trade in sugar which it sells at the excessive price of 204 somalos per quintal.

(b) The Cosmo de Vincenzi Electric Company of Mogadiscio is free to raise the price of electricity as high as 1.45 somalos per kwh. The inhabitants of Merca, Brava and Chisimaio are also charged exorbitant prices by the Italian owners of the electric companies. Both the SAIS and the Cosmo de Vincenzi Electric Company treat their native employees in an inadmissible manner.

(c) The two pharmacies in Mogadiscio and the one in Merca, under Italian management, charge incredible prices for drugs and other goods.

(d) The SACA (*Società Anonima Cooperativa Coltivatori Agricoli*) in Genale acts as a monopoly. It has turned down the requests of several Somalis for shares in the Company and their application to export fruits has been refused. The transport of bananas is entrusted for the most part to Italian lorry-owners.

(e) Customs tariffs and other taxes have been steadily rising for both exports and imports.

(f) In levying taxes, the Administration still bases its actions on edicts issued by the pre-war régime. The Administration also renews those British proclamations which are to its convenience.

(g) Tobacco and matches are controlled by the State monopoly which sells them at very high prices. Only Italian cigarettes which are of a poor quality are available.

(h) The Banks opened by the Administration show no signs of helping Somali businessmen.

(i) When it took over, the Administration requisitioned brick buildings and made them available to Italians at excessively low rents.

(j) Besides the Somali Police Corps, the Administration has reinstated former fascist organizations which not only cause an increase of expenditure but are harmful to the Somali people.

(k) The Somali representatives on the Territorial, Municipal, Residential or Public Health Councils are all chosen and subsidized to stifle the voice of the people.

*Observations of the Administering Authority (T/978, T/C.2/SR.18 and T/C.2/SR.21)*

6. As a premise to its observations the Administering Authority points out that all its activities in the fields of trade and industry have been concentrated in an endeavour to enable the Somalis, who lack both technical knowledge and capital, to overcome their present disadvantageous position. As a result of this policy, fourteen new companies have already been founded, of which some are exclusively controlled by Somalis and some are under joint Italo-Somali control. The Administering Authority notes that there is no Central Committee of Somali merchants in Mogadiscio.

7. Concerning the various points made in the petition, the Administering Authority makes the following observations:

(a) The price of sugar is fixed by the Administration in consultation with the Price Control Board, on which sit two Somalis. The factory price of SAIS's sugar was 133 shillings; the latter was however increased by 9 shillings as a result of a fifty per cent raise in wages to Somali workers.

(b) The price of electricity is fixed by the Administration. At Chisimaio electricity is supplied by the Administration and not by Italian owners. The Italian companies exercise no monopoly and electric stations can be installed by anyone. The wages of Somali employees of SAIS are now double those received under

the former Italian régime; wages paid by other companies are above average.

(c) Prices of goods in pharmacies are fixed by the Price Control Board. Drugs of common use were sold in all stores.

(d) The Co-operative Agricultural Joint Stock Company has no monopoly in the Territory; it engages its personnel in accordance with statutory regulations and without any racial discrimination. No Somali tradesmen have applied for shares in the company.

(e) The allegation that customs tariffs have been steadily rising is without foundation. On the contrary, various reductions have been made in this field. The same applies to other direct taxes.

(f) Reforms and modifications in fiscal laws can only be made gradually and with the utmost caution if the economy of the Territory is not to be disturbed. It is hoped that complete reform of the fiscal system of the Territory will be achieved in a few years' time.

(g) The tobacco and matches monopoly have been maintained for fiscal reasons. Prices have been slightly increased. English and American cigarettes are on sale in the Territory.

(h) In 1951 local Italian banks advanced 30 million shillings to Somalis.

(i) No Somali buildings have been requisitioned by the Administering Authority for its own use or to house Italian officials.

(j) The Customs Police was established in pre-fascist days; it is a specialized body to enforce fiscal laws. Italian agents of this body will be gradually replaced by Somalis.

(k) Somali economic groups are adequately represented in the local organs of government which deal with economic problems.

#### *Action taken by the Standing Committee*

8. This petition was examined and discussed at the 11th, 18th, 21st and 29th meetings of the Standing Committee on 6, 21 May, 4 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.18, T/C.2/SR.21 and T/C.2/SR.29.

9. At its 29th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 1.

PETITION FROM MR. MOHAMED SHEIKH NUR (T/PET.11/97)

#### *Summary of the petition*

10. The petitioner appeals to the Visiting Mission in connexion with a land dispute which was examined by the Trusteeship Council at its ninth session. (T/975 and T/C.2/SR.21)

11. He explains that the Italian authorities have suggested that he bring the case before the courts. However, he points out that he cannot afford the legal expenditure which would presumably amount to 4,000 somalos, not including the lawyers' fees. The petitioner requests the Visiting Mission to "grant him the sum of 10,000 somalos", to enable him to bring the case before the courts and to obtain the return of his lands.

#### *Observations of the Administering Authority (T/975 and T/C.2/SR.21)*

12. The Administering Authority observes that the claim in question was previously examined by the Trusteeship Council (T/Pet.11/32 and resolution 358 (IX)), which drew the attention of the petitioner to the possibility of bringing the matter before the courts of the Territory. Referring, probably, to that decision, Mr. Mohamed Sheikh Nur asks the Visiting United Nations Mission to furnish him with the financial means with which to promote his rights before the proper court. The Administering Authority states that the petitioner has already been informed by the Administration of the formalities whereby he may request the Judiciary Authorities, who alone can settle such matters, to provide him with free counsel to promote and conduct the case in question. If the petitioner is awarded free counsel, he will incur no additional expenses in connexion with his case.

#### *Action taken by the Standing Committee*

13. This petition was examined and discussed at the 11th, 21st and 29th meetings of the Standing Committee on 6 May, 4 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.21 and T/C.2/SR.29.

14. At its 29th meeting, the Committee adopted, by 5 votes to 1 the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM THE Students of the Scuola Preparazione Politica-Amministrativa (T/PET.11/99)

#### *Summary of the petition*

15. After listing the aims of the Scuola Preparazione Politica-Amministrativa, the petitioners set forth a number of criticisms concerning this school.

16. They state that (a) the standard of learning is very low and with the exception of law, seems lower than in the other schools of the Territory, (b) lack of preparation and organization cause much of the students' time to be wasted, (c) most of the teachers are also Administration officers and are often absent from the school because of their administrative duties and (d) the teaching of Italian and Arabic is quite insufficient.

17. Regarding the hours of study, the petitioners further complain that the students have little time to study, as they have to work for the Administration from 7 a.m. to 1 p.m. in addition to attending school from 5 p.m. to 7.30 p.m. and they request that these students be given a chance to study and attend school in the morning also.

18. The petitioners request that the Visiting Mission consider these matters.

#### *Observations of the Administering Authority (T/982 and T/C.2/SR.21)*

19. With regard to the various points raised in the petition, the Administering Authority states:

(a) *Method of teaching:* The methods of teaching are adequate to the student's degree of preparation, more particularly to their poor knowledge of Italian and Arabic, which makes it necessary to repeat over and over again certain notions in order that they may be properly understood. No entry examination is required from students wishing to join. The allegation that the

lessons given are below the standard of the other schools in the Territory is unfounded.

(b) *Organization*: A prospectus of the school is attached. Courses began on 17 August 1951 and the new building housing the school was inaugurated on 13 August.

(c) *Teachers*: The director of the school is a Professor of Law from the University of Rome, who has come to Mogadiscio for the specific purpose of administering the school; he has no other functions to perform. There are, in addition, five teachers from the local secondary schools as well as three officials of the Administration who teach subjects for which they are particularly qualified. In the course of seven months these officials were absent for only about five school-hours.

(d) *Languages*: The teaching of languages does not form part of the school's curriculum; they are, however, taught as subsidiary subjects owing to the poor knowledge of the two languages on the part of some students. An equal time is given for lessons of Arabic and Italian, i.e., three hours per week. Results have been satisfactory; several students in the first course passed their examination in both languages.

(e) *Hours of study*: The hours have been intentionally fixed in the afternoon in order to enable students who are officials of the Administration to attend the courses. Even the latter are given ample spare time for their studies, as is the case in other parts of the world where students attend evening courses.

20. Finally the Administering Authority points out that Ahmed Scire Lawaha, who signed the petition gave an answer in response to a question from the Visiting Mission which is in complete conflict with the statements appearing in the petition. He told the Visiting Mission that he was attending the school in order to kill time. Although he was one of the most intelligent pupils, he abandoned the school, which he had attended at irregular intervals.

#### *Action taken by the Standing Committee*

21. This petition was examined and discussed at the 11th, 21st and 29th meetings of the Standing Committee on 6 May, 4 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.21 and T/C.2/SR.29.

22. At its 29th meeting, the Committee adopted, by 5 votes to 1 the draft resolution which is reproduced below as draft resolution 3.

PETITION FROM THE *Guardie Carcerarie Somalie* (T/PET.11/100)

#### *Summary of the petition*

23. The petitioners set forth the following grievances against the Administration on behalf of the Guardians of the Government Prisons of Somaliland. They complain that whenever they apply for new uniforms or an increase of pay, they are ill-treated by their supervisors. They further complain that although in many other departments the staff are given educational instruction, their repeated requests to that effect were not granted on the ground that they had no schooling under the British Administration.

24. They request that the Visiting Mission consider their case.

*Observations of the Administering Authority (T/982 and T/C.2/SR.22)*

25. The Administering Authority states that the salaries and working conditions of prison guards are adequate. The petitioners' allegation that they have been ill-treated is without foundation.

26. With regard to schoolings the Administering Authority observes that the petitioners can attend evening school for adults in Mogadiscio to which they have free access, outside working hours.

#### *Action taken by the Standing Committee*

27. This petition was examined and discussed at the 11th, 22nd and 29th meetings of the Standing Committee on 6 May, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.22 and T/C.2/SR.29.

28. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 4.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF AFGOI (T/PET.11/106)

#### *Summary of the petition*

29. The petitioners complain that (a) in the whole District of Afgoi with a population of about 80,000, there is only one infirmary with one Italian doctor and two Somali nurses and only one school attended by 70 pupils; (b) since the Italian Administration took over, fourteen Italians whose names are listed in the petition have arbitrarily taken possession of lands in the district; and (c) the Administration as well as private firms refuse to give employment to members of the Somali Youth League.

30. They request the intervention of the United Nations in these matters.

*Observations of the Administering Authority (T/978 and T/C.2/SR.21 and T/C.2/SR.22)*

31. The Administering Authority states that the population of the district of Afgoi is 57,000 and not 80,000 as claimed. In view of the fact that it is only 30 kilometres distant from Mogadiscio, it is felt that a completely equipped infirmary with one doctor and two nurses should suffice for the normal needs of the inhabitants.

32. The educational establishment of Afgoi consists of two schools, with ten classes and four teachers; the pupils number 200 and not 70. The Administration plans to establish a third school in this area.

33. Concerning the alleged arbitrary possession of lands by fourteen Italians, it should be noted that ten have rented from Somalis portions of land for a ten-year period, i.e., the duration of Italian trusteeship. Pending the enactment of a law to regulate the question of land property, the Administering Authority has formally notified the parties concerned that such leases do not entitle the tenants to acquire the lands in question. Another Italian has leased a farm held by an Italian. Bruno Lillo, mentioned by the petitioners, is non-existent; the latter probably refer to one Bruno Bruni, who again has leased a farm from another Italian. Finally, Ing. Ferrucci Hellmann is referred to twice by the petitioners, once as Ing. Ferrucci and once as Ing. Hellmann. The person in question has a farm legi-



timately granted to him by the former Italian Administration.

34. No discrimination is practised against members of the Somali Youth League; all the foremen (*caporali*) in the Afgoi farms are members of the League.

*Action taken by the Standing Committee*

35. The petition was examined and discussed at the 11th, 21st, 22nd and 29th meetings of the Standing Committee on 6 May, 4, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.21, T/C.2/SR.22 and T/C.2/SR.29.

36. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous inhabitants the land alienated from them in one way or another, prohibit any future alienation of land belonging to the indigenous inhabitants and appropriate the necessary funds to meet the health and educational needs of the Afgoi region. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

37. At its 29th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 5.

PETITION FROM MR. FARAH MOHAMED OSMAN AND OTHERS (T/PET.11/107)

*Summary of the petition*

38. The petitioners bring to the attention of the Visiting Mission several cases concerning ex-police inspectors allegedly discharged without any plausible reasons and persecuted by the Italian police authorities.

39. They state that one of the petitioners, ex-inspector Farah Mohamed Osman, was discharged because he refused to "fetch a woman" for a captain of police and that he has not been able to visit his family for eight months because he discovered that the Colonel of Police had issued an order that he should be arrested if he did so. They further allege that ex-inspector Adan Abdi Ali was discharged for a similar reason and that he had to leave for Ethiopia because he was threatened with death if he remained in Somaliland. The other cases referred to concern Farah Sugulle, Jama Aden Mohamed, Mohamed Ali Abdulla, Ahmed Shirre Farah and Abdulla Mohamed Ali.

40. After stating that the afore-mentioned persons were trained by the British Administration, did their work well and that their service in the police would contribute beneficially to the progress of the Territory, the petitioners request that these ex-inspectors be reinstated and be protected against further wrongs and ill-treatment.

*Observations of the Administering Authority (T/967, T/982 and T/C.21/SR.22)*

41. The Administering Authority comments on each of the cases referred to in the petition as follows:

(a) No person of the name of Abdulla Mohamed Ali appears ever to have been a member of the police force.

(b) Farah Mohamed Osman was charged with slander and acquitted "for lack of evidence" by the Regional Tribunal of Migiurtinia. But the doubt left by

such a formula of acquittal led the Commander of the Police Force to order his discharge. It is not true that the Commander had prohibited any visit to Gardo and Bender Cassim.

(c) Farah Sugulle was discharged by the British Administration.

(d) Mohamed Ali was discharged for spreading false rumours.

(e) Mohamed Aden was discharged for refusing to take the oath that obliges members of the police corps to abstain from political activities.

42. The Administering Authority further states that the allegation that police officers who had served during the British Administration were being dismissed or demoted is without any foundation.

*Action taken by the Standing Committee*

43. This petition was examined and discussed at the 22nd and 29th meetings of the Standing Committee on 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.22 and T/C.2/SR.29.

44. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 6.

PETITION FROM THE TEMPORARY COMMITTEE AND MEMBERS OF THE *Hisbia Dighil* AND *Mirifle*, MOGADISCIO (T/PET.11/109)

*Summary of the petition*

45. The petitioners set forth a great number of general complaints regarding general administration, commerce, public finance, agriculture, co-operatives, public health, prostitution, alcohol and education.

46. In connexion with general administration, the petitioners raise also three questions of a more specific character.

47. First, they complain that the Administration interfered with the internal affairs of the *Hisbia Dighil* and *Mirifle* Party and exerted strong pressure to control that Party against the wish of its members.

48. Secondly, the petitioners state that through the fault of the Italian authorities the Ogden (Ethiopia) tribesmen who are inveterate stock thieves, frequently raised the *Dighil* and *Mirifle* tribes and looted their stock. They request that effective steps be taken to remedy that situation and that compensation be paid to the victims.

49. Thirdly, the petitioners protest against the activities of an Italian municipal clerk, Mr. Romano, who is allegedly an instrument of dissension between the Somali people and the Government.

*Observations of the Administering Authority (T/982 and T/C.2/SR.22)*

50. The Administering Authority states that the petitioners, when they signed the petition, no longer held any position in the party, and therefore their complaints should be regarded as emanating from private persons.

51. The Administering Authority recalls that on 15 February 1951 a general meeting was held at party headquarters attended by some members of outlying sections and some fifty members of the Mogadiscio section. Among the party officers elected at that meeting were the President, the Vice-President and the Secre-



tary-General, who are among the signatories of the petition. The validity of such general meeting was, however, immediately challenged by several members of the outgoing Committee on the ground that it violated the party's regulations which required the approval of all party members for the convocation of a general meeting. The Resident of Mogadiscio, satisfied that the last elections had not been conducted in conformity with the party's regulations, and acting on the authority given to him by Proclamation No. 4 of 1948, withheld his recognition of the new committee. Subsequently, and partly as a result of the intervention of the Egyptian representative on the Advisory Council, a compromise was reached whereby a Provisional Committee was established in May 1951, which included many of the petitioners. This Committee was to call a general meeting for discussion and approval of the new party regulations and for the election of a new committee.

52. On 5 September 1951, a general meeting was held and a new committee elected. Among those not elected were the President, Vice-President and the Secretary-General who had been elected in the February elections. The exclusion of the latter three gentlemen was due to the fact that the party's strength lies outside Mogadiscio. There was no interference by the Resident or the armed police in the general meeting or the elections. Apart from the signatories of the petition, no protest has been made concerning the legal status of the new committee. It is possible that Mr. Romano gave advice to members of the party prior to the elections, but there are no regulations preventing such action. In another general meeting held on 30 December 1951, a new Statute of the party was approved.

53. With regard to the other complaints made in the petition, the Administering Authority refers to its observations on the following petitions: T/Pet.11/40, T/Pet.11/52, T/Pet.11/56, T/Pet.11/62, T/Pet.11/66, T/Pet.11/74, T/Pet.11/92 and T/Pet.11/101<sup>2</sup> as well as to its Annual Report for the year 1951.

#### *Action taken by the Standing Committee*

54. This petition was examined and discussed at the 11th, 22nd and 29th meetings of the Standing Committee on 6 May, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.22 and T/C.2/SR.29.

55. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 7.

#### PETITION FROM THE SOMALI LORRY OWNERS (T/PET.11/113)

##### *Summary of the petition*

56. The petitioners complain that, since taking over the Territory, the Italian Administration has handed all the transport work to Italian private firms, thus depriving Somali lorry owners of their main livelihood and compelling them to sell their lorries in order to support their families.

57. They further state that under the British Administration they were responsible for transporting bags of poison in connexion with the locust control work, but this task also will soon be taken away from them as

they have heard that the Italian Administration plans to bring lorries from Italy for the purpose.

58. They request the Visiting Mission to consider their case.

#### *Observations of the Administering Authority (T/982 and T/C.2/SR.22)*

59. The Administering Authority states that when the present Administration took over, the private motor transport services were completely disorganized. The Administration took steps at once to allow the use of private cars for certain services to provide a livelihood for transportation syndicates. However, the competition for work might have resulted in the exclusion of certain truck owners from the service of the Administration.

60. To ensure equal chances of work for all, the Administration, on 12 October 1951, agreed with the *Gruppo Autotrasportatori Riuniti* upon a plan under which it undertook to place orders directly with the syndicate office which in turn would distribute the work among the nine syndicated firms, on the basis of the tonnage available to each firm. The petitioners belong to one of these nine firms.

61. From investigations carried out, it emerges that the syndicate scrupulously fulfils its engagement to distribute the work equitably without distinction between Somalis and Italians. Of the 28 trucks recently furnished to the Administration by the syndicate, 18 belonged to Somalis.

#### *Action taken by the Standing Committee*

62. This petition was examined and discussed at the 11th, 22nd and 29th meetings of the Standing Committee on 6 May, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.22 and T/C.2/SR.29.

63. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 8.

#### PETITION FROM MR. IBRAHIM MOALLIM ALI AND OTHERS (T/PET.11/115)

##### *Summary of the petition*

64. The petitioners, members of the Abgal rer Mattan Tribe, complain that when some of their tribesmen tried to form an agricultural co-operative society, the Italian Administration refused to put at their disposal financial and technical aid to improve their cultivation. They further complain that in spite of the assurance given by the Administration, it has illegally occupied the land situated at the Bush of Bala which belongs to the tribe.

65. They request the Visiting Mission to intervene in this matter in order to prevent the Italian Administration from forcibly taking possession of their land.

#### *Observations of the Administering Authority (T/982 and T/C.2/SR.22)*

66. The Administering Authority states that the allegations of the petitioners are totally unfounded.

67. The petitioners submitted to the Administration a report in which they stated that they had formed an agricultural association and asked to be granted a concession of some 10,000 hectares of land which lie fallow and unused by the local population on the left bank of the Uebi Scebeli River. As they failed to produce any

<sup>2</sup> See documents T/952, T/959/Add.1, T/964, T/978 and T/982.

document relating to the constitution of the alleged association, they were advised by the Administration that they would have to submit concrete proof of their goodwill and their capacity to exploit the land which they had requested with the assistance of the Administration. But so far they have submitted no answer. The question therefore is still open, and the issue has not been prejudiced in any way.

68. The dispossession of which the petitioners accuse the Administration merely relates to the temporary occupation of an infinitesimal part of the land in question (approximately 100 hectares) for the purpose of creating an experimental centre to grow fibrous agave in the interest of the Territory. This centre will in no way endanger the land belonging to, or being used by, the indigenous population.

#### *Action taken by the Standing Committee*

69. The petition was examined and discussed at the 11th, 22nd and 29th meetings of the Standing Committee on 6 May, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.22 and T/C.2/SR.29.

70. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the lands alienated from it in one way or another, prohibit any future alienation of land belonging to the indigenous population and give the indigenous population financial and technical assistance in organizing agricultural co-operative societies. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

71. At its 29th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 9.

#### PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF ALULA (T/PET.11/118)

##### *Summary of the petition*

72. The petitioners set forth the following complaints:

- (a) Somali people are arbitrarily arrested and fined.
- (b) Somalis in Afcalahais are ill-treated by the *Ilali* police. One of them received a knife wound.
- (c) The *Ilali* police fired on a Somali boat and five fishermen.
- (d) The Resident seized the Somali Youth League house.
- (e) He compelled the wife of an imprisoned Somali to stay in his house.
- (f) He drove all the Chiefs away and appointed new Chiefs who do not look after the people's interests.
- (g) He compelled the Somalis to fly the Italian flag and forbade all boats to sail without that flag.
- (h) Mothers in Ghessalei were ill-treated and threatened with firearms. Three of them were arrested and are still detained in jail.

73. The petitioners also touch upon the general questions of economic advancement and education.

#### *Observations of the Administering Authority (T/967 and T/C.2/SR.22)*

74. After observing that the discontent over the Resident of Alula is due to his efforts to prevent smuggling and fiscal evasions which are extensively practised by the coastal inhabitants of that district, the Administering Authority replies to each of the petitioners' complaints as follows:

(a) No Somalis have been arbitrarily arrested and fined in Alula. The Administration enacted in April 1952, new legislation limiting the period of investigation preparatory to trial and consequently the period of detention during that time; as regards police arrest, the Italian law, which is applied throughout the Territory, limits this to 48 hours after which the person arrested has to be either released or charged before the judicial authorities.

(b) In the village of Af Calhaio, two Somalis resisted and assaulted two *Ilalos* who had summoned them to the police station. In the course of the struggle, one of the *Ilalos* struck out with his dagger in self-defence at one of the assailants. The persons responsible for that incident have been arrested, tried and sentenced by the Regional Tribunal of Migiurtinia.

(c) The *Ilalos* at Habo have never fired on boats or their crews.

(d) The house formerly occupied by the Somali Youth League was the premises of the Naval Radio Station and was needed for the re-establishment of that Station. In exchange, the League was offered, and accepted, a hut to house its headquarters.

(e) The woman in question applied to the Resident for work and was engaged by him as cook.

(f) The recognized Chiefs of the District have not been replaced by others since the transfer of power to the Italian Administration.

(g) Dhows registered in the Trust Territory must fly the flag of the Administering Authority in conformity with maritime custom and in order to be assured of the assistance and protection of officials of the Administering Authority outside the Territory.

(h) At Ghessalei, two *Ilalos* who wanted to search a smuggler were attacked by a group of about 50 persons. Fourteen persons recognized as responsible for that incident were arrested and brought before the Regional Tribunal of Migiurtinia. Four were acquitted and the other ten were sentenced to various terms of imprisonment.

75. The Administering Authority further comments on the general complaints regarding economic progress and education.

#### *Action taken by the Standing Committee*

76. The petition was examined and discussed at the 11th, 22nd and 29th meetings of the Standing Committee on 6 May, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.22 and T/C.2/SR.29.

77. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority immediately put an end to the anti-democratic policy which crudely violates the

interests and rights of the indigenous population. As a result of the Committee's rejection of this proposal by 5 votes to 1, he was not in a position to support the draft resolution.

78. At its 29th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 10.

PETITION FROM MESSRS. FARAH MOHAMED, MOHAMED ALI AND JAMA ADEH (T/PET.11/125)

*Summary of the petition*

79. The petitioners charge that the Italian Administration seeks to weed out those Somali police inspectors who are not pro-Italian and that, in accordance with a secret order of Dr. Bernardelli, many of these inspectors have been dismissed without any justifiable reasons while the less fortunate ones have been imprisoned on framed charges.

80. To support their allegations, the petitioners set forth in detail three cases of arbitrary dismissal and three other cases of arbitrary dismissal and imprisonment. A list of 53 members of the police force arbitrarily dismissed from service, is also attached to the petition as evidence.

81. In conclusion, the petitioners observe that these facts prove that Italy has not come to Somaliland to help its people towards independence, and they request that all steps be taken to put an end to such practices.

*Observations of the Administering Authority (T/967, T/975, T/982 and T/C.2/SR.22)*

82. The Administering Authority states that the general question of the discriminatory measures, allegedly adopted by the Administration with regard to Somali personnel has been dealt with at length in the observations on petitions T/Pet.11/39 and T/Pet.11/75, reference to which will show that the charge has no basis other than the pretensions of each of the two political movements to maintain or improve at all costs its position among Administration employees regardless of their reliability and of the qualifications which such employees should possess if they are to take over the administration of the country in due course.

83. With regard to the specific cases of dismissal, the Administering Authority refers to its observations on petition T/Pet.11/66, which gives the names and actual status of all persons whom it has been possible to identify among those mentioned in the petition under consideration as being victims of the Administration's policy of discrimination. The only conditions of a political nature imposed on Somalis by the police force when they enter the service is that they shall not engage in any kind of political activity.

*Action taken by the Standing Committee*

84. This petition was examined and discussed at the 11th, 22nd and 29th meetings of the Standing Committee on 6 May, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.11, T/C.2/SR.22 and T/C.2/SR.29.

85. At its 29th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 11.

PETITION FROM MR. MOHAMED AWOD DAAR (T/PET.11/133)

*Summary of the petition*

86. The petitioner, a former prison warden, states that he was arrested while on duty, and was imprisoned without being informed of the charges against him and without being brought before a court. When he was released three months later, he was informed that "the sentence was complete" and that he had been discharged from the day of his arrest. He submitted three petitions in this connexion to the local authority which remain unanswered.

87. The petitioner further states that he is unable to obtain employment from the Administration because he is suspected of being "anti-Italian" and he requests that the Visiting Mission help him to obtain employment or to grant him an international passport which would enable him to earn his living outside Somaliland.

*Observations of the Administering Authority (T/975 and T/C.2/SR.22)*

88. The Administering Authority states that the petitioner was discharged from service because he was not fulfilling his duties properly and had allowed the escape of a prisoner entrusted to him (Ali Daher Jusuf) and not because he was opposed to the return of Italian administration in Somaliland.

89. After due investigation the responsibility of Mahamed Awod Daar was fully established. He was arrested 17 October 1950 and 24 days after his arrest, he was sentenced — following regular proceedings — by the magistrate of the Regional Commissariat of Benadir to three months of imprisonment and to a fine of 200 shmalos.

90. The sentence was not appealed; therefore it became valid and consequently he was discharged from the service.

91. As to the petitioner's request to obtain a passport to go abroad the Administering Authority states that no objection will be interposed by the Administration to this, but so far the petitioner has not made any application for such a document.

*Action taken by the Standing Committee*

92. This petition was examined and discussed at the 12th, 22nd and 29th meetings of the Standing Committee on 7 May, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.22 and T/C.2/SR.29.

93. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 12.

PETITION FROM MR. YUSUF FARAH ABDI AND OTHERS (T/PET.11/134)

*Summary of the petition*

94. The petitioners who claim to have signed an agreement to serve for two years in the army, complain that they were discharged without reason and that their claims for the completion of the two years as well as their request to be returned to their home countries were refused them.

95. They further complain that when they were discharged, they were stripped of their military uniforms but were not given back their personal clothes.

*Observations of the Administering Authority (T/982 and T/C.2/SR.22)*

96. The Administering Authority states that the petitioners are part of a group of enlisted soldiers who were found unsatisfactory after two months probationary period and were regularly discharged for inefficiency. According to Military Regulations, the two-year service period subscribed to by the enlisted men is subject to their satisfactory performance during the probationary period. It is obvious that at the time of discharge, the personal military outfit is withdrawn. The petitioners were paid in full.

*Action taken by the Standing Committee*

97. This petition was examined and discussed at the 12th, 22nd and 29th meetings of the Standing Committee on 7 May, 5 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.22 and T/C.2/SR.29.

98. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 13.

PETITION FROM MR. HAJI ABO'IMANCHIO (T/PET.11/135)

*Summary of the petition*

99. The petitioner states that he purchased certain properties from an Italian woman, Marchese Rosa, widow Zoni. Although all the formalities had been duly fulfilled, Signora Marchese Rosa failed to comply with the provisions of the contract agreed upon. The matter was brought before the Judge of Somaliland who on 13 April 1949 and 31 March 1951 recognized that the buildings belong lawfully to the petitioner. However the judgments were not made executive and the case was postponed.

100. Signora Marchese Rosa then appealed to the Italian Judicial Ministry and the case was referred to Italy. Consequently the legal authorities compelled him to pay 2,000 somalos and to appoint an Italian lawyer to represent him.

101. The petitioner claims that this procedure is against the provisions of the Trusteeship Agreement for Somaliland, that the laws of the Trust Territory must be applied to the fullest extent and that final decision on cases brought to Court in the Territory must not be referred to Italy. He requests the intervention of the Visiting Mission and the Advisory Council in order that the building may be restored to him.

*Observations of the Administering Authority (T/982 and T/C.2/SR.23)*

102. The Administering Authority gives in detail the background of the case referred to in the petition.

103. It states that the question is a legal one, which ought to be handled exclusively by the judiciary authorities. The Administration therefore did not and will not interfere.

104. Concerning the opportunity of judgments being definitively enforced by the judiciary authorities of the Territory, the Administration agrees with the petitioner. To this end, a draft for a new judiciary order prepared by the Administration foresees the establishment of a Court of Appeal in Mogadiscio.

*Action taken by the Standing Committee*

105. This petition was examined and discussed at the 12th, 23rd and 29th meetings of the Standing Committee on 7 May, 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.23 and T/C.2/SR.29.

106. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 14.

PETITION FROM MR. MOHAMED HIRABE AND THIRTY-SIX OTHER EX-SOLDIERS (T/PET.11/136)

*Summary of the petition*

107. The petitioners state that they are Somalis and have served in the Italian Army for various periods (some of them over 30 years). In 1941 they were abandoned in different countries by the Italian Government without obtaining their discharge certificates and they suffered innumerable hardships thereafter, some of them losing the savings which they had deposited in the bank. As on its arrival in Somaliland the present Italian Administration issued a notice promising to pay compensation to ex-soldiers and to grant pensions to those who had been wounded and who had served the Italian Government for a considerable time, they responded to this call but were chased away on the ground that they belonged to the Ethiopian Army.

108. The petitioners claim that for the last 18 months they have remained unemployed in Mogadiscio submitting numerous petitions to the Administration none of which received any reply. They request the Visiting Mission to consider their case.

*Observations of the Administering Authority (T/975 and T/C.2/SR.23)*

109. The Administering Authority states that, pursuant to Ordinance No. 20 of 20 May 1950, the Trusteeship Administration is deputed by the Italian Government to effect the liquidation of payments in arrears only to civilian and military personnel formerly employed by the pre-war Italian Administration of Somaliland. The question of payment of such arrears was examined by the Trusteeship Council at its ninth session in connexion with petition T/Pet.11/5. In its resolution 349 (IX) the Council decided that no action by it was called for on that petition.

110. With regard to the recovery of bank deposits, the interested parties were invited by the proper Commission in Mogadiscio to exhibit their titles of credit but so far they have neglected to do so.

*Action taken by the Standing Committee*

111. This petition was examined and discussed at the 12th, 23rd and 29th meetings of the Standing Committee on 7 May, 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.23 and T/C.2/SR.29.

112. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 15.

PETITION FROM MR. NUR AHAMED HASSAN (T/PET.11/137)

*Summary of the petition*

113. The petitioner states that he served on the police force for 31 years under the previous Italian

Administration and that when the latter left the Territory in 1941 he was not regularly discharged. When the present Administration took over, he requested to be given a long service pension, a light job if possible and the compensation granted to all ex-soldiers. He complains that the four applications submitted by him to that effect received no reply.

114. He requests the Visiting Mission to consider his case.

*Observations of the Administering Authority (T/975 and T/C.2/SR.23)*

115. The Administering Authority states that inquiries have shown that the arrears of wages that are claimed by the petitioner were paid to him by the Residence of Calcaio since 20 August 1950. Nur Ahamed Hassan has no right to further payments. So far it has been impossible to find a suitable job for the petitioner because of his age (over 70).

116. The Administering Authority further states that it contemplates establishing old age assistance for the employees of the Administration.

#### *Action taken by the Standing Committee*

117. This petition was examined and discussed at the 12th, 23rd and 29th meetings of the Standing Committee on 7 May, 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.23 and T/C.2/SR.29.

118. At its 29th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, the draft resolution which is reproduced below as draft resolution 16.

PETITION FROM MR. CARASHE IBRAHIM ALI AND TWO OTHER EX-SOLDIERS (T/Pet.11/138)

#### *Summary of the petition*

119. The three petitioners claim to have served in the Italian Army for periods of 6, 8 and 8 years respectively, and to have suffered injuries entitling them to draw compensation. They allege that the payment of this compensation ceased in 1941 and they contend that the Italian Administration failed to grant them their rights or to answer the numerous applications which they submitted to it.

120. The petitioners request that their case be examined and that legal aid be granted to them.

*Observations of the Administering Authority (T/975 and T/C.2/SR.23)*

121. The Administering Authority states that Mr. Carashe Ibrahim Ali has received all monies due to him from the Residence of Gardo. With regard to the other two petitioners, their requests are now being examined by the appropriate Commission in Mogadiscio.

122. The Administering Authority further observes that the general question of the payment of arrears was examined by the Trusteeship Council at its ninth session in connexion with petition T/Pet.11/5. In its resolution 349 (IX), the Council decided that no action by it was called for on that petition.

#### *Action taken by the Standing Committee*

123. This petition was examined and discussed at the 12th, 23rd and 29th meetings of the Standing

Committee on 7 May, 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.23 and T/C.2/SR.29.

124. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 17.

PETITION FROM MR. ISSA OMAR GHODI (T/Pet.11/139)

#### *Summary of the petition*

125. The petitioner states that he served in the Italian Army for eighteen years, and was made a prisoner of war during the Ethiopian campaign. While in captivity, his old parents died from lack of care, his livestock was looted by the British occupation troops, and the 18,500 Italian lire which he had deposited in the 194th Battalion pay section were lost. He complains that the Italian Administration did not make good the loss of his animals or of his savings, nor did it grant him the payments due to his late brother and two uncles.

126. The petitioner further states that in April 1950, he re-enlisted for two years, but after ten months was discharged from the Italian Army without reason because he is a member of the Somali Youth League.

127. He requests the Advisory Council to intervene on his behalf.

*Observations of the Administering Authority (T/975 and T/C.2/SR.23)*

128. The Administering Authority comments on the complaints of petitioner as follows:

(a) *Indemnity for livestock allegedly requisitioned by British troops of occupation.* The claim relates to the general question of compensation for the war damages suffered by Somalis during the last world war. This matter is being examined by the proper authorities of the Italian Government.

(b) *Payment, by right of succession, of arrears that have matured from deceased relatives who died in military service during the last world war.* This claim is part of the general question of the payment of arrears to military and civilian Somali personnel of the pre-war Italian Administration. This matter was examined by the Trusteeship Council at its ninth session in connexion with petition T/Pet.11/5. In resolution 349 (IX) the Council decided that no action by it was called for on that petition.

(c) *Restitution of a deposit of 18,500 lire left by him at his Battalion Headquarters when he was captured.* The interested party was advised by the appropriate Committee in Mogadiscio that the sum in question will be returned to him upon presentation of the receipt that he affirms is in his possession.

(d) *Dismissal from military service.* The investigations carried out reveal that Issa Omar Ghodi, who was re-engaged by the Security Corps Command on 18 April 1950 was dismissed on 31 March 1951 because he did not fulfil his sworn statement, in that he engaged in political activities.

#### *Action taken by the Standing Committee*

129. This petition was examined and discussed at the 12th, 23rd and 29th meetings of the Standing Committee on 7 May, 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.23 and T/C.2/SR.29.

130. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 18.

PETITION FROM MR. ABDI ADE AND SIX OTHERS (T/PET.11/142)

*Summary of the petition*

131. The petitioners complain that they lost all their belongings in the Ischia Baidoa incident. They request that the Italian Government return them their belongings.

*Observations of the Administering Authority (T/982 and T/C.2/SR.23)*

132. The Administering Authority states that the petitioners appear on the lists of refugees who were repatriated from Baidoa at the Administration's expense and received a subsidy of 100 somalos each. None of the petitioners submitted any claim to the appropriate Commission in Baidoa.

133. For general comments on the question, the Administering Authority refers to its observations on petition T/Pet.11/55/Add.1 (T/982).

*Action taken by the Standing Committee*

134. This petition was examined and discussed at the 12th, 23rd and 29th meetings of the Standing Committee on 7 May, 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.23 and T/C.2/SR.29.

135. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 19.

PETITION FROM MESSRS. SALAH MUSSE HASSAN AND ABDI NUR UARSAME (T/PET.11/144)

*Summary of the petition*

136. The petitioners complain that after being enlisted in the Army on the arrival of the present Administration they were arbitrarily discharged because they belong to the Somali Youth League. They further complain that one of them, Hassan, and the late father of the other, Uarsame, both ex-servicemen of the Italian Army, have never been given their back pay.

137. In addition to these personal grievances, the petitioners set forth the following general complaints:

(a) The present Administration favours certain tribes and organizations, to the detriment of the others;

(b) While the entire world is training services "to exercise battle courses", the present Administration has engaged soldiers to build public roads and buildings;

(c) The offices of the Administration are guarded by armed soldiers who permit no one to enter in order to explain his difficulties.

138. The petitioners request the Visiting Mission to consider their complaints.

*Observations of the Administering Authority (T/982 and T/C.2/SR.23)*

139. The Administering Authority states that both petitioners were discharged from the armed services for violation of disciplinary regulations. Their salaries were paid until the day of their discharge. The accusations levelled against the Administration are without foundation.

140. The Administering Authority further states that normal instructions is provided for the armed forces of the Territory.

*Action taken by the Standing Committee*

141. The petition was examined and discussed at the 12th, 23rd and 29th meetings of the Standing Committee on 7 May, 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.23 and T/C.2/SR.29.

142. At its 29th meeting, the Committee adopted by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 20.

PETITION FROM MR. GIAMA ALI MATTAN (T/PET.11/145)

*Summary of the petition*

143. The petitioner, whose garden and shop were allegedly looted in the Ischia Baidoa incident, complains that the Italian authorities have so far refused to consider his application for the return of his property.

144. The petitioner also charges that the Administration was actually responsible for the killing and looting which took place in the Ischia Baidoa incident.

145. He requests the Visiting Mission to intervene in his favour.

*Observations of the Administering Authority (T/982 and T/C.2/SR.23)*

146. The Administering Authority states that the petitioner's claims were examined by the appropriate Commission in Baidoa which determined that they were unjustified. At the time of the Baidoa incidents, the petitioner was in Lugh Ferrandi, having long abandoned all commercial activity in Baidoa where he owns only a house to which no damage was done.

147. For general comments on the question, the Administering Authority refers to its observations on petition T/Pet.11/55/Add.1 (T/982).

*Action taken by the Standing Committee*

148. This petition was examined and discussed at the 12th, 23rd and 29th meetings of the Standing Committee on 7 May, 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.23 and T/C.2/SR.29.

149. At its 29th meeting, the Committee adopted by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 21.

PETITIONS FROM MR. NOHOU MOHAMED ABIKER AND OTHERS (T/PET.11/147) AND FROM THE REPRESENTATIVES OF THE WAK-BIO TRIBE (T/PET.11/158)

*Summary of the petitions*

150. The petitioners report that in April 1951, when the Uebi Scebeli river was very swollen, the Administration opened a canal for the discharge of the river water in order to prevent its overflow and to protect the S.A.I.S. agricultural enterprises. This caused serious damage to the 2,000 near-by farms, comprising about 10,000 hectares. The Administration promised that indemnity would be granted to the farmers concerned but to date only the small amount of 20-40 somalos, have been paid. The petitioners request the intervention of the United Nations on this matter.



*Observations of the Administering Authority (T/975 and T/C.2/SR.24)*

151. The Administering Authority states that the measure to which the claimants refer was not adopted in order to save the crops of SAIS — in fact, they benefited only indirectly from the measure — but to save several Somali villages from the danger of inundation.

152. The incident occurred in April 1951, when the continuous swelling of the Uebi Scebeli river threatened to destroy the left bank and inundate Villabruzzi and the neighbouring villages. It was estimated that over 50,000 Somalis might have been obliged to abandon their land.

153. After examining the situation, the technicians of the Administration agreed with the local authorities that the artificial breaking of the sparsely populated, barely cultivated right bank was necessary. The zone north of Mererei was chosen as the most appropriate, and its 150 inhabitants were temporarily evacuated. A first indemnity of 100 somalos was paid to them, and they were provided with means of transportation to temporary quarters. The operation had the desired effect, saving villages and homes from destruction.

154. A Commission of technical officials of the Administration ascertained the extent of the damage caused by the artificial breaking of the dykes. The individuals who suffered losses as a result of the operation received an advance sum as partial compensation and obtained final indemnities the following December to the extent of 30-50 somalos per darab (1/3 hectare) according to the amount of the damage. It is not apparent that, up to the present, any claims have been submitted to the local authorities. Some Somalis, among whom are probably the petitioners, attempted to attribute to the breaking of the dykes damages caused by parasites (*Lepidoptera Larvae*) originating in the crops remaining from the previous season on land surrounding the flooded area. It is obvious that no indemnity is owed by the Administration for that damage.

*Action taken by the Standing Committee*

155. The petitions were examined and discussed at the 12th, 24th and 29th meetings of the Standing Committee on 7 May, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.24 and T/C.2/SR.29.

156. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petitions a paragraph in which the Trusteeship Council would recommend that the Administering Authority pay appropriate compensation to the indigenous inhabitants who were victims of the flood and give them the necessary assistance in building homes on a new site or in restoring their old homes after the flood. As a result of the Committee's rejection of this proposal, by 4 votes to 1 with 1 abstention, he was not in a position to support the draft resolution.

157. At its 29th meeting, the Committee adopted by 4 votes to 1 with 1 abstention, the draft resolution which is reproduced below as draft resolution 22.

PETITION FROM THE REPRESENTATIVES OF THE ABGAL-YUSUF TRIBE (T/PET.11/150)

*Summary of the petition*

158. The petitioners complain that they are compelled by the Administration to subjugate themselves

to another tribe and that they have already been fined 700 somalos for failing to comply with that decision. The Administration has threatened to confiscate their properties and cattle, if they do not pay the fine.

159. The petitioners fail to understand why they should pay the fine and they request the intervention of the Visiting Mission on their behalf.

*Observations of the Administering Authority (T/988 and T/C.2/SR.23)*

160. The Administering Authority gives in detail the background of the petition. Following a number of bloody incidents between various *rers* of the Abgal tribe, the Benadir District Court fined these *rers* collectively. The Abgal Yusuf, being a part of the *rer* Mattan were called upon by the latter, in accordance with custom to contribute 700 somalos to pay the fine inflicted upon the *rer*, but they denied having any relation with the *rer* Mattan in order to escape payment.

161. The dispute was referred to the competent Balad Residency Council which decided that the Abgal-Yusuf were bound to pay their share.

162. The Administration has considered the possibility of abolishing the system of collective sanction but does not think it desirable to do so at the present time.

*Action taken by the Standing Committee*

163. The petition was examined and discussed at the 23rd and 29th meetings of the Standing Committee on 6 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.23 and T/C.2/SR.29.

164. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority take measures to ensure the transference from a tribal system to a system based on democratic foundations, bearing in mind the fact that the tribal system encouraged by the Administering Authority is inconsistent with democratic institutions and the progress of the Territory towards independence. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

165. At its 29th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 23.

PETITION FROM MR. MOHAMED AMIR (T/PET.11/151)

*Summary of the petition*

166. The petitioner states that, in April 1950, his cattle were stolen in a raid by 12 Somalis (names listed). These persons were arrested by the police, but were later released. Thus, because of the carelessness of the Italian Administration, the petitioner says, he has lost his cattle.

167. He requests the intervention of the Visiting Mission on his behalf.

*Observations of the Administering Authority (T/C.2/SR.24)*

168. The Administering Authority states that the case submitted by the petitioners is one with which the courts of the Territory have competence to deal.

*Action taken by the Standing Committee*

169. This petition was examined and discussed at the 23rd, 24th and 29th meetings of the Standing Committee on 6, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.23, T/C.2/SR.24 and T/C.2/SR.29.

170. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 24.

PETITION FROM MR. SCERIF AHMED ABDALLA (T/PET.11/156)

*Summary of the petition*

171. The petitioner submits the following complaints for consideration by the Visiting Mission:

172. First, he states that a young relative of his, Mohamed Nur, was killed in 1950 by an Italian concessionaire, Mr. Del Bufalo. Although the evidence pointed to his responsibility, Mr. Del Bufalo was acquitted by the judges and ordered to pay to the deceased's family a compensation of 1,500 somalos only. No appeal from the decision was granted.

173. Secondly, the petitioner states that his son, Scerif Abdurahman Scerif Ahmed, was beaten and kicked in the back by another Italian concessionaire, Mr. Bruno Pedraneschi. Although among Moslems such an offence can be wiped out only by the shedding of blood, this affair was treated by the police and Judiciary Authority in the same manner as the first case.

174. Thirdly, the petitioner complains that because of his protests against the two above Italians, he was refused work for his two trucks by the S.A.C.A. of Genale, a company supported by the Administration. He further complains that his son was dismissed by the same company.

*Observations of the Administering Authority (T/978 T/982 and T/C.2/SR.24)*

175. With regard to the first complaint, the Administering Authority states that the judge of Somalia acquitted Mr. Del Bufalo on the charge of manslaughter. In accordance with the law, that judgment was final. The case concerning the payment of compensation is still pending.

176. With regard to the second complaint, the Administering Authority describes the incident as a trivial exchange of insults, adding that Mr. Pedraneschi had been acquitted from the charge of assault by the Court on the ground that no assault had taken place. No appeal was made against the verdict.

177. With regard to the dismissal of the petitioner's son by the S.A.C.A., the Administering Authority states that such action was taken merely because of non-fulfilment of contract on the former's part and that the petitioner's other son is still working for the company.

*Action taken by the Standing Committee*

178. This petition was examined and discussed at the 12th, 24th and 29th meetings of the Standing Committee on 7 May, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.24 and T/C.2/SR.29.

179. At its 29th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 25.

PETITION FROM MESSRS. ABDULKADIR YEROW ISSACK AND MOHAMED SHEIKH AHMED (T/PET.11/159)

*Summary of the petition*

180. The petitioners complain that the Somali agriculturalists in the Margherita area, for whom they speak, are forced to sell their harvested cotton to a certain Sig. Rosica for 1.20 somalos per kilo while the Margherita market price is 1.50 somalos. In this connexion, they have petitioned the Resident in Margherita without success; in fact they have been threatened by the Resident with confiscation and imprisonment if they do not sell to Sig. Rosica. The petitioners claim that no written agreement was ever entered into by them for the benefit of Sig. Rosica or the *Società Colonizzazione Romana*. They emphasize that the agriculturalists do not object to selling their cotton to Sig. Rosica, provided his price is the same as that obtained in the Margherita market. The petitioners request the intervention of the Advisory Council on their behalf.

*Observations of the Administering Authority (T/982 and T/C.2/SR.24)*

181. The Administering Authority notes that the petitioners' complaints are made on their own personal behalf since they are not entitled to represent the farmers in the Margherita area. It states that the *Società Romana* has conducted cultivation of cotton in the Margherita area under the system of co-participation, which had been regulated by the Administration. By regular contracts the *Società Romana* provides farmers with seeds and cash advances, while the latter bind themselves to sell their crops exclusively to the *Società Romana* at a price agreed on previously. No pressure has been exercised on farmers who were perfectly free to make the above arrangement with any company they liked or cultivate cotton on their own behalf. Once however, contracts were signed, their stipulations had to be observed; and the price agreed on beforehand should be paid irrespective of price oscillations one way or the other.

182. In this particular case, at the time of the crop, the international price of cotton was higher than that agreed upon in the contract and another company was paying a higher price to farmers who cultivated cotton on their behalf and were not therefore bound by any contract to sell their cotton at a given price. It was for this reason that many farmers under the system of co-participation demanded a revision of the contract in their favour.

183. The Administering Authority could not impose a revision of contracts, but used its good offices with the President of the *Società Romana* to pay the price now asked for the farmers. The dispute has been settled to the satisfaction of the parties concerned.

184. By Ordinance No. 3 dated 21 March 1952, new regulations were issued concerning the cultivation and trade of cotton in the Territory, in accordance with the advice given by the Territorial Council.

*Action taken by the Standing Committee*

185. The petition was examined and discussed at the 12th, 24th and 29th meetings of the Standing Committee on 7 May, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.12, T/C.2/SR.24 and T/C.2/SR.29.



186. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority take the necessary steps to protect the indigenous population of the Trust Territory against arbitrary treatment and abuse by Italian concessionaires. As a result of the Committee's rejection of this proposal, by 4 votes to 1, with 1 abstention, he was not in a position to support the draft resolution.

187. At its 29th meeting, the Committee adopted by 4 votes to 1 with 1 abstention, the draft resolution which is reproduced below as draft resolution 26.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF ALULA (T/PET.11/160 AND ADD.1)<sup>3</sup>

*Summary of the petition*

188. The petitioners submit for consideration by the Advisory Council the following complaints:

(a) The Resident of Alula spread fear by illegally imprisoning innocent persons. On one occasion, in June 1951, 12 members of the Somali Youth League were arrested; after spending five months in prison, five of them were released because they were found to be innocent and the remaining seven were sentenced to prison terms on framed charges. On a second occasion, in October 1951, 23 local leaders, including the President, the Secretary and members of the local Committee of the Somali Youth League, were arrested on political charges and are still in prison without any trial. Requests that these prisoners be released on bail while awaiting trial have been ignored by the Resident. The petitioners ask that the Advisory Council investigate the matter.

(b) The Resident has forbidden certain dhow owners to use their 47 dhows because they refused to hoist the Italian flag. Furthermore, the question of compensation for the dhows confiscated by the British during the war is still left pending.

(c) The Alula area is utterly neglected and has inadequate medical and educational facilities.

(d) The Residency and Municipal Councils are composed solely of pro-Italian elements which represent an insignificant minority of the population.

*Observations of the Administering Authority (T/967, T/982 and T/C.2/SR.24)*

189. With regard to the arrests referred to in the petition, the Administering Authority states that following the incidents of Af Calhaio and Ghesselei, to which the observations on petition T/Pet.11/118 refer (T/967), a group of tradespeople started an intense propaganda campaign with the aim of inciting the population to disobey the law and to refrain from paying taxes. That propaganda led to a seditious meeting held on 19 October 1951 with the intention of breaking into the prison and liberating all the prisoners awaiting trial for their part in the incidents of Af Calhaio and Ghesselei. On 20 October, after a last appeal of the Resident failed to have the desired effect, the police authorities arrested and indicted 12 promoters of the plan. The trial was initiated before the Regional Tribunal of Migiurtinia, but the case was recently remanded to a

later hearing upon the request of the lawyer for the defence. It is also stated that the Administration enacted in April 1952 new legislation limiting the period of investigation preparatory to trial and consequently the period of detention during that time; as regards police arrest, the Italian law, which is applied throughout the Territory, limits this to 48 hours after which the person arrested has to be either released or charged before the judicial authorities.

190. With regard to the question of dhows, the Administering Authority states that the dhows registered in the Trust Territory must fly the flag of the Administering Authority in conformity with maritime custom and in order to be assured of the assistance and protection of officials of the Administering Authority outside the Territory.

191. The Administering Authority further states that one of the petitioners, the Beldagie of the Siwakron tribe, who at the time of the Alula incidents quitted the Territory leaving the tribe without a chief, has recently been received by the Administrator. In the course of this interview, the Beldagie admitted that he had not performed the duties of a chief as he should and that a more careful study of the situation in Alula and in the whole Territory as well as of the policy pursued by the Administration had led him to deplore the Alula incidents and to recognize that the Administering Authority had done its utmost to prevent them. He assured the Administrator that he wished to co-operate with the local authorities for the maintenance of order and observance of the law. The Beldagie has now returned to Alula.

*Action taken by the Standing Committee*

192. The petition was examined and discussed at the 13th, 24th and 29th meetings of the Standing Committee on 7 May, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.13, T/C.2/SR.24 and T/C.2/SR.29.

193. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to this anti-democratic policy which crudely violates the rights and interests of the indigenous population of the Trust Territory. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

194. At its 29th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 27.

PETITION FROM MR. AHMED MOHAMED HUSSEN MOHAMED (T/PET.11/164)

*Summary of the petition*

195. The petitioner states that, in 1941, the former Italian Government in Somaliland requisitioned a lorry belonging to his deceased father. After the Italians had resumed power, he applied to the Administration for the return of the lorry but the Director of the Office of Internal Affairs offered him compensation amounting to only 107 somalos. When he declined this offer as inadequate, he was thrown out of the office.

<sup>3</sup> The addendum is from the Central Committee of the Somali Youth League and the Sultan of the Siwakron Tribe.

196. The petitioner requests the intervention of the Advisory Council in this matter in order that the lorry may be returned to him.

*Observations of the Administering Authority (T/975)*

197. The Administering Authority states that the claim of the petitioner was duly transmitted to the proper authorities of the Italian Government in Rome whose business it is to liquidate credits outstanding against the former Government of Italian East Africa that have not yet been settled due to the war. These authorities decided to pay the claimant the remainder of his credit, that is 9,375 lire and asked him to name a deputy residing in Italy to collect the payment as such payments are effected in Italy in Italian currency.

198. The above information was conveyed to the petitioner. The decision was repeatedly explained to him, but he was not convinced, nor was he satisfied with the sum that he should receive, translated into "somalos".

199. It should be noted that, as the owner of the requisitioned truck is dead, the acknowledged credit must be distributed among all his legitimate heirs, a list of whom should appear on a document issued by the Office of the Cadi of Mogadiscio.

200. The Administering Authority further states that there will be no difficulty in arranging for a transfer of the sum involved to Mogadiscio and that if the petitioner wishes to have his claim revalued, he could apply to the Courts.

*Action taken by the Standing Committee*

201. The petition was examined and discussed at the 13th, 24th and 29th meetings of the Standing Committee on 7 May, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.13, T/C.2/SR.24 and T/C.2/SR.29.

202. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority satisfy the request of the petitioner. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

203. At its 29th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 28.

PETITION FROM THE PUPILS OF THE EVENING SCHOOL, MERCA (T/PET.11/171)

*Summary of the petition*

204. The petitioners raise the general questions of education and the teaching of Arabic.

205. In addition, they complain that they have requested in vain for permission to study Arabic. A number of them have asked the currency control authorities for permission to send twenty pounds to a correspondence school in Egypt to subscribe to the Arabic language course, but their request was turned down on the ground that there were sufficient schools in Somaliland. The petitioners request the intervention of the Visiting Mission in order that their wish may be fulfilled.

*Observations of the Administering Authority (T/1002 and T/C.2/SR.24)*

206. The Administering Authority states that during the academic year 1951-1952 a Libyan teacher was employed at the school for the express purpose of teaching Arabic. As regards the evening courses with monolingual instruction in Italian, one student enrolled in these courses requested that an additional course be given in Arabic. However, this request could not be fulfilled because an insufficient number of students enrolled for the course. It is not true that some students requested to subscribe to a correspondence school in Egypt.

*Action taken by the Standing Committee*

207. This petition was examined and discussed at the 24th and 29th meetings of the Standing Committee on 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.24 and T/C.2/SR.29.

208. At its 29th meeting, the Committee adopted, by 5 votes to none, with 1 abstention, the draft resolution which is reproduced below as draft resolution 29.

PETITION FROM THE ARAB COMMUNITY OF CHISIMAIO (T/PET.11/174)

*Summary of the petition*

209. The petitioners, Arab residents of the Territory, state that at the advent of the Italian Administration the Somalis arose against them, plundered their properties and burnt their homes. They frequently requested the Italian Government to compensate them for their losses from these raids, but up to the present time, the Government has not helped them in any way.

210. They ask the Visiting Mission to consider this matter.

*Observations of the Administering Authority (T/996 and T/C.2/SR.24)*

211. The Administering Authority states that the petitioners refer to the disturbances which took place at Chisimaio in April 1950, to which reference is made on page 30 of the first annual report on the administration of the Territory, and in the course of which certain Arab properties were destroyed by Somalis. At the time the Administration took steps to protect the Arab community and distributed emergency rations to the victims.

212. The persons responsible for the disturbances were arrested but were released under an amnesty. The persons who suffered loss as a result of the disturbance did not make application to the judicial authority for indemnification.

*Action taken by the Standing Committee*

213. This petition was examined and discussed at the 24th and 29th meetings of the Standing Committee on 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.24 and T/C.2/SR.29.

214. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 30.

PETITION FROM MR. HASSAN IBRAHIM MOHAMED AND THIRTEEN OTHERS (T/PET.11/181)

*Summary of the petition*

215. The petitioners complain that they were arbitrarily imprisoned and that, because of their imprison-

ment they have lost their employment and their properties and families have suffered.

216. They ask the Visiting Mission to consider their case.

*Observations of the Administering Authority (T/967, T/978 and T/C.2/SR.24)*

217. With regard to the complaint concerning imprisonment the Administering Authority states that at Ghesseli, two *Ilalos* who wanted to search a smuggler were attacked by a group of about 50 persons. Fourteen persons recognized as responsible for that incident were arrested and brought before the Regional Tribunal of Migiurtinia. Four were acquitted and the other ten were sentenced to various terms of imprisonment. The Administering Authority further states that it enacted, in April 1952, new legislation limiting the period of investigation preparatory to trial and consequently the period of detention during that time; as regards police arrest, the Italian law, which is applied throughout the Territory, limits this to 48 hours after which the person arrested has to be either released or charged before the judicial authorities.

*Action taken by the Standing Committee*

218. The petition was examined and discussed at the 13th, 24th and 29th meetings of the Standing Committee on 7 May, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.13, T/C.2/SR.24 and T/C.2/SR.29.

219. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which crudely violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

220. At its 29th meeting, the Committee adopted by 5 votes to 1 the draft resolution which is reproduced below as draft resolution 31.

PETITION FROM MR. HASSAN YUSUF AND FOUR OTHERS (T/PET.11/183)

*Summary of the petition*

221. The petitioners, who were formerly employed by the British Government as soldiers, complain that they were discharged by the Italian Administration without any justifiable reason and without compensation of any sort because they are members of the Somali Youth League. They ask the Visiting Mission to investigate the matter.

*Observations of the Administering Authority (T/988 and T/C.2/SR.24)*

222. The Administering Authority states that the five petitioners were discharged for the following reasons:

(a) Hassan Yusuf was discharged because he was involved in the injury and attempted murder of a notable of Bender Cassim, Nor Osman.

(b) Abdikarim Abdalla was charged with aiding and abetting the persons accused of the above-mentioned offence. He was given "the benefit of the doubt" and acquitted on 6 December 1950. He was discharged on the same date.

(c) Osman Ahmed and Kahie (not Tajat) Mohamed were discharged for indiscipline and insubordination.

(d) Iassin Mohamed was discharged for spreading false and tendentious information.

223. The discharge of the five petitioners was ordered by the Migiurtinia Provincial Commissioner. All discharged persons were paid their salaries and other allowances up to the date of their discharge.

*Action taken by the Standing Committee*

224. This petition was examined and discussed at the 24th and 29th meetings of the Standing Committee on 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.24 and T/C.2/SR.29.

225. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 32.

PETITION FROM REPRESENTATIVES OF THE MEREHAN TRIBE (T/PET.11/211 AND CORR.1)

*Summary of the petition*

226. The petitioners complain that a man named Abd Nour bin Mohammed Ali was killed by a soldier and that his family was imprisoned by the authorities. They further complain that the Administration instigated strife between the tribes of Kabawin and Merehan, which resulted in the death of many tribesmen.

227. In addition, the petitioners set forth general complaints regarding the general policy of the Administration, public health and education.

*Observations of the Administering Authority (T/940, T/978, T/986 and T/C.2/SR.24)*

228. The Administering Authority states that it has been unable to carry out a thorough investigation into the alleged killing of Abd Nour bin Mohammed Ali through lack of the necessary information.

229. The Administering Authority further states that the petition contains accusations by anonymous persons, which are devoid of foundation.

*Action taken by the Standing Committee*

230. This petition was examined and discussed at the 24th and 29th meetings of the Standing Committee on 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.24 and T/C.2/SR.29.

231. At its 29th meeting, the Committee adopted by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 33.

PETITION FROM MESSRS. SALAH IBRAHIM, MOHAMED HUSSEN AND FIFTEEN OTHERS (T/PET.11/214)

*Summary of the petition*

232. The petitioners, pupils of the *Scuola specialisti Somali di Aeronautica*, state that they do not learn anything in the school, partly because they have no text books and partly because they are kept there for the sole purpose of being shown to visiting personalities. In fact the school remains closed except when it is visited

by personalities. Instead of attending school, pupils are taken to work in the compound as sweepers or night-guards.

233. The petitioners express the fear that after the Visiting Mission's departure, they might be either discharged from service or arrested for having addressed his petition to the Mission.

234. In a further communication, one of the petitioners, Mohamed Hussen Daud, complains that about ten minutes after the Visiting Mission had left the school, he was imprisoned by the Captain for 24 hours.

*Observations of the Administering Authority (T/982 and T/C.2/SR.24)*

235. The Administering Authority states that the petitioners belong to a group of students who abandoned the school when the course began because they claimed compensation for attending the course. All their complaints concerning the school are without foundation. The courses are held regularly and are followed by examination. The practical value of the school can be judged by the number of successful students—eighteen—who have obtained jobs in the civil or military branches of the Administration. To meet the demands for work on the part of students, the latter are being enrolled as *ascari*.

236. The allegation by Mr. Mohamed Hussen Daud that he was imprisoned because he had handed the above-mentioned petition to the Visiting Mission is without any foundation.

#### *Action taken by the Standing Committee*

237. This petition was examined and discussed at the 13th, 24th and 29th meetings of the Standing Committee on 7 May, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.13, T/C.2/SR.24 and T/C.2/SR.29.

238. At its 29th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 34.

PETITION FROM CHIEF MALIM ADEN MEREHAN (T/PET.11/219)

#### *Summary of the petition*

239. The petition is difficult to understand. However, it appears to be a statement to the effect that nine Somalis arrested at Baidoa on 22 May 1950 are still in prison.

*Observations of the Administering Authority (T/975 and T/C.2/SR.24)*

240. The Administering Authority states that on 23 September 1950, four *Ilalos* were attacked by 300

Meherans. After investigation, nine persons were arrested and arraigned.

241. The Regional Tribunal of Alto Giuba was unable to take action on the case until 15 December 1951 because witnesses failed to appear at earlier hearings. It sentenced the accused to one year, one month and nine days' imprisonment; as the sentence had already been served, the accused were immediately set free. Against such sentence, the tribal Chief Mallim Aden Merehan, signer of the petition and representative of the condemned, appealed against the sentence to the Administrator. The appeal was rejected on 22 February 1952 and the sentence of the first instance confirmed.

242. The Administering Authority further states that it enacted in April 1952 new legislation limiting the period of investigation preparatory to trial and consequently the period of detention during that time; as regards police arrest, the Italian law, which is applied throughout the Territory, limits this to 48 hours after which the person arrested has to be either released or charged before the judicial authorities.

#### *Action taken by the Standing Committee*

243. The petition was examined and discussed at the 13th, 24th and 29th meetings of the Standing Committee on 7 May, 9 and 18 June 1952. The relevant discussion is contained in documents T/C.2/SR.13, T/C.2/SR.24 and T/C.2/SR.29.

244. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end immediately to the anti-democratic policy which violates the basic rights and interests of the indigenous population of the Trust Territory. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

245. At its 29th meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 35.

#### DRAFT RESOLUTIONS

*For the texts of draft resolutions 1 to 35 inclusive adopted without change at the 441st meeting of the Trusteeship Council, see resolutions 527 (XI), 528 (XI), 529 (XI), 530 (XI), 531 (XI), 532 (XI), 534 (XI), 536 (XI), 538 (XI), 539 (XI), 544 (XI), 552 (XI), 553 (XI), 554 (XI), 555 (XI), 556 (XI), 557 (XI), 558 (XI), 560 (XI), 561 (XI), 562 (XI), 563 (XI), 566 (XI), 567 (XI), 569 (XI), 571 (XI), 572 (XI), 574 (XI), 577 (XI), 578 (XI), 580 (XI), 582 (XI), 588 (XI), 589 (XI) and 590 (XI).*

#### DOCUMENT T/L.282

### **Twelfth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration**

*[Original text: English]  
[26 June 1952]*

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of

America, examined at its 13th, 24th, 25th, 26th, 27th, 28th, and 31st meetings on 7 May and 9 10, 11, 12, 17, and 24 June 1952, the following petitions concerning Somaliland under Italian administration:

- (1) Petition from the Hamar Youth Club (T/Pet. 11/41);
  - (2) Petition from Chief Giumale Barre and others (T/Pet.11/58);
  - (3) Petition from the Somali Youth League, Branch of Brava (T/Pet.11/77);
  - (4) Petition from Mr. Dirie Warsama Ahmed (T/Pet.11/85);
  - (5) Petition from the Somali Youth League, Branch of Chisimaio (T/Pet.11/88);
  - (6) Petition from the Somali Youth League, Branch of Bulo Burti (T/Pet.11/89);
  - (7) Petition from the *Sindacato Personale Autoc-tono*, Mogadiscio (T/Pet.11/108);
  - (8) Petition from the Somali Youth League, Branch of Galcaio (T/Pet.11/112 and Add.1-2);
  - (9) Petition from the Sheikhs, Chiefs and Notables of Migiurtinia Province (T/Pet.11/114);
  - (10) Petition from the Somali Youth League, Mogadiscio (T/Pet.11/120);
  - (11) Petition from Mr. Ali Auale Ghere (T/Pet.11/149);
  - (12) Petition from the Somali Youth League, Branch of Belet Uen (T/Pet.11/157);
  - (13) Petition from Sheikh Mohamed Hagi Aid abd el Rahman (T/Pet.11/182);
  - (14) Petition from Mr. Mohamed Bothar and five others (T/Pet.11/196);
  - (15) Petition from Mr. Sama Aliu Abdurrahman (T/Pet.11/198);
  - (16) Petition from Mr. Demo Hasci and three others (T/Pet.11/206);
  - (17) Petition from the Somali Youth League, Branch of Chisimaio (T/Pet.11/220);
  - (18) Petition from Mr. Ahmed Shire Lawaha (T/Pet.11/222 and Add.1);
  - (19) Petition from Mr. Mohamed Scek Osman, Secretary-General of the *Unione Africana-Somali* (T/Pet.11/223);
  - (20) Petition from the Somali Youth League, Branch of Dolo (T/Pet.11/224);
  - (21) Petition from the representatives of the Abgal Waesle tribe, *rer* Ali Gaff (T/Pet.11/226);
  - (22) Petition from Chief Moalim Adan Ali (T/Pet.11/227);
  - (23) Petition from Mr. Abdullahi Mahmud Hassan Mohamed (T/Pet.11/228);
  - (24) Petition from Mr. C. A. Koumarios (T/Pet.11/229 and Add.1);
  - (25) Petition from the Chiefs of the Aulihan tribe (T/Pet.11/230);
  - (26) Petition from Ugaz Ghedi Dahor (T/Pet.11/231);
  - (27) Petition from Miss E. Sylvia Pankhurst (T/Pet.11/232);
  - (28) Petition from Mr. Barud Ismail Raghe (T/Pet.11/233);
  - (29) Petition from the *Rappresentanza Caporali e Capi Squadra gia Servizio Locust Control* (T/Pet.11/234);
  - (30) Petition from Mr. Mohamed Scek Abdurrahman and others (T/Pet.11/235);
  - (31) Petition from Mr. Scek Ali Haji Abdalla (T/Pet.11/236);
  - (32) Petition from Mr. Abdullahi Sugulle Hussen (T/Pet.11/239);
  - (33) Petition from Mr. Abdiraman Hersi Ali (T/Pet.11/240);
  - (34) Petition from the representatives of the Shidle Sagalo tribe (T/Pet.11/242);
  - (35) Petition from Chief Haji Ali Scirua (T/Pet.11/244);
  - (36) Petition from thirty-nine persons in Dusa Mareb (T/Pet.11/2151);
  - (37) Petition from Mrs. Anot Warsama (T/Pet.11/252);
  - (38) Petition from Mr. Omar Jumale Ali (T/Pet.11/253);
  - (39) Petition from Mr. Kalif Igou Osmar and other representatives of the Shidle Peasants (T/Pet.11/254).
2. Mr. P. Spinelli participated in the examination as the special representative of the Administering Authority.
  3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 2 to 39 excluding 18 and 33.
  4. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous population.

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### PETITION FROM THE HAMAR YOUTH CLUB (T/PET.11/41)

#### *Summary of the petition*

5. The petitioners protest to the United Nations Advisory Council that they have been excluded from the Territorial Council by the Italian Administration.

6. They take exception to the reason advanced by the Administration to the effect that the Hamar Youth Club cannot be considered as a political party as it is federated with the Somali Youth League. They point out that their association is "different from the Somali Youth League in statute, programme, sign, badge, etc." and allege that the real reason of the Administration's decision is that their organization has in the past opposed the return of Italy to the Territory.

7. They request the Advisory Council to use its influence and induce the Administering Authority to give them their share of seats in the Territorial Council.

#### *Observations of the Administering Authority (T/952 and T/C.2/SR.26)*

8. The Administering Authority states that the Hamar Youth Club has recently been recognized as a political party, whereas formerly it had been considered as an association of a cultural and benevolent character. As a political party it will have the right to be represented in the Territorial Council when it has at least five recognized branches in the interior of the Territory as required by the new regulation of the Territorial Council (Ordinance No. 18 of 20 October 1951).

#### *Action taken by the Standing Committee*

9. This petition was examined and discussed at the 26th and 31st meetings of the Standing Committee on 11 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.31.

10. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 1.

### PETITION FROM CHIEF GIUMALE BARRE AND OTHERS (T/PET.11/58)

#### *Summary of the petition*

11. The petitioners state that a certain Ahmed Ali Hassan is being illegally deprived of his property

rights by the Municipal Administration and the Resident of Mogadiscio, who accuse him of having abusively, and without prior authorization of the Administration, built a barrack at the market of the Bondere village. The petitioners claim that Ahmed Ali Hassan has not breached existing regulations and that he rebuilt his shed in line with the adjacent buildings only after having obtained a written authorization from the Municipal Administration. They further state that although Ahmed Ali Hassan had paid the usual sum of 10 somalos for overplace tax, he sustained a fine of 25 somalos (the petition does not give the reason of this fine) and that he was informed that should he fail to reduce the size of his shed by 2 metres, the Municipal Technical Office would demolish it altogether.

12. The petitioners consider that the measures which are being undertaken against Ahmed Ali Hassan are illegal and they allege that he has spent all his money on his barrack. They request the intervention of the Advisory Council to persuade the Municipal Administration and the Resident of Mogadiscio not to demolish the barrack in question. It is also indicated that both Ahmed Ali Hassan and the petitioners on his behalf have already addressed unsuccessful petitions to that effect to the above-mentioned authorities as well as to the Benadir Regional Commissioner. Copies of the relevant documents are attached to the petition.

#### *Observations of the Administering Authority submitted at the ninth session (T/959/Add.1 and T/C.2/SR.5)*

13. The Administering Authority stated that Ahmed Ali Hassan had been authorized only to repair his hut but that, in the course of the work, he had increased its original dimensions so that it encroached upon the public land. That was the reason why he had been fined. It did not appear possible to make an exception in the case, because to do so would create a dangerous precedent.

14. The Administering Authority further stated that Mr. Ahmed Ali Hassan might seek redress through the local courts, which could reverse the Administration's decision if they considered the individual to be right.

#### *Action taken by the Council at its ninth session*

15. The petition was examined by the Standing Committee on Petitions at its 5th and 7th meetings

on 25 and 28 March 1952 (T/C.2/SR.5 and T/C.2/SR.7) and by the Trusteeship Council at its 411th meeting on 1 April 1952. Upon the recommendation of the Standing Committee, the Council decided (resolution 453 (X)) to request the Administering Authority to furnish the Council with additional information on the case of Mr. Ahmed Ali Hassan and to postpone further consideration of the petition pending receipt of this information.

*Observations of the Administering Authority submitted at the eleventh session (T/1014)*

16. The Administering Authority states that it could not make an exception to the existing regulations because other owners of sheds situated in the same locality of Bondere, having observed that Mr. Ahmed Ali Hassan was enlarging his shed without authorization, had expressed the intention of doing the same. The complaints of the neighbours concerned determined the decision taken by the Commune of Mogadiscio with regard to Mr. Ahmed Ali Hassan.

17. The Administering Authority further states that an official of the secretariat of the Advisory Council verified on the spot the propriety of the Administration's action.

18. Two letters concerning the complaints of the neighbours and a map of the area of Mr. Ahmed Ali Hassan's shed are enclosed.

*Action taken by the Standing Committee*

19. This petition was examined and discussed at the 31st meeting of the Standing Committee on 24 June 1952. The relevant discussion is contained in document T/C.2/SR.31.

20. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 2.

**PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF BRAVA (T/PET.11/77)**

*Summary of the petition*

21. The petitioners raise general questions concerning the educational system and the local administration. They also make the following specific complaints:

(a) The hospital in the district possesses no medicines and there is no ambulance. Moreover, there is no maternity hospital in the district.

(b) Owing to the bad state of the bridge, no ships at present call at Brava, which used to be the second port of Benadir after Mogadiscio.

*Observations of the Administering Authority (T/982 and T/C.2/SR.26)*

22. In connexion with the complaints regarding inadequacy of medical facilities the Administering Authority states that there is a hospital with ten beds at Brava in the charge of a medical officer. Between January and September 1951 the Administration supplied the hospital with 1,115 kilogrammes of medicaments. In the first half of 1951, ninety-one patients were treated at the hospital with a total of 10,407 visits. Only one death took place in the month of May. In the same period, 6,300 out-patients were treated, with a total of 10,197 visits. In case of need, the

neighbouring Residency of Merca, which possesses an ambulance, is asked to lend it.

23. With regard to the alleged inadequacy of the wharf, it is observed that the dock at Brava has always been considered a third-rate one, on account of the proximity of the secondary dock at Merca (117 km.) which is better equipped. However, as of 31 December 1951, 25,000 somalos had already been spent on the maintenance of the Brava dock and 200,000 somalos have been budgeted for work now being done to repair storm damage and to restore the stone wharf. When these repairs are completed, the Brava wharf will be adequate for the normal traffic of that port. It is noted that the importance of the Brava port has declined over the past twenty years, but it is hoped that the cotton and sesame cultivation recently started in the region will contribute to its economic prosperity.

*Action taken by the Standing Committee*

24. The petition was examined and discussed at the 26th and 31st meetings of the Standing Committee on 11 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.31.

25. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority appropriate the necessary funds to meet the health needs of the indigenous population of the Brava area in the fields of health and education. As a result of the Committee's rejection of this proposal, by 4 votes to 1, he was not in a position to support the draft resolution.

26. At its 31st meeting, the Committee adopted by 4 votes to 1 the draft resolution which is reproduced below as draft resolution 3.

**PETITION FROM MR. DIRIE WARSAMA AHMED (T/PET.11/85)**

*Summary of the petition*

27. The petitioner, a Somali pupil of the elementary school situated in *Viale Corso d'Italia*, Mogadiscio, states that (a) there is as yet no educational programme; (b) many pupils like himself are still learning the "first-Italian-elementary-book" and have been doing so since the advent of the Italian Administration; (c) there are no Arabic teachers nor courses in Arabic despite the Territorial Council's decision, approved by the United Nations Advisory Council, making the teaching of Arabic compulsory; and (d) the Italian director of the above-mentioned school lied when he told the Visiting Mission that the pupils of his school were receiving secondary education.

*Observations of the Administering Authority (T/978 and T/C.2/SR.26)*

28. The Administering Authority comments as follows:

(a) The evening school curricula at the *Corso d'Italia* school were planned and put into effect at the beginning of the courses, but there was some delay in their publication owing to printing difficulties;

(b) It is understandable that the petitioner should still be studying the first Italian primer since he joined the school one month after the commencement of the

course, was absent from 35 per cent of the classes and stopped attending altogether in November;

(c) Unlike the day school, the elementary evening classes for adults at the school are monolingual and instruction is given in Italian or Arabic. Had the petitioner wished to study Arabic he could have enrolled in a class giving instruction in Arabic instead of one teaching Italian;

(d) The information given to the Visiting Mission by the director of the school was quite accurate since he referred to the fact that the same building houses a first class of the Italian intermediate school.

#### *Action taken by the Standing Committee*

29. This petition was examined and discussed at the 26th, 27th and 31st meetings of the Standing Committee on 11, 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.26, T/C.2/SR.27 and T/C.2/SR.31.

30. At its 31st meeting, the Committee adopted by 4 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 4.

#### PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF CHISIMAIO (T/PET.11/88)

##### *Summary of the petition*

31. The petitioners submit the following complaints:

(a) *Education.* They complain that the school at Chisimaio gives greater prominence to the teaching of Italian than Arabic and that the teachers are indolent and reluctant to teach adults.

(b) *Health.* They complain that the hospitals in the Chisimaio area lack facilities and medicaments. They state that there is only one doctor at Chisimaio, that the Chisimaio hospital does not have sufficient water closets and that Somali patients are denied use of the water closets reserved for white people. It is further alleged that discrimination in treatment is practised, foreigners being well taken care of while Somalis are often unable to obtain treatment at the out-patients' dispensary. An ambulance is sorely needed to service the large number of villages outside the town in the Giuba area.

(c) *Agriculture.* Land along the Giuba River for a depth of 80 kilometres, it is claimed, is held by Italian concessionnaires who are seeking to appropriate more and more land. Private farmers are required to sell their cotton to the *Società Romana di Cotone*. This is unfair and either a farmer should be allowed to sell on an open market or the price of the *Società Romana* should be the same as the market price. Lastly it is pointed out that many Somalis have petitioned the Administering Authority for the return of land alienated to Italians.

##### *Observations of the Administering Authority (T/982 and T/C.2/SR.27)*

32. The Administering Authority submits the following observations:

(a) *Education.* During the school year 1951-1952 there were in operation at Chisimaio one Italian-type elementary school, two Somali-type day elementary schools, one for boys and one for girls, and evening elementary schools for adults providing instruction in either Italian or Arabic. The teaching staff was com-

prised of four Italian teachers, four Somali teachers and one Libyan teacher. In the Somali-type schools, Arabic is the only written language taught in the preparatory and first grades, while from the second grade upwards both languages are taught. As regards the evening schools, the petitioners' criticisms are disproved by the large number of Somali students in attendance. The larger number of students at the evening classes in Italian as compared with those attending the classes in Arabic shows that generally speaking the practical interest of the population in the study of Arabic is less than in the study of Italian. It is hoped to engage an additional ten Arabic teachers for the Territory, one of whom will be stationed in the Chisimaio District.

(b) *Health.* There is no shortage of medicaments at the Chisimaio hospital or infirmaries which are supplied upon the basis of their own requests. At present the hospital has two doctors, one of them a surgeon, and is equipped with a motor ambulance. While it is true that because many Somalis have not yet learned hygienic habits, one lavatory is reserved for the doctors and paying patients, nevertheless there is no lack of water closets in the hospital. It is added that alterations and improvements are currently being made in the hospital. Europeans rarely attend the out-patients' dispensary but work is not suspended for this or any other reason; if the doctor is temporarily engaged elsewhere during opening hours a trained native orderly continues to provide service. The Administration is endeavouring to inculcate hygienic habits among the indigenous population by every possible means including instruction in the schools.

(c) *Agriculture.* In granting land concessions to Europeans, the pre-war Colonial Administration set aside vast reservations along the Giuba river and strictly respected the areas already being cultivated by the indigenous inhabitants. At present the agricultural zones cultivated by the latter are 60 kilometres upstream whereas the farming concessions are downstream on inferior land which is well-known to be alkaline and in many cases saline.

33. In connexion with the sale of cotton, reference is made to the Administering Authority's observations on petition T/Pet.11/159. The Administering Authority is also carrying out a programme of technical assistance to indigenous agriculturists, begun a year ago, under which seven co-operatives have already been established in the region and ten more are contemplated. It is hoped that within a few years several thousand hectares of land will be under cultivation by co-operatives.

#### *Action taken by the Standing Committee*

34. The petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

35. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which permits crude racial discrimination and violation of the rights and interests of the indigenous population, return to the indigenous popula-

tion of the Trust Territory the land alienated from it in one way or another and prohibit any future alienation of land belonging to the indigenous population. As a result of the Committee's rejection of this proposal, by 4 votes to 1, he was not in a position to support the draft resolution.

36. At its 31st meeting, the Committee adopted by 4 votes to 1 the draft resolution which is reproduced below as draft resolution 5.

**PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF BULO BURTİ (T/PET.11/89)**

*Summary of the petition*

37. The petitioners submit the following complaints:

(a) *Political.* After making a number of general complaints concerning the administration of the Territory they state that a Residency Council has been established in Bulo Burti elected by the Territorial Councillors. However, the representatives of the Somali Youth League who had been in the Council were not permitted to vote. The offices were reserved for those chiefs and dignitaries working for the Administering Authority.

(b) *Economic.* They complain that in July-September 1950 the veterinary surgeon of the district vaccinated thousands of cattle and that subsequently 90 per cent of the vaccinated animals died.

They also raise general questions concerning the state of agriculture and trade in Somaliland.

(c) *Education.* They complain that the school at Bulo Burti holds only forty pupils, although the population of the district is 200,000 and that the Resident has refused to increase the enrolment. They also complain that the local authorities have withdrawn the Arabic text books formerly used in the school during the British administration, that they refuse to teach Arabic in the school and that there is only one Arabic-speaking teacher, who must divide his time between five classes.

(d) *Health.* During the rainy season 99 per cent of the population of the district contracted malaria and 50 per cent, mostly children, died from it. The petitioners state that no medical assistance was provided during the epidemic and they complain of lack of medicines in Bulo Burti.

*Observations of the Administering Authority  
(T/982 and T/C.2/SR.27)*

38. The Administering Authority makes the following observations:

(a) *Political.* In 1950 the Residency Council of Bulo Burti regularly elected its representatives to the Regional Assembly for the designation of the Territorial Councillors of the region. When the session of the Regional Assembly opened, the Resident informed the members that they were to designate the regional representatives on the Territorial Council and not the representatives of political parties who would be designated by the respective central committees of those parties; it was not forbidden, however, to designate as regional representatives persons who were affiliated to the political parties. In fact, one of the regional representatives elected to the Territorial Council in 1951 was a member of the Somali Youth League.

(b) *Economic.* In 1951 an outbreak of cattle pest was discovered in the region. Owing to the timely

action of the Veterinary Service which inoculated more than 5,000 cattle, 90 per cent of the affected animals were saved. It is true that an appreciable number of animals died in 1950 for other reasons but their owners were compensated by the Administration.

(c) *Education.* The population of the Bulo Burti district numbers about 65,000; that of the town is about 3,000 with the following school-age population: seventy pupils who attend elementary day schools and 102 pupils registered at night schools. It is planned to increase the enrolment and the number of classes in the area and to provide three new schools in the district. Several hours instruction in Arabic is provided daily and on Sunday the Arabic language is taught to the exclusion of other subjects. The Arabic text-books issued by the British were withdrawn at the end of the school year 1950-1951 for better distribution among the Arabic teachers, pending the arrival of new books from Egypt. The Bulo Burti students were given the regulation text-book. It is hoped to engage ten additional Arabic teachers for services in the Territory.

(d) *Health.* The maximum number of malaria cases in the district during the epidemic was 457. All patients were treated at the infirmary. The Administration is planning in co-operation with the World Health Organization, a special three-year anti-malaria campaign in the area of the middle Scebeli.

*Action taken by the Standing Committee*

39. The petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

40. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority increase the budgetary appropriations so as to satisfy fully the educational and health needs of the indigenous population in the Bulo Burti region. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

41. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 6.

**PETITION FROM THE *Sindacato Personale Autoctono*,  
MOGADISCIO (T/PET.11/108)**

*Summary of the petition*

42. The petitioner, President of the above-named indigenous employees' association, complains that the association, whose existence is based merely on a police authorization and is thus subject to arbitrary interference, has repeatedly requested legal recognition in order that it may better defend the interests of its members but has so far received only vague assurances in this matter. Moreover, although it represents a considerable portion of the population, the association is not represented on the Territorial Council.

43. The petitioners also raise a number of general questions concerning the employment of indigenous personnel by the Administration, the conditions of service, salaries and medical assistance.

*Observations of the Administering Authority  
(T/996 and T/C.2/SR.27)*

44. The Administering Authority comments that like all the other associations and parties, the *Sindacato Personale Autoctono* was officially recognized by the Resident of Mogadiscio in 1950 in accordance with the provisions of Proclamation No. 4 of 1948. Several questions concerning indigenous personnel in the administrative services have been discussed by the Administration with representatives of the *Sindacato*. The indigenous employees of the Administration, however, are represented on the Territorial Council by the larger Workers' Association which has a membership considerably larger than that of the *Sindacato*. The Administration is, however, considering a plan which would enable all such organizations to be represented by increasing the membership of the Territorial Council.

*Action taken by the Standing Committee*

45. This petition was examined and discussed at the 27th and 31st meetings on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

46. At its 31st meeting the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 7.

**PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH  
OF GALCAIO (T/PET.11/112 AND ADD.1-2)**

*Summary of the petition*

47. The petitioners set forth general complaints concerning the maintenance of public order, justice, discrimination, the Residency and Territorial Councils, education, public health, the tribal system and the economy of the Territory.

48. To support their complaints regarding the maintenance of public order and justice, the petitioners cite the following incidents which occurred in the Galcaio area:

(a) Seven cases of tribal strife involving casualties in human lives and looting of livestock, on which no police action was taken.

(b) Two cases in which nomads were attacked by policemen.

(c) Five cases in which Somalis were beaten by pro-Italian elements without the police taking any action.

(d) Three cases in which Somalis were arbitrarily arrested and beaten by policemen.

(e) One case in which twenty Somalis were arbitrarily arrested and fined for holding a traditional dance.

*Observations of the Administering Authority  
(T/952, T/964, T/991 and T/C.2/SR.29)*

49. With regard to the seven cases of tribal strife in which it is alleged that no police action was taken, the Administering Authority states that with one exception, a disturbance at Elgo on 17 June 1950, when the police arrived too late to intervene, the police acted promptly to restore order.

50. With regard to the other complaints directed against the police the Administering Authority states as follows:

(a) There have been no attacks upon nomads by the police;

(b) The five cases in which Somalis were allegedly beaten by pro-Italian elements were in fact brawls between rival political parties in which no knife wounds were incurred;

(c) The three Somalis allegedly arrested without reason and beaten were arrested by the police in the performance of their duty and suffered no violence at the hands of the police;

(d) The Administration has no records of twenty Somalis having been fined for holding a traditional dance.

*Action taken by the Standing Committee*

51. The petition was examined and discussed at the 29th and 31st meetings of the Standing Committee on 18 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.29 and T/C.2/SR.31.

52. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end immediately to its anti-democratic policy which crudely violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

53. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 8.

**PETITION FROM THE SHEIKHS, CHIEFS AND NOTABLES  
OF MIGIURTINIA PROVINCE (T/PET.11/114)**

*Summary of the petition*

54. The petitioners set forth the following complaints concerning Migiurtinia Province:

(a) The Administration took no steps to aid the Hordio Saline Industry which stopped operating for lack of equipment.

(b) The indigenous inhabitants of the Province suffer from unemployment against which the Administration does not protect them.

(c) When the Province was stricken with a cholera epidemic and famine early in 1950, the Administration did not give adequate assistance to the population.

(d) The Somali traders of the Province are subjected to onerous restrictions on their import and export activities.

(e) Arrests without any plausible reason are frequent. Twelve persons were arrested at Alula three months previous to the date of the petition because they criticized the slow development of the Province and have since been kept in prison without being brought to trial.

(f) The local authorities have prevented all dhows from sailing because their owners refused to hoist the Italian flag.

(g) There are no hospitals in Migiurtinia Province except a few inadequately equipped and staffed dispensaries.

(h) Except for those at Gardo and Bender Cassim no schools have been opened for the natives of the Pro-

vince. At Gardo, there is an Italian teacher who teaches nothing to pupils but carries out a pro-Italian political campaign in the Province.

55. After stating that the Advisory Council has not visited Migiurtinia Province, except for Gardo where there are pro-Italian Somalis who are bribed to provide incorrect information to any visitors, the petitioners request the Visiting Mission to investigate their complaints in all the thirty-three towns along the coast of Migiurtinia Province. They also request that a representative of the Advisory Council be stationed in the Province.

*Observations of the Administering Authority  
(T/982 and T/C.2/SR.27)*

56. The Administering Authority submits the following observations:

(a) Financial negotiations for reopening the saline industry at Hordio are being carried on between the firm concerned and the Mutual Security Agency.

(b) Apart from the saline industry ample employment opportunities exist in the Province, notably in road construction, which the Administration plans to undertake on a substantial scale, and fisheries. The indigenous population has not yet acquired the habit of regular work and the fisheries often have to import Arab labourers from Mokalla, but the Administration hopes that this will be avoided by the creation of a school of fisheries in the region. It is also planned to develop the tin and incense industries in the Province.

(c) There has never been a cholera epidemic in the Territory. Full information concerning the famine of 1950 is supplied in the observations on petition T/Pet.11/101 (T/982, page 55).

(d) It is not true that the laws and regulations in force have created difficulties for the traders of the Territory. On the contrary trade by sea has increased, especially at Bender Cassim.

(e) No one has ever been arrested without good reason. The twelve persons referred to were arrested at Alula in October 1951 for organizing a seditious meeting and were sentenced by the Migiurtinia regional court on 18 March 1952, to terms of imprisonment varying from eight months to one year. The Administration enacted new legislation limiting the period of investigation preparatory to trial and consequently the period of detention during that time; as regards police arrest, the Italian law, which is applied throughout the Territory, limits this to forty-eight hours after which the person arrested has to be either released or charged before the judicial authorities.

(f) The question relating to the regulation that dhows should fly the Italian flag is dealt with in the observations on petition T/Pet.11/72 (T/967).

(g) There are two hospitals in the Migiurtinia Province, at Alula and Bender Cassim, each with one doctor and thirty beds. There is also an infirmary at Eil, with a doctor and six beds. In addition, there are infirmaries and dispensaries at the three towns aforementioned and at ten other towns all of which are provided with Somali nurses and medical orderlies and are visited regularly by the nearest doctor.

(h) There are seven day schools and four night schools in the Province with one Italian, one Libyan and seven Somali teachers. Thirteen day-time courses

are provided with 373 registered pupils and ten evening courses, with 340 registered pupils. The people do not show much enthusiasm and the number of pupils who actually attend school is much less than the number registered.

*Action taken by the Standing Committee*

57. The petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

58. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to the anti-democratic policy which crudely violates the rights and interests of the indigenous population and that it appropriate the necessary funds for the building of schools and hospitals in the Migiurtinia Province in order to satisfy fully the educational and health needs of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

59. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 9.

**PETITION FROM THE SOMALI YOUTH LEAGUE, MOGADISCIO (T/Pet.11/120)**

*Summary of the petition*

60. After outlining the international discussions which led to the placing of Somaliland under Italian trusteeship, the petitioners set forth at great length a wide range of complaints concerning general conditions in the Territory.

61. To improve these conditions, the petitioners request, *inter alia*, that:

(a) All pre-war fascist and colonial laws and regulations, including the Italian Penal and Civil Codes and the Somaliland Judiciary Rules, as well as all wartime military ordinances, particularly Proclamation No. 4 of 1948, be repealed immediately;

(b) High officials and judges who have served under the fascist régime, in particular, Dr. Benardelli, the present Director of the Internal Affairs Office, Signor Gentilenci and Colonel Morciant, the Prosecutor General of Somaliland, be removed immediately;

(c) A five-year agricultural and pastoral development programme be established with a view to improving and modernizing farming and stock-breeding conditions;

(d) Similar development programmes be established for industry, commerce and fisheries;

(e) During the trusteeship administration "Somali citizenship be restricted".

62. The petitioners also ask the Trusteeship Council to study ways and means of setting up an effective machinery for the implementation of the Trusteeship Agreement for Somaliland and in this connexion they suggest, *inter alia*, that (a) a separate questionnaire be drawn up for the Territory, (b) a different procedure be followed in the examination of annual reports

and petitions concerning the Territory, (c) a Visiting Mission be sent to the Territory every two years and each time be allowed to stay there at least sixty days, (d) the Advisory Council be given more powers, in particular for investigating important cases and for dealing with petitions addressed to it.

*Observations of the Administering Authority  
(T/982 and T/C.2/SR.27)*

63. In connexion with the petitioners' complaints concerning conditions in the Territory, the Administering Authority refers to its observations on petitions T/Pet.11/40 (T/952, section 3), T/Pet.11/62 (T/964, section 5), T/Pet.11/66 (T/982, section 5), T/Pet.11/67 (T/982, section 6), T/Pet.11/74 (T/978, section 6), T/Pet.11/92 (T/978, section 9) and T/Pet.11/101 (T/982, section 25) and also to the relevant sections of the annual report on the administration of the Territory, 1951.

64. The Administering Authority states that the Administration is planning a complete revision of all the laws and regulations of the Trust Territory in order to bring them into harmony with the spirit of the Trusteeship Agreement and, as a first step, in April 1952, enacted new legislation limiting the duration of detention pending trial.

65. It further states that the Administration intends to submit the question of citizenship to the Territorial Council. In so far as the petitioners, in requesting that "Somali citizenship be restricted", may have had in mind the restriction of Italian immigration, the Administering Authority states that its policy is in fact to discourage such immigration and to reduce the number of Italians in the Territory although at present the number does not exceed 4,500 to 4,900 of which 2,000 are employees of the Administration and their relatives.

*Action taken by the Standing Committee*

66. The petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

67. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority rescind all laws and regulations now in force in the Trust Territory that were promulgated during the Italian fascist administration in Somaliland and replace them by laws drafted in conformity with the principles and purposes of the International Trusteeship System. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

68. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 10.

PETITION FROM MR. ALI AUALE GHERE (T/PET.11/149)

*Summary of the petition*

69. The petitioner states that he participated in the Italo-Ethiopian war as an *askari* and was wounded in battle. In consideration of his good service, he was then transferred to the Civil Service where he served as a watchman until 1941.

70. The petitioner claims from the Administration the indemnity due to him for the meritorious service rendered. Two requests to that effect having already been sent to the Administration without avail, the petitioner requests the intervention of the Visiting Mission on his behalf.

*Observations of the Administering Authority  
(T/986 and T/C.2/SR.25)*

71. The Administering Authority states that the petitioner, as door-keeper of the office of the Judge of Somaliland, belonged to the category of "casual personnel" and therefore is not entitled to the payment of arrears of pay, under Ordinance No. 20 of 20 May 1950.

72. The general question of the payment of arrears of wages was examined by the Trusteeship Council at its ninth session in connexion with petition T/Pet.11/5. In its resolution 349 (IX), the Council decided that no action by it was called for on that petition.

*Action taken by the Standing Committee*

73. This petition was examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

74. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 11.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF BELET UEN (T/PET.11/157)

*Summary of the petition*

75. The petitioners make a number of complaints concerning general problems relating to the policy of the Administration. They also submit the following specific complaints:

(a) *Education.* There is only one school in the town of Belet Uen with three teachers and about 80 pupils attending daytime classes and 100 attending evening classes. Instruction is mainly in Italian, and Arabic is neglected. Moreover, the authorities are concerned only with appearances, as illustrated by the sudden installation of electric light when the Mission's visit was expected.

(b) *Health.* There is only one hospital with 72 beds; the food is bad, bedding is dirty and there is insufficient medicine. Only persons considered by the single doctor to be of consequence are admitted, one man having died for lack of medical attention after being refused admission. The doctor also refused use of the ambulance for the transport of patients. There is no medical service for the nomadic population.

(c) *Economic.* Commerce has been seriously handicapped by the flooding of the main road, which has not yet been made passable again.

*Observations of the Administering Authority  
(T/988 and T/C.2/SR.27)*

76. The Administering Authority comments on the specific questions raised as follows:

(a) *Education.* In Belet Uen there is a school with six day classes and five evening classes, and a total of 368 pupils. Teaching hours are distributed according to the plan set out in the observations on petition



T/Pet.11/40 (T/952, section 3). New work was begun in the school after the inspection made by the Visiting Mission, entailing an expenditure of 24,000 somalos. The school rooms are lighted for evening classes by means of a small generating plant.

(b) *Health.* The complaints regarding the hospital and the conduct of the physician-in-charge are groundless; there is no lack of medicaments. After the Visiting Mission's inspection, the hospital was further improved at a cost of 20,000 somalos.

(c) *Economic.* It is practically impossible to prevent the flooding of the main road during times of very heavy rain but this does not occur every year and in fact the road is never impassable for lorries.

*Action taken by the Standing Committee*

77. The petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 22 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

78. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Administering Authority appropriate funds and take the necessary measures to meet the educational and health needs of the indigenous population of Belet Uen and in particular the health needs of the nomadic population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

79. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 12.

PETITION FROM SHEIKH MOHAMED HAGI AID ABD EL RAHMAN (T/PET.11/182)

*Summary of the petition*

80. In terms which are not entirely clear, the petitioner complains that (a) he has been imprisoned for five months without reason, (b) three members of his family have died of hunger and (c) he has lost 500 *shalfa* (money) and his crop has been spoiled.

*Observations of the Administering Authority*  
(T/1007 and T/C.2/SR.26)

81. The Administering Authority observes that the petitioner was sentenced on 20 September 1951 by the Regional Court of Migiurtinia, to five months, imprisonment and a fine of 50 somalos for various offences committed when he participated in disorders aimed at hindering the anti-locust campaign. The petitioner did not lodge an appeal and was freed after serving his sentence.

82. The allegations of the petitioner are without substance. No member of his family died from hunger during his imprisonment.

*Action taken by the Standing Committee*

83. The petition was examined and discussed at the 26th and 31st meetings of the Standing Committee on 11 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.31.

84. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert

in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end immediately to its anti-democratic policy which crudely violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

85. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 13.

PETITION FROM MR. MOHAMED BOTHAR AND FIVE OTHERS (T/PET.11/196)

*Summary of the petition*

86. In terms which are not entirely clear, the petitioners complain of the difficult conditions endured by young Somalis since the advent of the Italian Administration. They further state that some time ago two young Somalis disappeared and were supposedly killed by Italian soldiers. The petitioners ask the Visiting Mission to look into the matter.

*Observations of the Administering Authority*  
(T/986 and T/C.2/SR.25)

87. The Administering Authority states that the petitioners repeat the usual vague and groundless charges against the Administration. The situation in the Chisimaio district is explained in detail in the observations on petition T/Pet.11/88 (T/982).

*Action taken by the Standing Committee*

88. This petition was examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

89. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 14.

PETITION FROM MR. SAMA ALIU ABDURRAHMAN (T/PET.11/198)

*Summary of the petition*

90. The petitioner, who claims to represent the wishes of all the *Dighil-Mirifle* tribespeople, requests that steps be taken to prevent members of the Darot tribe from migrating from Migiurtinia into *Dighil-Mirifle* territory without the permission of the inhabitants.

*Observations of the Administering Authority*  
(T/986 and T/C.2/SR.27)

91. The Administering Authority states that the Administration will not consider any measure for controlling or limiting normal movements of populations among the various regions of the Territory.

*Action taken by the Standing Committee*

92. This petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

93. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 15.

PETITION FROM MR. DEMO HASCI AND THREE OTHERS  
(T/Pet.11/206)

*Summary of the petition*

94. The petitioners, members of the Aptisame tribe of the Gelgials, protest against the appointment of Mussa Hassan Osman as the Chief of their tribe. They state that the latter was first appointed Chief by the fascist government. During the British Administration, he was dismissed after the *scir* (tribal assembly) met at Bugda Accable. But when the Italians came back, he was reinstated in spite of the opposition of the tribe, because he was pro-Italian.

95. The petitioners further charge that Mussa Hassan has confiscated a large part of their property and that the Resident of their District has come to ruin the Somali people, not to lead them toward self-government.

*Observations of the Administering Authority (T/986 and T/C.2/SR.25)*

96. The Administering Authority states that Mr. Mussa Hassan Osman is no longer the Chief of the *rer* Aptisame. As a great number of the members of the *rer* seemed displeased with him, a *scir* was convened on 16 August 1951 and Mr. Mumin Hussein Ibrahim was elected Chief. But the latter died three months later. Therefore a new *scir* had to be convened in February 1952; it elected Chief Mr. Osman Abdi Gafu who has already assumed his duties.

*Action taken by the Standing Committee*

97. This petition was examined and discussed at the 26th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

98. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 16.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF CHISIMAJO (T/Pet.11/220) AND FROM CHIEF HAJI ALI SCIRUA (T/Pet.11/244)

*Summary of the petitions*

99. The Somali Youth League, Branch of Chisimaio (T/Pet.11/220) states that the Chisimaio Resident is preparing to establish another party. They request that he be prevented from carrying out this project so as to avoid disorder among the population.

100. Chief Haji Ali Scirua (T/Pet.11/244) states on the contrary that Chiefs and notables are in favour of the establishment of the L.P.S. [*Lega Progressista Somalia*] party.

*Observations of the Administering Authority (T/978, T/982, T/C.2/SR.24 and T/C.2/SR.26)*

101. The Administering Authority states that the petitions refer to the same case. It points out that political parties are free to exercise their activities in the Territory, within the framework of the existing laws, and any intervention on the part of the Administering Authority to prevent the opening of new sections in Chisimaio or anywhere else would be inconceivable.

*Action taken by the Standing Committee*

102. The petitions were examined and discussed at the 13th, 24th, 26th, 27th and 31st meetings of the

Standing Committee on 7 May and 9, 11, 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.13, T/C.2/SR.24, T/C.2/SR.26, T/C.2/SR.27 and T/C.2/SR.31.

103. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 17.

PETITION FROM MR. AHMED SHIRE LAWHA (T/Pet.11/222 AND ADD.1)

*Summary of the petition*

104. The petitioner, a former employee of the Administration, states that he was charged with insulting his superior, Dr. Puccioni, and subsequently dismissed from service after being judged by a Court of Inquiry and found guilty of indiscipline and bad conduct. Giving in detail the background of his case, he claims that this verdict is unjustified, that the charges made against him by his superior are false and supported by false witnesses and that the proceedings of the Court were conducted improperly. He alleges that he had to be discharged because he is a member of the Somali Youth League.

105. The petitioner points out that he has worked for the former British Administration to its entire satisfaction and encloses with the petition two testimonials of former British authorities as evidence. He requests the intervention of the Advisory Council on his behalf.

106. In a further communication (T/Pet.11/222/Add.1), the petitioner comments at length on the observations which the local Administration has submitted to the Advisory Council on his complaints.<sup>4</sup> In brief, he states that the Administration distorted the incident with Dr. Puccioni in these observations and failed to explain the irregularities of the procedure of the Court of Inquiry.

*Observations of the Administering Authority (T/975, T/C.2/SR.24 and T/C.2/SR.25)*

107. After outlining the seemingly unsatisfactory record of the petitioner, the Administering Authority states that on 7 November 1951, a serious incident occurred. The petitioner behaved in an arrogant manner in the office of his chief, Dr. Puccioni, and when invited to leave the room, shouted vulgar insults at the latter.

108. The case was discussed before a Disciplinary Board composed of Italian and Somali employees which proposed his dismissal from the service for lack of discipline and bad conduct.

109. All opinions, assertions and judgments put forward by the petitioner in an attempt to disguise a common, well-deserved disciplinary measure as an act of political retaliation are totally unfounded.

*Action taken by the Standing Committee*

110. This petition was examined and discussed at the 13th, 24th, 25th and 31st meetings of the Standing Committee on 7 May, 9, 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.13, T/C.2/SR.24, T/C.2/SR.25 and T/C.2/SR.31.

<sup>4</sup> See written observations of the Administering Authority on the petition in document T/975.

111. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 18.

PETITION FROM MR. MOHAMED SCEK OSMAN, SECRETARY-GENERAL OF THE *Unione-Africani Somali* (T/PET.11/223)

*Summary of the petition*

112. The petitioner states that the plan of political reform provides for the allotment of seats in the Territorial Council to political parties in proportion to their importance and the number of their branches as constituted before 1 September 1951. The criterion thus defined is too rigid and the *Unione Africani-Somali*, having been unable to constitute all its branches in time was allotted only one seat although its actual importance entitled it to two seats.

113. Pointing out that the preparation of the lists of representatives of the various political parties who are to take part in the 1952 session of the Territorial Council is imminent, the petitioner requests the Advisory Council to intercede with the Administration in order that the *Unione Africani-Somali* may be granted a second seat.

*Observations of the Administering Authority (T/978 and T/C.2/SR.25)*

114. The Administering Authority points out that the plan of political reform submitted last October to the Advisory Council and to the Territorial Council envisaged the allotment, in the new Territorial Council, of one seat for any party which had been legally recognized and which on 30 June 1951 had a minimum of five recognized branches in the interior; moreover, each party would have an additional seat for every group of twenty-five recognized branches. Since on that date the *Unione Africani-Somali* had notified to the competent authorities that its branches totalled 17, only one seat was allotted to it in the above-mentioned plan. Even though, on the advice of the Advisory Council and of the Territorial Council, the date of the regularization of parties' branches had been extended to 1 September 1951, it was not possible to modify the allocation already made to the *Unione Africani-Somali*, since the latter, as is admitted by the petitioner, had not notified the competent authorities between 30 June and 1 September, that any new branches had been opened.

*Action taken by the Standing Committee*

115. This petition was examined and discussed at the 13th, 25th and 31st meetings of the Standing Committee on 7 May, 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.13, T/C.2/SR.25 and T/C.2/SR.31.

116. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 19.

PETITION FROM THE SOMALI YOUTH LEAGUE, BRANCH OF DOLO (T/PET.11/224)

*Summary of the petition*

117. The petitioners protest that the local authorities of Dolo refused to engage members of the Somali Youth League in the locust-control work. They further protest that several members of the Somali Youth

League were compelled to state their tribes of origin and that one of them was arrested for refusing to make such a statement.

*Observations of the Administering Authority (T/978 and T/C.2/SR.25)*

118. The Administering Authority states that the anti-locust campaign is an international undertaking with which it co-operates. Indigenous applicants for employment in that campaign are required to present their applications through their tribal chiefs, because that is the best means of ensuring the co-operation of local chiefs in the campaign. At Dolo, some members of the Somali Youth League failed to obtain employment in locust control work not because they were members of the League, but because they did not submit their applications through the proper channel.

119. No one is compelled to state his tribe of origin. In fact officials are forbidden to ask indigenous inhabitants the name of their tribe because some of the population object to that type of question. The person referred to in the petition was arrested because he had publicly offended the Cadi, not because he had declined to state his tribe.

*Action taken by the Standing Committee*

120. The petition was examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

121. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution the following text:

"Noting facts of pressure employed by the Italian Authorities with regard to the indigenous population of the Trust Territory with the objective of maintaining the outdated tribal system of which information is provided by the Somali Youth League, Branch of Dolo (T/Pet.11/224, dated 4 December 1951), the Trusteeship Council recommends to the Administering Authority to adopt measures ensuring the transfer from a tribal system to a system of self-government based on democratic principles in view of the fact that the existing tribal system encouraged by the Administering Authority is inconsistent with the progressive political development of the Trust Territory towards independence."

As a result of the Committee's rejection of this proposal, by 4 votes to 1 with 1 abstention, he was not in a position to support the draft resolution.

122. At its 31st meeting, the Committee adopted, by 4 votes to 1 with 1 abstention, the draft resolution which is reproduced below as draft resolution 20.

PETITION FROM THE REPRESENTATIVES OF THE ABGAL WAESLE TRIBE, RER ALI GAFF (T/PET.11/226)

*Summary of the petition*

123. The petitioners protest against the seizure by the police of 500 camels belonging to the tribe in pursuance of a collective fine imposed by the *Commissario* of Galcaio upon the tribe for its part in a disturbance involving another tribe. They allege that the matter was not submitted for trial before a proper judicial court, that one of their chiefs was arrested and is still imprisoned for speaking in defence of the tribe and that

the police killed one of their tribesmen when they seized the camels.

124. Stating that they have appealed to the Administration in vain, the petitioners request the Advisory Council to intervene on their behalf. They add that the tribe is prepared to pay any fine imposed by a proper court of justice, provided that the Administration ceases to use force against them.

*Observations of the Administering Authority (T/1007 and T/C.2/SR.27)*

125. The Administering Authority observes that strife broke out in 1950 between the Abgal Waesle and Murosada tribes, which are traditional enemies, over a question of watering rights. The dispute was resolved after lengthy negotiations through the intermediary of the Commissioner of Mudugh and the Resident of El Bur and the tribes entered into an agreement whereby they understood that the tribe which first committed a breach of the peace in future should pay a fine of 300 camels and that a further fine (*diah*) of 100 camels should be payable for each person killed.

126. On 23 March 1951, two members of the Murosada tribe were killed by Abgal Waesle tribesmen and the following morning an Abgal Waesle tribesman was killed. Four persons responsible were convicted by the Regional Court of Mudugh and, in accordance with the agreement, the Abgal Waesle tribe was fined 500 camels while the Murosada tribe was fined 100 camels.

127. On 13 December, Somali policemen sent to assemble the camels of the Abgal Waesle tribe were attacked by armed tribesmen and in the course of the ensuing disturbance a tribesman was mortally wounded by a policeman acting in self-defence.

128. Subsequently, the tribesmen were pacified through the intervention of the Commissioner of Mudugh and the chiefs of the tribe and the fine of 300 camels for breaching the peace was transmuted into an equivalent of 30,000 somalos, later reduced by the Administrator to 20,000 somalos.

129. The petitioners have since realized that the Administration acted correctly in the matter and they have instructed their principal chief Iman Omar Ali to withdraw the petition.

130. The Administering Authority further stated that it intends gradually to modify the system of collective sanctions.

#### *Action taken by the Standing Committee*

131. The petition was examined and discussed at the 27th and 31st meeting of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

132. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end immediately to the anti-democratic policy which crudely violates the rights and interests of the indigenous population and, in particular, abolish the system of collective sanctions. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

133. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 21.

PETITION FROM CHIEF MOALIM ADAN ALI (T/PET.11/227)

#### *Summary of the petition*

134. The petitioner requests the intervention of the Advisory Council in connexion with the two following complaints:

135. First, he alleges that a member of the Merehan tribe was killed by a policeman without any justifiable reason. The matter was reported to the local authorities who have taken no action against the culprit.

136. Second, nine persons from the same tribe were arrested for fighting with certain *Ilalos*. They were imprisoned under remand for an excessively long period before being sentenced and were deprived of the right to produce witnesses for their defence.

*Observations of the Administering Authority (T/975, T/978 and T/C.2/SR.25)*

137. The Administering Authority sets forth the circumstances of the death of Abdi Nur Mohamed. A patrol of Somali policemen encountered a large number of Merehan tribesmen, some of whom were armed with rifles and who, according to information received by the police, appeared to be on their way to attack the Garre tribe. The police were prevented from arresting and disarming the armed men and, after the latter had launched arrows at them they fired back with the result that one man was killed and all the others escaped. A thorough inquiry was carried out and the findings were that the police had acted legitimately. This was repeatedly explained to the petitioner by the District Commissioner of Lugh Ferrandi and by the Administrator himself. The latter arranged that a grant of 200 somalos should be paid to the children of the deceased Abdi Nur Mohamed and the petitioner expressed his gratitude for the measure taken.

138. With regard to the nine Merehan tribesmen arrested in September 1950, the Administering Authority states that they were not convicted until 15 December 1951 owing to the difficulty experienced in obtaining witnesses. In April 1952 the Administration enacted new legislation limiting the period of investigation preparatory to trial and consequently the period of detention during that time; as regard police arrest, the Italian law, which is applied throughout the Territory limits this to 48 hours after which the person arrested has to be either released or charged before the judicial authorities.

#### *Action taken by the Standing Committee*

139. The petition was examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

140. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which crudely violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes

to 1, he was not in a position to support the draft resolution and abstained in the vote.

141. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 22.

PETITION FROM MR. ABDULLAHI MAHMUD HASSAN MOHAMED (T/PET.11/228)

*Summary of the petition*

142. The petitioner states that on 11 December 1951, as he left Mogadiscio in a rented truck with 20 passengers and 58 quintals of commodities, he was stopped by four *carabinieri* and taken to a police station. There, the policemen ruthlessly searched the truck, but failed to find anything irregular. After the search, they took the truck away, leaving him behind.

143. The petitioner complains that, in the process, he was detained for four hours and that many commodities were damaged or lost through careless handling. He requests the Advisory Council to intervene with the Administration in order that an indemnity may be paid to him for the loss sustained.

*Observations of the Administering Authority (T/975 and T/C.2/SR.25)*

144. The Administering Authority states that the inspection complained of took place during investigations connected with the theft and subsequent illicit disposal of war arms and ammunition that had occurred in Mogadiscio in the early part of the month. There were serious reasons to suspect that the criminal traffic was directed mainly to the Galcaio region; such suspicion was later confirmed by the discovery of arms and ammunition in a locality between Galcaio and Obbia.

145. It is denied, however, that the truck was seized and that any damage was caused by agents of the Administration to the goods during the inspection.

*Action taken by the Standing Committee*

146. The petition was examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

147. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority satisfy the request of the petitioner to receive compensation for the damages caused by the action of the Italian police authorities. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

148. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 23.

PETITION FROM MR. C. A. KOUMARIANOS (T/PET.11/229 AND ADD.1)

*Summary of the petition*

149. The petitioner, a Greek journalist from Ethiopia, states that he came to Somaliland a month previously to collect materials for his work. He applied visa but was recently told by the Immigration Office, to the Italian authorities for the renewal of his entry-

without any explanation, to be ready to leave the Territory.

150. The petitioner protests against this treatment of a foreign journalist and requests the intervention of the United Nations in his behalf.

*Written observations of the Administering Authority (T/975)*

151. The Administering Authority states that Mr. Koumarianos, a Greek citizen born and domiciled in Ethiopia, came to Mogadiscio from Aden for a journalistic investigation on 16 November 1951 with a permit to reside in the Territory for one month.

152. When the permit elapsed (17 December 1951) it was not possible for the Administration to renew it automatically, as Mr. Koumarianos lacked any means of sustenance and had even incurred debts in the Territory. He was allowed, however, to remain in the Territory long enough to obtain entry visas to other Territories.

153. The petitioner has now returned to Greece at the expense of the Administration of the Territory.

*Action taken by the Standing Committee*

154. This petition was examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

155. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 24.

PETITIONS FROM THE CHIEFS OF THE AULIHAN TRIBE (T/PET.11/230) AND FROM UGAZ GHEDI DAHOR (T/PET.11/231)

*Summary of the petitions*

156. The Chiefs of the Aulihan tribe (T/Pet.11/230) complain that the Resident of Bardera selected the representatives to the Residency Council of Bardera, the Regional Assembly and the Territorial Council without consulting them. They state that the representatives to the Residency Council are illiterates working for the interests of the Resident only.

157. Ugaz Ghedi Dahor (T/Pet.11/231) states that the "Aulihan *rer* Affab Adenkar Turade notables of other *rer*" agree with the Administration and not with those who sent the above petition.

*Observations of the Administering Authority (T/978 and T/C.2/SR.25)*

158. The Administering Authority states that, in conformity with Ordinance No. 18 of 20 October 1951, the Resident of Bardera nominated as members of the Residency Council the chiefs elected by *scir*, the representatives designated by the political parties in the district, and distinguished notables considered by public opinion as particularly fit to sit on that Council. No discretionary powers were exercised by the Resident. The interests of the Aulihans in the Residency Council are duly protected since 12 out of 37 tribal representatives come from their group which has a representation larger than that of any other tribe.

159. The representatives in the Regional Assembly which was to designate the regional members of Upper Giuba in the Territorial Council were not, as alleged, personally selected by the Resident of Bardera but were

elected by the Residency Council. Having failed to obtain the Resident's prior approval to the nomination of an Aulihan as a member of the Territorial Council—which would have been contrary to the above-mentioned Ordinance No. 18—Aulihan representatives abstained in the vote. The elected representatives to the Regional Assembly are all able to read and write.

160. The complaint set forth in petition T/Pet.11/230 is the result of rivalries between the various *rer* of the Aulihan Tribe, as shown by petition T/Pet.11/231.

*Action taken by the Standing Committee*

161. The petitions were examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

162. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the draft resolution the following text:

"The Trusteeship Council, noting facts of undemocratic appointment of representatives in the Residency Councils of Bardera, the Regional Assembly and in the Territorial Council of which information is provided in the petition from the five Chiefs of the Aulihan Tribe (T/Pet.11/230), recommends to the Administering Authority to put an end to its anti-democratic policy which allows crude violation of the rights and interests of the indigenous population."

As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

163. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 25.

PETITION FROM MISS E. SYLVIA PANKHURST (T/Pet.11/232)

*Summary of the petition*

164. The petitioner states that she is informed that her latest book entitled "Ex-Italian Somaliland" was not permitted to circulate in that region. She requests a formal assurance from the United Nations that such is not the case and that readers of the book are not molested.

165. The petitioner further implies that there are many cases where freedom of expression is not permitted among the natives of Somaliland by the Italian Administration.

*Observations of the Administering Authority (T/978)*

166. The Administering Authority states that no such incident has occurred in the Territory. There are no provisions forbidding import into the Territory or circulation of the book in question.

*Action taken by the Standing Committee*

167. This petition was examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

168. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 26.

PETITION FROM MR. BARUD ISMAIL RAGHE (T/Pet.11/233)

*Summary of the petition*

169. The petitioner sets forth the following complaint for consideration by the Advisory Council. On 21 November 1951, he was hired with his truck by the *Gennio Civile*, Galcaio, at a daily salary of 70 somalos. But on 3 January 1952, he was dismissed without any reason and his work was given to an Italian truck-owner at a daily salary of 100 somalos. He appealed to the Mudugh Provincial Commissioner, but with no avail.

*Written observations of the Administering Authority (T/982)*

170. With regard to the regulations governing transportation, the Administering Authority refers to its observations on petition T/Pet.11/113 (T/982).

171. In the particular case of the petitioner, it is pointed out that the Provincial Commissioner of Mudugh, unaware of the regulations in force, had discharged a truck owned by an Italian and hired in its place a truck owned by a Somali, for a lower price. The Central Administration called the attention of the Mudugh Provincial Commissioner to the irregularity and requested the latter to re-hire the truck wrongly released and to discharge the truck irregularly engaged. In order to be re-hired eventually, the petitioner should join one of the nine firms belonging to the *Gruppo Autotrasportatori Riuniti* in accordance with existing regulations. Truck owners can be admitted to those firms and the Administration can, if necessary, compel the firms to accept a truck owner.

*Action taken by the Standing Committee*

172. This petition was examined and discussed at the 25th and 31st meetings of the Standing Committee on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

173. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 27.

PETITION FROM THE *Rappresentanza Caporali e Capi Squadra* *gia Servizio Locust Control* (T/Pet.11/234)

*Summary of the petition*

174. The petitioners complain that after being engaged by the Locust Control service for fourteen days, they were dismissed without reason and replaced by members of the African party. They ask the Advisory Council to consider their case.

*Observations of the Administering Authority (T/982 and T/C.2/SR.25)*

175. The Administering Authority states that the allegations made by the petitioners are without foundation. In November 1951 an official of the Administration's Agricultural Department engaged twenty-four men for the campaign against locusts directly and not through the proper Labour Office. Because they were incorrectly recruited the men were temporarily suspended but were subsequently re-engaged. Wages were paid for the period in which they had been irregularly engaged.

*Action taken by the Standing Committee*

176. This petition was examined and discussed at the 25th and 31st meetings of the Standing Committee



on 10 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25 and T/C.2/SR.31.

177. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 28.

PETITION FROM MR. MOHAMED SCK ABDURRAHMAN AND OTHERS (T/PET.11/235)

*Summary of the petition*

178. The petitioners, members of *rer* Mobarek, complain that an Italian, Mr. Pellegrini, alienated some 500 hectares of land belonging to their tribes, with the assistance of the local authorities. As four tribesmen refused to give up their legitimate properties, the Resident imprisoned them on 4 January 1952 and refused to release them even on bail.

179. The petitioners request that the Advisory Council intervene in their case to prevent the alienation of their lands and to have the imprisoned tribesmen released.

*Observations of the Administering Authority (T/982 and T/C.2/SR.25)*

180. The Administering Authority states that the land in question, which comprise only 350 hectares, had been regularly given in concession to Mr. Pellegrini by the former Government in Somaliland early in 1940. The outbreak of war compelled the concessionaire to suspend the disafforestation of the land which he had just begun. After the war part of the concession was occupied by Somali farmers and some 30 hectares of land in different parts of the concession were placed under cultivation. In spite of this irregularly, Mr Pellegrini has been attempting to reach a compromise with the Somali farmers and has offered 100 hectares of land, already under cultivation, in exchange for the scattered parts occupied by them. This effort was successful and the dispute was settled to the satisfaction of the parties concerned.

181. It is not correct that the Pellegrini concession is the only fertile land in *rer* Mobarek; in the district of Afgoi there are vast thracts of land equally fertile which have only partially been cultivated.

182. It is equally incorrect that the Resident of Afgoi has taken sides in the dispute to the extent of arresting four Somalis. The latter were arrested for entirely different reasons, were put on trial and were immediately released when found not guilty.

*Action taken by the Standing Committee*

183. The petition was examined and discussed at the 25th, 26th and 31st meetings of the Standing Committee on 10, 11 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.25, T/C.2/SR.26 and T/C.2/SR.31.

184. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the draft resolution the following text:

"In connexion with the petition from Mr. Mohamed Sck Abdurrahman and others (T/Pet.11/235 of 22 January 1952) in which the petitioners complain that an Italian with the help of Italian local authorities has alienated from the indigenous population about

500 acres of land, the Trusteeship Council recommends that the Administering Authority return to the indigenous population the land alienated from it in one way or another and prohibit any future alienation of land belong to the indigenous population."

As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

185. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 29.

PETITION FROM MR. SCK ALI HAJI ABDALLA (T/PET.11/236)

*Summary of the petition*

186. The petitioner complains of the alienation by an Italian, Colonel Elia of 32 hectares of land belonging to him; 22 hectares were allegedly alienated under the pre-war Fascist régime and the remaining 10 under the present Administration.

187. The petitioner states that he appealed to the local authorities, but the latter answered that his claims were unfounded. He objects to this conclusion and asks the Advisory Council to intervene on his behalf, in order that the following requests may be satisfied:

(a) That Colonel Elia return to him the recently alienated 10 hectares and pay him and indemnity for the occupation of that land;

(b) That Colonel Elia pay him a rent for the occupation of the formerly alienated 22 hectares, it being understood that any future arrangement regarding that land should be by agreement with the petitioner.

*Observations of the Administering Authority (T/978 and T/C.2/SR.26)*

188. The Administering Authority states that the petitioner's claim of ownership of the 22 hectares of the Elia plantation is without foundation. The whole Elia plantation of 50 hectares incorporates only State land and the area was given as a concession in 1937, in accordance with the regulations in force at that time; its boundaries are clearly delimited. Equally without foundation is the petitioner's claim that Elia has taken 10 more hectares of land belonging to the petitioner. The petitioner refers to a strip of land of about 2 hectares, also inalienable State land, through which passes an irrigation canal.

189. Following the petitioner's complaint an investigation was carried out by the competent authorities, who informed him that his claim was unfounded. If the petitioner disagrees with this finding, he can bring the matter before the Courts.

*Action taken by the Standing Committee*

190. The petition was examined and discussed at the 26th and 31st meetings of the Standing Committee on 11 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.31.

191. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population the land alienated from it in one way or another and prohibit any future alienation of land



belonging to the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

192. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 30.

PETITION FROM MR. ABDULLAHI SUGULLE HUSSEN (T/PET.11/239)

*Summary of the petition*

193. The petitioner states that, on 9 January 1952, he was arrested on suspicion of theft. For twenty-four days, he was held in prison where he was subjected to inhuman treatment and in particular was beaten up by policemen. Finally on 3 February 1952, he was released from prison, because there was no evidence against him. He also states that two Italian doctors whom he consulted after his release refused to examine the wounds he had received.

194. The petitioner protests against the treatment given him and requests the Advisory Council to consider his case.

*Observations of the Administering Authority (T/982 and T/C.2/SR.26)*

195. With regard to the injuries which the petitioner alleges to have suffered, the Administering Authority states that Dr. Tonelli of the "Port Dispensary" had examined the petitioner a week after his release from prison. As the injuries were slight, Dr. Tonelli made no report but told the petitioner to report his own case to the judicial authorities. The following day the petitioner called on Dr. Falcone at the De Martino Hospital and asked for a medical opinion on his injuries. Since, after examination, Dr. Falcone found that the injuries were not of such a nature as to require a medical certificate, he would not issue one without the written request of the judicial authorities.

196. The petitioner has made no representations to the judicial authorities regarding the incident he complains about; moreover, following an investigation carried out by the police, it has been ascertained that the petitioner's allegation that he had been beaten whilst in detention is unfounded.

*Action taken by the Standing Committee*

197. The petition was examined and discussed at the 26th and 31st meetings of the Standing Committee on 11 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.31.

198. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in the draft resolution the following text:

"In connexion with the petition from Mr. Abdullahi Sugulle Hussen (T/Pet.11/239 dated 13 February 1952) in which information is supplied concerning an arbitrary arrest and unlawful detention as well as beating of the petitioner, the Trusteeship Council recommends that the Administering Authority put an end to the anti-democratic policy which crudely violates the rights and interests of the indigenous population."

As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

199. At its 31st meeting, the Committee adopted by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 31.

PETITION FROM MR. ABDIRAMAN HERSI ALI (T/PET.11/240)

*Summary of the petition*

200. The petitioner states that he served with the Provincial Commissioner's *Ilalos* in Galcaio until the occupation of Somaliland by the British forces and was not regularly discharged when the former Italian Government left the Territory. After the present Administration took over, he claimed the arrears of pay granted to all former soldiers, but the local authorities in Galcaio refused to pay him.

201. The petitioner requests the Advisory Council to intervene on his behalf.

*Observations of the Administering Authority (T/986)*

202. The Administering Authority states that from investigations made it appears that the petitioner is not entitled under the provisions of Ordinance No. 20 of 20 May 1950 to any arrears of pay as he did not belong to the Italian military forces on 1 February 1941.

203. In any case, the general question of payment of arrears of pay was considered by the Trusteeship Council at its ninth session, in connexion with petition T/Pet.11/5. In resolution 349 (IX), the Council decided that no action was called for on that petition.

*Action taken by the Standing Committee*

204. This petition was examined and discussed at the 26th and 31st meetings of the Standing Committee on 11 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.31.

205. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 32.

PETITION FROM THE REPRESENTATIVES OF THE SHIDLE SAGALO TRIBE (T/PET.11/242)

*Summary of the petition*

206. The petitioners, representatives of the Shidle Sagalo Tribe, protest that the *Società Agricola Italo-Somalo*, which has alienated much of their land under the pre-war régime, is now attempting, with the help of the present Administration, to alienate more cultivable land from them.

207. In this connexion, they state that last November, the S.A.I.S. proposed that the land now being cultivated by them be ceded to it against the payment of 2,000 somalos. After they had refused that offer, the Resident imprisoned the interpreter of their tribe, Khalif Alio, without any reason and asked, as the condition of the latter's release, that the tribe accept the S.A.I.S. offer. As this "blackmailing" was unheeded, Khalif Alio was sentenced by the District Court to 45 days' imprisonment. The petitioners further state that after Khalif Alio's arrest, the S.A.I.S. surveyor came to their village, accompanied by 150 armed policemen, to inspect and survey their cultivated land.

208. The petitioners request that the Advisory Council investigate the matter on the spot and prevent the alienation of their land.

*Observations of the Administering Authority (T/978 and T/C.2/SR.26)*

209. The Administering Authority gives the background to the incident referred to in the petition. In August 1951 the S.A.I.S. (*Società Agricola Italo-Somalo*) began mapping out operations intended to demarcate the boundaries of its property in the Villabruzzi area, which it had acquired by formal deed thirty years earlier. With a view to protecting the interests of the Somali tribes in the area and in accordance with the Trusteeship Agreement, the mapping out operations were directed by a technician from the Administration. From the outset of these operations, a number of the inhabitants from the villages of Ghedo Bercan and Temerre took a decidedly hostile attitude and threatened to evict the police from the area by force of arms.

210. As a result of this threat, five people were detained, of whom four were subsequently released while the fifth, reputed to be the ringleader, was sentenced to eight months' imprisonment. Following further threats of armed attack, a search for arms was made in dwellings in Ghedo Bercan. A quantity of arms was discovered and thirteen persons were placed under arrest, of whom ten were sentenced to short terms of imprisonment. It is flatly denied that any looting took place during the search; apart from the arms, nothing was removed from the dwellings searched.

211. No inhabitant from the two villages was ordered to abandon the lands under their cultivation, nor was it hinted that any might be evicted in the future. S.A.I.S. is not building any road in the area in question. No damage has been caused to land under cultivation by the mapping operations. S.A.I.S. intends to delimit its own property in agreement with the inhabitants concerned.

212. With regard to the alleged arbitrary imprisonment of the interpreter, Khalif Alio, the Administering Authority states that he was convicted and sentenced by due process of law for having committed an assault.

213. It adds that at the present time negotiations are being carried on between the S.A.I.S. and the local population concerned with a view to settling the land dispute by amiable arrangement. The S.A.I.S. has stated its intention not only to respect the present and future requirements of the indigenous population, but also to provide assistance in the constitution of indigenous co-operatives.

*Action taken by the Standing Committee*

214. The petition was examined and discussed at the 26th, 27th, 29th and 31st meetings of the Standing Committee on 11, 12, 18 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.26, T/C.2/SR.27, T/C.2/SR.29 and T/C.2/SR.31.

215. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the lands alienated from it in one way or another and prohibit any future alienation of land from the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

216. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 33.

PETITION FROM THIRTY-NINE PERSONS IN DUSA MAREB (T/Pet.11/251)

*Summary of the petition*

217. The petitioners complain that the Resident of Dusa Mareb imprisons their men without reason and denies the prisoners food and water. The petitioners also raise the general questions of public health and education.

*Observations of the Administering Authority (T/988)*

218. The Administering Authority states that the complaints contained in this petition are vague and groundless. It refers to its observations on petitions T/Pet.11/53 (T/982) and T/Pet.11/64 (T/967).

*Action taken by the Standing Committee*

219. The petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

220. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end immediately to the anti-democratic policy which crudely violates the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

221. At its 31st meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 34.

PETITION FROM MRS. ANOT WARSAMA (T/Pet.11/252)

*Summary of the petition*

222. The petitioner, allegedly a widow with seven children, complains that after the Italian Administration took over, her herd of livestock was destroyed during the anti-locust campaign by the poisoned locust bait which was strewn all over the Gardo area. She states that destruction of her herd was not due to drought but to poisoned rain water. This fact can be affirmed by the Chief and other members of her tribe.

223. The petitioner requests that the Advisory Council intervene on her behalf in order that she may obtain compensation for the damage she has suffered.

*Observations of the Administering Authority (T/988)*

224. The Administering Authority states that the petitioner's assertion is wholly unfounded. It is well known that *gammazane* which was used for the anti-locust campaign is quite harmless to warm-blooded animals. If the petitioner lost some cattle, which is doubtful, since the witnesses named by her could not be found, it was probably due to the drought that occurred in Migiurtinia at the end of 1950 and the beginning of 1951. This has been dealt with in the observations on petition T/Pet.11/101 (T/982).

*Action taken by the Standing Committee*

225. This petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

226. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 35.

PETITION FROM MR. OMAR JUMALE ALI (T/PET./11/253)

*Summary of the petition*

227. The petitioner, a worker of the *Impresa Gallotti* stevedoring company, states that in the course of his work, he was injured in the testicles and that the injury caused him permanent incapacity. He complains that the insurance company concerned (the I.N.A.I.L.) refuses to pay him indemnity and that so far he has obtained only 100 somalos from the Gallotti firm for the damage suffered.

228. The petitioner further states that he sent two petitions to the local authorities in order to obtain compensation or at least free legal aid to enter an action against the responsible companies, but received no replies. He requests that the Advisory Council intervene on his behalf.

*Observations of the Administering Authority (T/996 and T/C.2/SR.27)*

229. The Administering Authority observes that the petitioner received free hospital treatment from 8 November to 3 December 1951 at the end of which time he was discharged as recovered with instructions to take a week's convalescence. The firm of Gallotti paid the petitioner wages at half-rate for the whole period of his stay in hospital and convalescence. At the end of that time, although compulsory workmen's compensation insurance was not then in force, the firm sent him to the I.N.A.I.L. for medical inspection and the latter determined that he would not suffer from any permanent incapacity. Despite that report, the firm paid him 100 somalos as full compensation for any claim.

230. The petitioner was again medically examined at the De Martino Hospital on 6 May 1952 and it was determined that he had fully recovered.

*Action taken by the Standing Committee*

231. This petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

232. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 36.

PETITION FROM MR. KALIF IGOU OSMAN AND OTHER REPRESENTATIVES OF THE SHIDLE PEASANTS (T/PET.11/254)

*Summary of the petition*

233. The petitioners state that they have been informed that discussions are being held at the Administration Headquarters and at the Chamber of Commerce, without the participation of the Somali peasants, on the subject of the creation of "cotton districts", and that a law is to be drafted to that effect. As such a step, they contend, would mean the restoration of the cotton monopoly, obviously to the disadvantage of the Somali peasants, they strongly object to the establishment of these cotton districts.

234. After pointing out that they do not oppose the co-participation system provided that each farmer is free to deal with whoever he chooses, the petitioners request the intervention of the Administrator and of the Advisory Council in the matter.

*Written observations of the Administering Authority (T/988)*

235. The Administering Authority states that the question raised in the petition has already been settled. In this connexion, it refers to its observations on petition T/Pet.11/159 (T/982), and further states that, by Ordinance No. 3 of 21 March 1952, new regulations were enacted concerning the cultivation and trade in cotton in the Territory which abolished the "cotton districts".

*Action taken by the Standing Committee*

236. This petition was examined and discussed at the 27th and 31st meetings of the Standing Committee on 12 and 24 June 1952. The relevant discussion is contained in documents T/C.2/SR.27 and T/C.2/SR.31.

237. At its 31st meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 37.

DRAFT RESOLUTIONS

*For the texts of draft resolutions 1 to 20 inclusive and 22 to 37 inclusive, adopted without change at the 441st meeting of the Trusteeship Council, see resolutions 497 (XI), 509 (XI), 519 (XI), 523 (XI), 524 (XI), 525 (XI), 533 (XI), 535 (XI), 537 (XI), 540 (XI), 565 (XI), 570 (XI), 581 (XI), 583 (XI), 584 (XI), 587 (XI), 591 (XI), 592 (XI), 593 (XI), 594 (XI), 596 (XI), 597 (XI), 598 (XI), 599 (XI), 600 (XI), 601 (XI), 602 (XI), 604 (XI), 607 (XI), 610 (XI), 611 (XI), 612 (XI), 613 (XI) and 614 (XI).*

*For the text of draft resolution 21, as amended at the 441st meeting of the Trusteeship Council, see resolution 595 (XI).*

DOCUMENT T/L.286

**Thirteenth report of the Standing Committee on Petitions: petitions concerning Somaliland under Italian administration**

[Original text: English]  
[2 July 1952]

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Aus-

tralia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 26th and 32nd meetings on

11 June and 1 July 1952, the following petitions concerning Somaliland under Italian administration:

- (1) Petition from Mr. Jama Hassan Ibrahim Hussien (T/Pet.11/237);
- (2) Petition from Mr. Scire Dirie Abdille Coscin and six others (T/Pet.11/238);
- (3) Petition from Mr. Isse Abdi Hassan and two others (T/Pet.11/241).

2. Mr. P. Spinelli participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on draft resolution No. 1.

4. The Standing Committee further recommends that the Trusteeship Council postpone until its twelfth session the examination of the following petitions listed in the annex to its agenda for the present session concerning Somaliland under Italian administration.

- (1) Petition from the Somali Youth League, Branch of Chisimaio (T/Pet.11/245);
- (2) Petition from the Somali Youth League, Branch of Bardera (T/Pet.11/246);
- (3) Petition from Mr. Ahmed Haji Dahir (T/Pet.11/247);
- (4) Petition from Mr. Abdi Adan Nur (T/Pet.11/248);
- (5) Petition from Mr. Mumin Musse Samater (T/Pet.11/249);

- (6) Petition from the Somali Youth League, Branch of Bender Cassim (T/Pet.11/250);
- (7) Petition from Mr. Nur Alasso Asser (T/Pet.11/255);
- (8) Petition from Mr. Abdullah Hassan and other orphans (T/Pet.11/256);
- (9) Petition from the Somali Students, Obbia (T/Pet.11/257);
- (10) Petition from Mr. Mahamed Nur Mahamed (T/Pet.11/258);
- (11) Petition from Capo Mohamed Ibrahim and others, Chiefs of the Sagalo People (T/Pet.11/259);
- (12) Petition from Haji Abdulle Isgou and others, Chiefs of the Walamoi People (T/Pet.11/260);
- (13) Petition from the Somali Youth League, Branch of Chisimaio (T/Pet.11/261).

These petitions were not received by the Administering Authority within the two months' time-limit provided in rule 86 of the Council's rules of procedure and the Administering Authority informed the Committee that it was not prepared to participate in their examination at the present session.

5. The Standing Committee was unable to examine one petition, from Sheikh Kassim ibu Moallim (T/Pet.11/178), because it proved to be unintelligible.<sup>5</sup> The Committee, therefore, recommends to the Trusteeship Council that it decide to take no action on this petition.

<sup>5</sup> The petition is written in Somali Arabic and it was not possible to translate it.

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### PETITION FROM MR. JAMA HASSAN IBRAHIM HUSSEN (T/PET.11/237)

#### *Summary of the petition*

6. The petitioner lists a number of items allegedly looted during the Baidoa incidents of April 1950 and valued by him at 5,170 somalos. He states that these items belong to himself and to the late Yussuf Ismail Abdi, whose wife and son are now in great need.

7. The petitioner further states that he unsuccessfully applied to the Administration for compensation although other victims have received satisfaction already. He requests the help of the Advisory Council in this matter.

#### *Observations of the Administering Authority (T/982, T/C.2/SR.26 and T/C.2/SR.32.*

8. With regard to the Baidoa incidents, the Administering Authority states that the question of indemnities was examined by the Trusteeship Council at its ninth session. The Council recommended that the victims of the incidents who had any reasonable claims to present be allowed to submit their claims to the competent authorities. This recommendation was brought to the knowledge of the population of Baidoa. But the Administration did more: it saw fit to facilitate imports and exports by those of the victims who were traders. Toward this end, a committee constituted at Baidoa examined all the 70 claims submitted, 54 of which were

rejected as unfounded. The petitioner's claim was among those rejected by the Committee.

*Action taken by the Standing Committee*

9. This petition was examined and discussed at the 26th and 32nd meetings of the Standing Committee on 11 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.32.

10. At its 32nd meeting, the Committee adopted, by 4 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution 1.

PETITION FROM MR. SCIRE DIRIE ABEILLE COSCIN AND SIX OTHERS (T/PET.11/238)

*Summary of the petition*

11. The petitioners allegedly write on behalf of 81 persons (list attached to petition) whose property was looted during the Baidoa incidents of April 1950.

12. They state that although the Italian Administration had formally promised compensation only 16 persons out of 2,000 families which had suffered losses have so far received satisfaction. A commission was appointed by the Administration to deal with the matter, but nothing was decided. Two members of that commission acted only in their own interests, other members were chosen from among the looters themselves.

13. The petitioners ask the help of the Advisory Council in this matter.

*Observations of the Administering Authority (T/982, T/C.2/SR.26 and T/C.2/SR.32)*

14. With regard to the Baidoa incidents, the Administering Authority states that the question of indemnities was examined by the Trusteeship Council at its ninth session. The Council recommended that the victims of the incidents who had any reasonable claims to present be allowed to submit their claims to the competent authorities. This recommendation was brought to the knowledge of the population of Baidoa. But the Administration did more: it saw fit to facilitate imports and exports by those of the victims who were traders. Toward this end, a committee constituted at Baidoa examined all the 70 claims submitted, 54 of which were rejected as unfounded. No claims were submitted by the petitioners.

*Action taken by the Standing Committee*

15. This petition was examined and discussed at the 26th and 32nd meetings of the Standing Committee on

11 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.32.

16. At its 32nd meeting, the Committee adopted, by 4 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM MR. ISSE AEDI HASSAN AND TWO OTHERS (T/PET.11/241)

*Summary of the petition*

17. The petitioners state that during the Baidoa incidents of April 1950, stocks valued at 7,260 somalos were looted from them. The matter was referred to the local authorities, but no action was taken. Although the Italian Administration had promised to compensate the persons who had suffered loss, only a very few so far have received satisfaction.

18. The petitioners request the help of the Advisory Council in this matter.

*Observations of the Administering Authority (T/982, T/C.2/SR.26 and T/C.2/SR.32)*

19. With regard to the Baidoa incidents, the Administering Authority states that the question of indemnities was examined by the Trusteeship Council at its ninth session. The Council recommended that the victims of the incidents who had any reasonable claims to present be allowed to submit their claims to the competent authorities. This recommendation was brought to the knowledge of the population of Baidoa. But the Administration did more: it saw fit to facilitate imports and exports by those of the victims who were traders. Toward this end, a committee constituted at Baidoa examined all the 70 claims submitted, 54 of which were rejected as unfounded. No claims were submitted by the petitioners.

*Action taken by the Standing Committee*

20. This petition was examined and discussed at the 26th and 32nd meetings of the Standing Committee on 11 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.26 and T/C.2/SR.32.

21. At its 32nd meeting, the Committee adopted, by 4 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution 3.

**DRAFT RESOLUTIONS**

*For the texts of draft resolutions 1, 2 and 3, adopted without change at the 441st meeting of the Trusteeship Council, see resolutions 605 (XI), 606 (XI) and 609 (XI).*

**DOCUMENT T/L.288**

**Fourteenth report of the Standing Committee on Petitions: petitions concerning Tanganyika**

[Original text: English]  
[2 July 1952]

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 28th, 30th, 31st and 32nd meetings on 17, 19 and 24 June and 1 July 1952, the following petitions concerning Tanganyika:

- (1) Petition from the Bahaya Union, Bukoba Branch (T/Pet.2/104);
- (2) Petition from the Bahaya Union, Geita Branch (T/Pet.2/105);
- (3) Petition from Chiefs and People of the Kwimba District (T/Pet.2/107);
- (4) Petition from the African Association, Ngudu (T/Pet.2/108);

- (5) Petition from the *Liwalis* of the Mikindani District (T/Pet.2/115);
  - (6) Petition from the Indian Association, Iringa (T/Pet.2/116);
  - (7) Petition from Mr. Abdul-Bary Muhammad Diwan and others (T/Pet.2/119);
  - (8) Petition from the African Cooks, Washermen and House Servants Association (T/Pet.2/121);
  - (9) Petition from the Bahaya Union, Dar-es-Salaam Branch (T/Pet.2/122);
  - (10) Petition from Mr. Athumani Chakusaga (T/Pet.2/127);
  - (11) Petition from Mr. B. L. Vadgama (T/Pet.2/128);
  - (12) Petition from the Ishakia Association (T/Pet.2/131);
  - (13) Petition from the Chagga Cultural Association, Moshi (T/Pet.2/134);
  - (14) Petition from Mr. G. A. Papadopoulos (T/Pet.2/135);
  - (15) Petition from the Chagga Council (T/Pet.2/137);
  - (16) Petition from the Representatives of the Waarusha (T/Pet.2/144);
  - (17) Petition from the Arusha Citizen Union (T/Pet.2/146);
  - (18) Petition from Mr. Joseph Byebaliro (T/Pet.2/148);
  - (19) Petition from Mr. Remi Tengo (T/Pet.2/150);
  - (20) Petition from Mr. R. M. Mauchauffee (T/Pet.2/152);
  - (21) Petition from the Buhaya (Bukoba) Council (T/Pet.2/154);
  - (22) Petition from Mr. Hassani Semboja and fourteen others (T/Pet.2/155);
  - (23) Petition from Mr. Abdalahamani Kaponta (T/Pet.2/156).
2. Sir John Lamb participated in the examination as the special representative of the Administering Authority.
  3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 2, 3, 5, 7 to 16, 18, 19, 21 and 22.
  4. At its 31st meeting, on 24 June 1952, the Standing Committee took note of further information transmitted by the Administering Authority concerning the petition (T/Pet.2/117) from the Waluguru of Kibungo-Matombo in respect of which the Trusteeship Council adopted resolution 431 (X) at its tenth regular session. This information has been transmitted to the Council and is reproduced in document T/1019.
  5. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous population.

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PETITION FROM THE BAHAYA UNION, BUKOBA BRANCH  
(T/PET.2/104)

*Summary of the petition*

6. The petitioners raise a number of general questions relating to constitutional reform, education, medical facilities and foreign trade.

7. Specifically, they refer to the prevalence of venereal disease in their District and request a special financial grant from the United Nations for the purpose of establishing centres to combat venereal disease.

8. They also state that prostitution is widespread in the Territory, particularly in their District, and they add that the Bahaya, realizing the evils of this practice, have devised ways and means to rectify the situation in co-operation with their chiefs and councillors. Unfortunately these measures have not always accorded with the wishes of the Administering Authority. The petitioners therefore request the Trusteeship Council to consult with the Administering Authority and take appropriate preventive action.

*Observations of the Administering Authority (T/953/ Add.3 and T/C.2/SR.28)*

9. The Administering Authority states that close attention is being given to the problem of combating venereal disease in the Bukoba District and a proposal is being considered to entrust this work to the East African Medical Survey. An additional medical officer has been posted to the District and a Haya assistant medical officer is also being sent there. It is also hoped to increase the number of health visitors permanently stationed in the District. As the petitioners are aware the problem is largely a social one and medical treatment will be supplemented by a special propaganda campaign which will utilize films, conferences and other educational media to explain the evils of prostitution and venereal disease to the indigenous population.

10. In regard to the problem of prostitution, the Administering Authority state that the root of the evil lies primarily in the social conditions among the Bahaya including the status accorded to women. It is felt that the remedy can be found in a reform of social conditions rather than by the introduction of restrictive regulations which are sex-discriminatory and unconstitutional. Among the measures proposed by the Administration are the propaganda campaign referred to above and efforts to improve the status of the married women which include the establishment of women's clubs.

*Action taken by the Standing Committee*

11. The petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

12. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority satisfy the requests of the petitioners by providing them with the necessary educational and health facilities to meet their needs and by ensuring that proper measures are taken for combating venereal diseases and prostitution. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

13. At its 32nd meeting, the Committee adopted by 5 votes to 1 the draft resolution which is reproduced below as draft resolution 1.

PETITION FROM THE BAHAYA UNION, GEITA BRANCH  
(T/PET.2/105)

*Summary of the petition*

14. The petitioners complain that there is widespread prostitution and that women are leaving the Bukoba District without restraint to undertake prostitution in the towns. They report that they formed a society, the Bahaya Control Union of Prostitution, which attempted to control this movement by, among other things, requiring women to obtain exit permits in order to leave the Bukoba District. The Administering Authority, however, prevented the application of these measures on the grounds that they were unlawful. The petitioners, therefore, request the Trusteeship Council to persuade the Administering Authority to adopt legal methods to control prostitution.

*Observations of the Administering Authority (T/953/ Add.3 and T/C.2/SR.28)*

15. The Administering Authority states that this subject has already been dealt with in its observations on the petition from the Bahaya Union, Bukoba Branch (T/Pet.2/104). The Administering Authority had opposed these restrictions because they had applied to women only and were therefore sex-discriminatory. Since then, however, the men of the tribe have come to understand that they too are concerned in the problem, and new tribal rules restricting movement of men and women are currently under consideration. For its part, the Administering Authority considers that the real remedy lies in female education and in improving the status of women in the tribe. To this end the Administering Authority plans to conduct a special propaganda campaign aimed at combating prostitution and venereal disease and to promote the establishment of women's clubs.

*Action taken by the Standing Committee*

16. The petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

17. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority satisfy the requests of the petitioners by providing them with the necessary educational and health facilities to meet their needs and by ensuring that proper measures are taken for combating venereal diseases and prostitution. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

18. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 1.

PETITION FROM CHIEFS AND PEOPLE OF THE KWIMBA DISTRICT (T/PET.2/107)

*Summary of the petition*

19. The petitioners commend the progress achieved by the British Administration in Tanganyika and

request that a secondary school, a technical school and a maternity hospital be established in their district.

*Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.28)*

20. The Administering Authority states that it will continue to make every effort to expand educational and medical facilities, throughout the Territory and development plans to this end are in process of execution. The needs of the Kwimba District will receive due consideration in their relation to the needs of the Territory as a whole, and in particular in relation to the plan for the development of Sukumaland, which envisages the expansion of medical services and educational facilities, especially training in agriculture.

21. Concerning technical education, there now exists one large technical training centre in the Territory and two or three others are planned, one of which will probably be in the Lake Province; furthermore a Natural Resources School, with emphasis upon agriculture, which is being established in the north of the Territory, will be open to students from Kwimba and other districts and most secondary schools provide training in handicrafts. As regards medical services, there now exists one general hospital in the Kwimba District, offering maternity care, and a medical survey unit is studying the health problems of the area. It is planned to provide trained midwives and to construct a hospital at Ngudu, the latter probably in 1954.

*Action taken by the Standing Committee*

22. The petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

23. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority satisfy the petitioners' request for the construction of a secondary school, a technical school and a maternity hospital in the Kwimba District. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

24. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM THE AFRICAN ASSOCIATION, NGUDU (T/PET.2/108)

*Summary of the petition*

25. After raising a number of general questions relating to loans to Africans, wage rates, education and the composition of the Legislative Council, the petitioners make the following specific requests:

(a) That a telephone line be installed to connect the Kwimba District with the Bukwimba railway station and that a lorry be provided to visit the station on such days as there is a train;

(b) That the number of coaches on passenger trains be increased; and

(c) That the hospital at Ngudu be enlarged and the number of doctors increased.

*Observations of the Administering Authority (T/953/Add.4 and T/C.2/SR.28)*

26. The Administering Authority submits the following observations on the specific requests of the petitioners: (a) Telephone communications in the Territory are being expanded and the needs of the Kwimba District are receiving proper consideration. A regular omnibus service will undoubtedly be established between Ngudu and Bukwimba by one of the concerns operating such services when the amount of traffic warrants it; (b) Every effort is being made to increase railway rolling stock as rapidly as resources permit; (c) The five-year development plan of the Medical Department provides for the establishment of a hospital at Ngudu, probably in 1954.

*Action taken by the Standing Committee*

27. The petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

28. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above resolution a paragraph in which the Trusteeship Council would recommend that the Administering Authority satisfy the requests of the petitioners with regard to (a) granting credits to the indigenous population, (b) raising the wages of workers in line with the increased cost of living, (c) enlarging the hospital at Ngudu and (d) increasing of the number of doctors. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

29. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 3.

PETITION FROM THE *Liwalis* OF THE MIKINDANI DISTRICT (T/PET.2/115)

*Summary of the petition*

30. After raising the general question of the adequacy of wages paid to Africans, the petitioners request that a leper hospital be established.

*Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.28)*

31. The Administering Authority states, in regard to the petitioners' specific request for a leper hospital, that a Government leprosarium is being established in the Newala District to serve the small districts of Mikindani, Masasi and Newala and will probably be completed in 1952 or in 1953 at the latest. Moreover, for years past the missions in the Southern Province have been carrying on work on a considerable scale in their own leper settlements but the inhabitants, most of whom are Mohammedans, have been reluctant to accept the services of missions of another faith. The special representative of the Administering Authority said that he had no evidence that the incidence of leprosy in the Mikindani District was significantly greater than elsewhere in the Territory.

*Action taken by the Standing Committee*

32. The petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

33. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to racial discrimination practised against the indigenous population in the field of wages and raise their wages accordingly. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

34. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 4.

PETITION FROM THE INDIAN ASSOCIATION, IRINGA  
(T/PET.2/116)

*Summary of the petition*

35. The petitioners submit a number of comments and complaints relating to general questions which include, *inter alia*, the composition of the Legislative Council, immigration restrictions, discrimination in regard to land alienation, and education.

36. They also complain that European firms in Iringa are being granted monopolies and that this discriminates against Asian firms.

*Observations of the Administering Authority (T/953/  
Add.2 and T/C.2/SR.28)*

37. On the specific complaint made by the petitioners the Administering Authority states that there is no discrimination against Asian firms in the Iringa District. Certain cereals come under the control of the Department of Grain Storage to which all surplus crops must be sold at controlled prices. These surpluses are then stored and distributed, wherever shortages occur, for sale again at controlled prices. In many cases the Department possesses its own storage facilities, but in the case of Iringa it appointed a private firm as storage agent because that firm possessed ample storage accommodation.

38. The methods of distribution are subject to circumstances and may be made through government departments or agencies. In the case that the latter course is decided upon, the cereal is distributed to traders in varying amounts depending on the volume of their trade, their ability to carry stocks and local consumer requirements.

*Action taken by the Standing Committee*

39. The petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

40. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to the policy of racial discrimination, particularly in the fields of trade and industrial activity. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

41. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 5.

PETITION FROM MR. ABDUL-BARY MUHAMMED DIWAN  
AND OTHERS (T/PET.2/119)

*Summary of the petition*

42. The petitioners state that some of their land was not included in a survey undertaken by the former German Administration and they ask that this land now be surveyed and that the owners be given freehold titles. They also refer to the general questions of the regulations governing the sale of land by Africans and the adequacy of the compensation given to expropriated landholders.

*Observations of the Administering Authority (T/953/  
Add.2 and T/C.2/SR.28)*

43. The Administering Authority quotes the relevant provisions of the Land Ordinance of 1923 the effect of which is that no new freeholds could be created after 1923 and no new freehold titles could be issued except in respect of grants made by the former German Administration or in respect of claims capable of being proved under the provisions of the law in force during the time of that Administration.

44. The position of the petitioners is that they are entitled to apply, under the provisions of the Land Registration Ordinance, for first registration of the lands claimed by them. To obtain a freehold title, however, they must prove that they owned and did not merely occupy the land for a period of thirty years prior to the enactment of the Land Ordinance in 1923.

45. The Administering Authority considers that the petitioners are suffering no injustice. They are aware of the law as is shown by the fact that two of the petitioners have applied for first registration and their applications are being investigated. It is considered that indiscriminate granting of freehold rights would be contrary to the interests of the African population as a whole. The lack of freehold titles in no way limits the petitioners' right of occupancy of such land as they may possess under tribal tenure.

46. As regards the petitioners' request for a survey of their land, the Administration hopes that it will be possible in time to carry out such a survey.

47. The Administering Authority therefore suggests that the petition raises no issues calling for action by the Trusteeship Council.

*Action taken by the Standing Committee*

48. The petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

49. At its 32nd meeting, the Committee adopted by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 6.

PETITION FROM THE AFRICAN COOKS, WASHMEN  
AND HOUSE SERVANTS ASSOCIATION (T/PET.2/121)

*Summary of the petition*

50. The petitioners raise a number of general questions relating, *inter alia*, to land alienation, taxation and working conditions in the Territory.

51. They also enclose a letter to the Colonial Secretary complaining that the registration of their association as a trade union has been cancelled unjustly and requesting that this decision be reversed.

*Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.31)*

52. The Administering Authority observes that the Association's registration as a trade union was cancelled because, from its inception, it was evident that the association was not representative and merely served the interests of a few office-holders. Since the cancellation, defection of up-country members appears to have been complete. Notwithstanding this, the central committee has refused to accept the situation and has made constant appeals to the Administration which have been rejected.

53. After replying to the general questions raised by the petitioners, the Administering Authority suggests that the petition, taken as a whole, does not seem to call for any action by the Trusteeship Council.

*Action taken by the Standing Committee*

54. The petition was examined and discussed at the 30th, 31st and 32nd meetings of the Standing Committee on 19 and 24 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30, T/C.2/SR.31 and T/C.2/SR.32.

55. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which allows crude violation of the rights and interests of the indigenous population. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

56. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 7.

*PETITION FROM THE BAHAYA UNION, DAR-ES-SALAAM BRANCH (T/Pet.2/122)*

*Summary of the petition*

57. The petitioners reiterate the concern expressed by the Bukoba and Geita branches of the Bahaya Union (T/Pet.2/104 and 105) concerning the widespread prostitution of Bahaya women and they claim that the Administration is opposed to their efforts to counteract it by preventing women from moving about freely. They add that venereal diseases are being brought into the area and that the last census showed a decrease of 20 per cent in the population of Bukoba. If such conditions are allowed to continue they fear that the Bahaya people will eventually be exterminated and also that new problems will be created for the Territory by the emergence of a class of half-castes.

58. They also raise several general questions relating to the appointment of chiefs, education and wage rates and complain that students are not able to enter privately for such examinations as the Cambridge (Overseas) School Certificate.

*Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.28)*

59. As regards the problem of prostitution, the Administering Authority draws attention to its observations on another petition (T/Pet.2/104).<sup>a</sup> The petitioners

do not refer to the real cause and nature of the problem nor to the preventive measures proposed by the Government. Moreover, it is unlikely that the existence of prostitution will lead to the emergence of a large number of illegitimate children, half-caste or others and in any case half-castes are not discriminated against by the indigenous population.

60. As regards the admission of private candidates to examinations of the Cambridge (Overseas) School Certificate Board, the problems which had originally caused difficulties have been overcome and arrangements have been made to admit private candidates to the examinations starting in 1952. Such students should apply for entry forms through the Department of Education.

*Action taken by the Standing Committee*

61. This petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

62. At its 32nd meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 8.

*PETITION FROM MR. ATHUMANI CHAKUSAGA (T/Pet.2/127)*

*Summary of the petition*

63. The petitioner raises a number of general questions concerning the civil service, wage rates, education and African representation on the Legislative Council.

64. He also complains that the Muslim School of Iringa, where he teaches, is in a disgraceful state and that resort has to be made to begging in the streets in order to pay the teachers' salaries.

*Observations of the Administering Authority (T/953/Add.1 and T/C.2/SR.28)*

65. The Administering Authority observes that the Muslim School at Iringa is a non-assisted primary school of a poor standard run by a voluntary agency. It had not qualified for a government grant and is financed by voluntary contributions. There is a government primary school at Iringa and two mission schools, all of which admit Moslem students.

66. In order to qualify for a government grant-in-aid the Moslem school would have to provide suitable buildings, a curriculum acceptable to the education authorities and, in particular, would have to fulfil the following conditions: (a) the school would have to be officially registered; (b) no unlicensed teacher should be employed; (c) the number of certificated teachers should be not less than half the total of teachers; (d) there should be a reasonable number of children attending the school in relation to the number of teachers employed; and (e) the scales of salaries paid to African teachers should have been approved by the education authorities. Should the school authorities so desire the Department of Education would be fully prepared to give them such advice and assistance as would enable them to meet the requirements for receipt of a government grant.

*Action taken by the Standing Committee*

67. The petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on

<sup>a</sup> See paragraphs 9 and 10 above.

17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

68. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority increase budgetary allocations for educational and other cultural requirements. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

69. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 9.

PETITION FROM MR. B. L. VADGAMA (T/Pet.2/128)

*Summary of the petition*

70. The petitioner complains that in the disposal of ex-enemy sisal estates in Tanganyika the interests of Asians were not adequately served and preferential treatment was given to Europeans. He states that up to the end of December 1950 only 24 1/2 per cent of the total land area, 35 per cent of the annual production in tons and 42 per cent of the total planted area of the 26 ex-enemy estates which were disposed of, went to Asians whereas the remainder was allocated to Europeans. The petitioner considers this an injustice against the Asian community and requests the United Nations to investigate the matter.

71. Annexed to the petition is a list of the estates concerned and the persons or companies to whom they were allocated.

*Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.28)*

72. The Administering Authority describes the procedure followed in connexion with the disposal of the ex-enemy sisal estates. It states that there was no question of discrimination on racial or national grounds in the selection of applicants and that preference was given to those applicants who were considered most likely to succeed in carrying out the covenants and conditions of the rights of occupancy.

73. Of the 24 estates available for disposal, eight had previously been leased to Asian companies. In the final disposal, one of these companies, which had previously leased two estates was found to have unsatisfactory management and therefore did not retain the estates. A further company, which had previously leased four estates, was granted long-term leases over three of them, the fourth being allocated to another applicant. The remaining two estates remained in the hands of their Asian lessees. The net result, therefore, was that five ex-enemy estates, formerly owned by Europeans, passed permanently into Asian ownership. It should be noted that twenty European applicants for these five estates were passed over in favour of Asians.

74. The petitioner made two applications, one of which was as a member of a partnership. These applications were rejected in favour of applicants considered to be more suitable.

75. The Administering Authority states that investigations have satisfied it that the allocation of the estates was conducted in a spirit of fairness and it is

confident that the information transmitted by it to the Council adequately refutes the allegation of racial discrimination. It therefore suggests that the Trusteeship Council should decide that no action by it is called for on this petition.

*Action taken by the Standing Committee*

76. This petition was examined and discussed at the 28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

77. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 10.

PETITION FROM THE ISHAKIA ASSOCIATION (T/Pet.2/131)

*Summary of the petition*

78. The petitioners state that they represent the small Ishakia community which consists of about four thousand persons wholly occupied in cattle breeding, cattle trading and butchering. At present the prices of meat are controlled but not the price of cattle and they complain that a recently established company, Tanganyika Packers Limited, is buying cattle at such enhanced prices that the Ishakia are unable to compete and are being deprived of their livelihood. The petitioners request that the company should not compete with them and should buy cattle only directly from them, if necessary at government controlled prices.

79. The petitioners state further that, although the Government has officially recognized that the Ishakia are non-Africans, this fact has not been officially published. They ask that an appropriate announcement be inserted in the *Government Gazette*.

*Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.28)*

80. The Administering Authority states that in past years the Ishakia community held a virtual monopoly in the purchasing of livestock for slaughter. Since cattle are sold by public auction, the effect of competitive buying by the Tanganyika Packers Limited has been to raise the market price of slaughter cattle, a development greatly welcomed by African cattle owners, and to deprive the Ishakia of much of their formerly lucrative trade. While understanding the difficulties encountered by the Ishakia, the Administration would not be prepared to accede to the petitioners' request namely, to abolish competitive buying in the markets.

81. As regards the question of the non-African status of the Ishakia, the Administering Authority states that this was the subject of an earlier petition (T/Pet.2/58) to the Trusteeship Council.<sup>7</sup> Ordinance No. 39 of the Legislative Council which recognized the non-African status of the Ishakia was published as a supplement to the *Official Gazette*.

*Action taken by the Standing Committee*

82. This petition was examined and discussed at the

<sup>7</sup> This petition was examined by the Trusteeship Council during its fifth session and the Council, in resolution 85 (V) took note that the request of the Ishakia Community for non-African status had been met by the passing of an ordinance which covered their case and decided that the petition called for no action by the Council.

28th and 32nd meetings of the Standing Committee on 17 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.28 and T/C.2/SR.32.

83. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 11.

PETITION FROM THE CHAGGA CULTURAL ASSOCIATION, MOSHI (T/PET.2/134)

*Summary of the petition*

84. The petitioners set forth their views and suggestions concerning a wide range of general problems relating, *inter alia*, to constitutional development, education, the civil service and local administration.

85. They also make the following specific requests:

(a) That five new senior secondary schools be established, providing instruction up to Standard XII, at Tabora, Old Moshi, Tanga, Dar-es-Salaam and Malangali;

(b) That the Northern Province Labour Utilization Board be dissolved; the petitioners allege that it recruits Africans for labour far from their homes, that the labourers are badly treated and that the Government exercises a levy on each recruit; they add that many persons have urged the Board's dissolution;

(c) That the post of African Affairs Officer in the Municipality of Dar-es-Salaam, which is now held by a European, be filled by an African.

*Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.31)*

86. The Administering Authority submits observations on each of the several points raised by the petitioners.

87. As regards the specific requests enumerated above, the Administering Authority's comments are as follows:

(a) When the existing and projected senior secondary schools are full there will be need to increase their number and, at that time, the problem of finding more European teachers will have to be faced. It is also stated that the Old Moshi School will be raised to senior secondary school status as soon as it is full up to Standard X.

(b) The Northern Province Labour Utilization Board is a statutory body whose main purpose is to secure a rational utilization of the labour force available. Recruitment is voluntary and is in strict conformity with the Recruitment of Indigenous Workers Convention. Most of the recruits come from the adjoining Central Province, a comparatively short distance away, and are provided with transport and rest camps, which were inspected and commended by the Visiting Mission. It is untrue that the Government exercises a levy on each recruit; the only payment is made by the employer for whom labour is obtained in order to cover the costs incurred by the Board. Such criticisms of the Board as have been made have come from dissatisfied employers. A review of the Board's operations will shortly be undertaken and the question of its continuation will doubtless be discussed at that time.

(c) It is necessary that the post of African Affairs Officer in the Municipality of Dar-es-Salaam should be filled by an experienced administrative officer and the

only experienced officers at present are European. However, it is the policy of the Administering Authority that this and other senior posts in the Service should eventually be open to qualified African candidates.

*Action taken by the Standing Committee*

88. The petition was examined and discussed at the 31st and 32nd meetings of the Standing Committee on 24 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.31 and T/C.2/SR.32.

89. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority allocate the necessary funds to satisfy the needs of the indigenous population of the Moshi District in the field of public education. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

90. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 12.

PETITION FROM MR. G. A. PAPADOPULOS (T/PET.2/135)

*Summary of the petition*

91. The petitioner explains that, as part of the redistribution of land in the Arusha-Moshi area, the Administration has decided to acquire compulsorily the farm which he has owned and developed for twenty years. The object of the land redistribution, according to the Chairman of the Arusha-Moshi Lands Commission, Justice Wilson, is among other things, to improve the homogeneity of alienated and tribal lands, respectively, to relieve congestion of the African population on tribal lands and to provide them with access to other vacant areas suitable for grazing stock, cultivation of annual crops and eventual settlement. The petitioner claims that his farm does not stand in the way of free access from the tribal lands to the vacant areas referred to by Justice Wilson and that its loss would constitute great hardship for him. He adds that he was prepared to seek a friendly solution and negotiated with the Administration to find suitable alternative land. However, the only other land offered to him could not support him because the size was uneconomical. He asserts that the unwarranted delay of the Administration in coming to a satisfactory decision for two and one-half years has adversely affected his financial potentiality and his plans for the future. He asks that his case be given careful consideration.

*Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.30)*

92. The Administering Authority states that following the publication of the report of the Arusha-Moshi Lands Commission a further investigation revealed that the area of land recommended by the Commission for reversion to tribal use in the Hai Division of the Moshi District was inadequate and consequently, in February 1949, the Government announced its decision to acquire an additional group of farms for tribal use, including one owned by the petitioner.

93. After efforts to obtain the petitioner's land by negotiation and mutual agreement had failed, notice of



intention to acquire the farm compulsory was served on 2 May 1950. The petitioner contested the validity of the proposed acquisition and claimed £15,000 as compensation. This claim was rejected as excessive since the farm, which he had originally purchased for £250, consisted of 213 acres of maize land with no permanent house. An alternative offer of £5,000 was made to him but no reply was received.

94. Subsequently, the petitioner stated his willingness to accept suitable alternative land, but efforts to meet his demands were unsuccessful, the petitioner being unwilling to accept a unit of less than 1,000 acres.

95. Since January 1951 no further representations were made by the petitioner and efforts to find other suitable land for him were abandoned. The Administering Authority states that the petitioner will receive the full market value of his land and that the High Court will be asked to make an assessment of compensation. It adds that, in so far as the Administration is concerned, there has been no delay other than that due to efforts to find alternative land acceptable to the petitioner. The petitioner, on the other hand, is not entitled to alternative land and has been free at any time to seek a court settlement of the amount of compensation due him.

96. Finally, it is stated that the decision to acquire the land in question was made only after careful consideration and, since the petition reveals no new facts which would justify a review of the case, the Administering Authority suggests that the Trusteeship Council should decide that no action by it is called for.

#### *Action taken by the Standing Committee*

97. This petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

98. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 13.

#### PETITION FROM THE CHAGGA COUNCIL (T/PET.2/137)

##### *Summary of the petition*

99. The petitioners raise a number of general questions relating to the status of the Territory, land shortage and the adequacy of educational facilities. It is requested that the Chagga Council be officially gazetted as the local education authority for the Moshi District.

##### *Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.30)*

100. The Administering Authority states that the request that the Chagga Council replace the District Education Committee would merit consideration only if all the schools in the District were Native Administration schools; they are not, however, and the Committee is comprised of representatives of all the agencies engaged in educational activities in the District. Moreover, the Chagga people are adequately represented on the Committee.

101. The Chagga people are progressive and keenly interested in educational facilities, and the Administering Authority states that it is giving and will continue to give every encouragement to such tribes to develop their own educational programme.

#### *Action taken by the Standing Committee*

102. The petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

103. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the land alienated from it in one way or another; prohibit any future alienation of land belonging to the indigenous population, and increase the budgetary allocation for education requirements. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

104. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 14.

#### PETITION FROM REPRESENTATIVES OF THE WAARUSHA (T/PET.2/144)

##### *Summary of the petition*

105. The petitioners submit the following comments and requests:

(a) *Expansion of the Arusha township*: Repeated expansion of the township has resulted in the dispossession of African landholders who have suffered hardships as a result of their removal and have been insufficiently compensated. Now the township is being expanded again and the petitioners ask that this be stopped.

(b) *Hospitals*: There is only one hospital at Arusha with insufficient medical staff, inadequate equipment and the diet given to patients does not satisfy their needs.

(c) *Shambas at Loljoro*: These shambas were cleared by the Africans to get rid of the tsetse fly and later utilized for cultivation and grazing. However, since the Second World War they have passed into the hands of European farmers and the Africans plead for their return.

(d) *Landmarks*: Landmarks have been erected in Waarusha territory and the petitioners fear that this may mean that more land is to be appropriated for expansion of the Arusha township.

(e) *Roads to Olkokola*: Two roads formerly used by the Waarusha have been closed by the Forest Department since 1949 and it is requested that they be reopened.

106. The petitioners also raise the general questions of land alienation, compensation for expropriated land, education and exploitation of the Territory's mineral resources.

##### *Observations of the Administering Authority (T/953/Add.2 and T/C.2/SR.30)*

107. The Administering Authority comments that most of the matters raised in the petition have been the subject of observations in respect of previous petitions.

(a) *Expansion of the Arusha township*: The Arusha township has, in fact, been reduced to one quarter of its original size, and no new expansion will be considered until the fullest possible use has been made of the area



now available. It is true that Africans were moved during 1930-1947 from pockets of land within the township's boundaries, but they suffered no hardships and all received compensation and payment for disturbance. In every case alternative land was provided by the Government but most of those who were displaced preferred to move into the adjoining tribal lands of their kinsmen.

In the event that Africans are moved from pockets of land within the township's boundaries, they may apply for compensation to the District Commissioner either directly or through the Native Authorities.

(b) *Hospitals*: Although there is need to expand and improve medical services generally in the Territory, the small Arusha district is comparatively well served. There are two hospitals, one at Arusha and the other at Monduli. Owing to the present staff shortage medical personnel are undoubtedly overworked.

(c) *Shambas at Loljoro*: The land in question was never occupied by the Africans and it was only after seeing the success achieved by the European farmers that a section of the Waarusha began to seek the return of the land to the Africans. Furthermore, the land was cleared as part of the Administration's programme for elimination of the tsetse fly and not by the Africans on their own behalf.

(d) *Landmarks*: The landmarks are intended solely for surveying purposes and the fears of the petitioners are groundless.

(e) *Roads to Olkokola*: Olkokola lies within the Meru forest reserve and the roads referred to are presumably trails leading to glades formerly used for grazing cattle. These glades are being re-afforested and grazing in them has been prohibited.

#### *Action taken by the Standing Committee*

108. The petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

109. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the land alienated from it in one way or another; prohibit any future alienation of land belonging to the indigenous population, and allocate the necessary funds for satisfying the requirements of the population of the Waarusha area in the fields of medical services and education. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

110. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 15.

PETITION FROM THE ARUSHA CITIZEN UNION (T/  
PET.2/146)

#### *Summary of the petition*

111. The petitioners submit the following complaints and requests:

(a) *Expropriation of land*: The Africans have suffered hardship as a result of the expropriation of

their lands for expansion of the Arusha township, construction of the new Namanga-Taveta road and other purposes, including European settlement at Muiet and Oljoro (Loljoro). Consequently, the Waarusha are doubtful about their future and fear that all their land may eventually be taken from them.

(b) *Water*: Water which was formerly available to the people living on the west side of Arusha (Kisongo), south of farm No. 3438, has been taken by European farmers and the Administration should ensure that the Africans living in that area receive their fair share.

(c) *Furrows*: The furrows which used to pass to what has now become township property have been appropriated by Europeans and Africans have been deprived of their use.

(d) *Agriculture*: Owing to shortage of land, the land available for African cultivation is overworked and its productivity is diminishing. Soil erosion control is not properly conducted and the responsible officials should be replaced by better trained agricultural instructors.

(e) *Cattle grazing*: Grazing land has been taken by Europeans and there is not enough left. The Africans also object to dipping their cattle.

(f) *Forests*: Tribal land is being appropriated for forest reserves.

(g) *Education*: Facilities are inadequate and education is not being provided beyond Standard VI.

(h) *Dispensaries*: There are no dispensaries in the District and only one hospital. It is requested that two or more dispensaries be built.

(i) *African societies*: Africans are afraid to form any unions for fear of reprisals by the Administration. The Government should encourage the formation of societies and Africans should be permitted freedom of speech.

(j) *African representation*: Although there are few educated persons among the Waarusha, these should be permitted to represent the Africans in the Arusha District. The petitioners welcome the decision to increase the number of African members on the Legislative Council and hope that at least one seat will be reserved for the Northern Province.

#### *Observations of the Administering Authority (T/953/ Add.2 and T/C.2/SR.30)*

112. The Administering Authority submits the following observations:

(a) *Expropriation of land*: The Arusha township has, in fact, been reduced to one quarter of its original size. It is true that African landholders have been moved from pockets of land within the township's boundaries and in a few cases from land needed for the Namanga-Taveta road, but all have received appropriate compensation. As regards the particular areas mentioned at Muiet and Oljoro (Loljoro), the former was acquired by the Government in 1928 and consists of land unsuitable for cultivation and the second was land never used by the Africans and developed by the lessees themselves. The Administering Authority is confident that the Waarusha as a whole do not entertain the fears attributed to them by the petitioners.

(b) *Water*: Wherever possible water supplies have been and are being increased. The Administering Authority describes the existing means of supply and outlines the proposals for increasing it. The development

of water supplies forms an important part of the Administering Authority's development plans for the Territory.

(c) *Furrows*: The furrows concerned formerly supplied water to African landholders both within and outside the boundaries of Arusha township. When the African landholders within the township were moved, their rights were re-allocated to other users. The basis of the present complaint is that the remaining African landholders should have all the water available.

(d) *Agriculture*: Land shortage exists only in certain areas including part of the Arusha District and new land is being developed to remedy this. As regards soil erosion, considerable conservation measures have been introduced in the Arusha chieftdom despite active opposition from the people. The need for improving the standard of agricultural instructors is recognized and a comprehensive training scheme is planned.

(e) *Cattle grazing*: The shortage of grazing land is due to the steady increase in the number of stock owned by the Africans and to the conversion of some grazing lands to cultivation. The opening up of new lands will afford some relief but the real need is to reduce the numbers of stock, a measure to which the Waarusha are opposed. As regards cattle dipping, this is to be made compulsory in the Arusha District for all cattle whether owned by Africans or non-Africans.

(f) *Forests*: Formerly Africans were accustomed to graze their cattle within the Meru forest. This has been forbidden in order to protect the forests.

(g) *Education*: The expansion of existing facilities is provided for under the ten-year plan.

(h) *Dispensaries*: Distances to the Arusha or Menduli hospitals are so short that provision of other medical facilities is not urgently required at the present time. The services of visiting nurses and doctors are not possible with the staff at present available but it is planned to establish more dispensaries in the Territory and to increase the number of trained midwives and visiting nurses.

(i) *African societies*: Africans are not deterred from forming unions or societies by fear of reprisals. The existence of free speech was confirmed by the Visiting Mission.

(j) *African representation*: The Arusha have equal opportunities with other tribes to be represented on local government bodies, and the interests of the Northern Province will be fully safeguarded in any future constitutional developments.

#### *Action taken by the Standing Committee*

113. The petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

114. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the indigenous population of the Trust Territory the land alienated from it in one way or another, prohibit any future alienation of land belonging to the indigenous

population, and allocate the necessary funds for satisfying the requirements of the population of the Waarusha area in the fields of medical services and education. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

115. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 16.

PETITION FROM MR. JOSEPH BYEBALIRO (T/  
PET.2/148)

#### *Summary of the petition*

116. The petitioner complains that certain traders are exploiting the African coffee producers of the District by buying their coffee at prices slightly higher than the controlled prices offered by the African co-operative societies and selling it at a profit in the markets of Ruanda-Urundi and Uganda which are not accessible to the co-operative societies. He asks that either the co-operative societies be permitted to sell their coffee freely or that the traders be required to buy their coffee at prices comparable to those obtaining in Ruanda-Urundi.

117. The petitioner further complains that the Bukoba Coffee Board, although financed out of the revenue from African grown coffee, employs only Europeans in responsible positions, does not publish its financial statements and spends money on extravagant schemes despite the protests of the Africans. It is requested that steps be taken to ensure that African interests are protected and that the Board recruit more Africans and train them for employment in responsible posts.

118. The petitioner also complains of the existence of open prostitution which, he alleges, is permitted and encouraged by the Administration. He asks that immediate action be taken to put an end to prostitution.

119. Finally he raises a number of general questions concerning education, land, the local councils and the establishment of a United Nations office in the Territory.

*Observations of the Administering Authority (T/953/  
Add.4 and T/C.2/SR.30)*

120. The Administering Authority explains that the Bukoba Coffee Board is one of several boards established under the provisions of the African Agricultural Products (Control and Marketing) Ordinance for the purpose of controlling the production, processing and marketing of a specific product. These boards have the power, after obtaining prior authorization from the Legislative Council, to order that all producers of a specified agricultural product within the Board's jurisdiction shall sell such product through the Board or through such agency or agencies as the Board may direct. The purpose of this controlled marketing is to enable the board to safeguard the interests of producers and to negotiate contracts of sale.

121. The petitioner's first complaint concerns the system of controlled marketing and prices established by the Bukoba Coffee Board and violation thereof by certain independent traders. While it is admitted that smugglers and "blackmarketeers" have been active in the District, it is hoped that the increased official prices

now being paid to African coffee producers will reduce the temptation to sell coffee otherwise than through the co-operative societies and approved agencies. As the co-operative societies handle more and more of the total crop, it may be expected that the large number of licensed traders will disappear. In the meantime, it is stressed that the best interests of the producers would not be served by abolishing the present systematic marketing control.

122. As regards the operations of the Bukoba Coffee Board, it is stated that the Board's funds are obtained from a levy on coffee sales, and the purposes for which the funds may be used are prescribed by law. The Board is required to keep proper accounts and to prepare an annual financial statement. The financial report for the years 1949 and 1950 was published recently and contains a full statement of accounts for that period. It is true that the executive officer and technical specialists employed by the Board are present Europeans but in due course, it will doubtless be possible to find qualified Africans for such posts. The Board itself, under the chairmanship of the Provincial Commissioner, includes four Government officers and four African members. The Administering Authority adds that the whole purpose of the Board is to further the interests of the indigenous people.

123. As regards the question of prostitution, the Administering Authority draws attention to its observations on the petition from the Bahaya Union (T/Pet.2/104).

*Action taken by the Standing Committee*

124. This petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

125. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 17.

PETITION FROM MR. REMI TENGO (T/Pet.2/150)

*Summary of the petition*

126. The petitioner suggests that native treasury funds should be used for purchasing agricultural machinery which could be made available for hire by Africans to increase their yield of crops. If this is not feasible, a large part of the poll tax revenue should be loaned temporarily for the purpose.

127. The petitioner also raises general questions concerning the exploitation of the Territory's mineral wealth and the treatment of Tanganyikans in Ruanda-Urundi.

*Observations of the Administering Authority T/953/Add.4 and T/C.2/SR.30)*

128. The Administering Authority states that financial assistance to African agriculturists may be obtained either in the form of individual loans from the Local Development Loan Fund or by the use of native treasury funds at the discretion of the Native Administration councils. There must, however, be adequate care and safeguards in the use of public funds for loan purposes. Steps are being taken to expand the

facilities available to indigenous farmers and more co-operative societies are being formed.

*Action taken by the Standing Committee*

129. This petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

130. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 18.

PETITION FROM MR. R. M. MAUCHAUFFEE (T/Pet.2/152)

*Summary of the petition*

131. The petitioner states that he became a resident of the Territory in 1930 and was naturalized as a British subject during the Second World War having been previously a French citizen. During the war he and his wife gave up their farming interests in the Territory and joined the armed forces. At the conclusion of hostilities he applied to acquire a sisal estate from among twenty-nine ex-enemy estates which had been leased temporarily during the war. However, his application was refused and he claims that, out of twenty-five estates actually disposed of, sixteen were returned to their wartime lessees, and nine were allocated to persons or companies either already owners of estates or connected with the sisal industry.

132. He considers that the allocation of these estates by the Land Settlement Board was not conducted fairly and that he, as a person long resident in the Territory and with satisfactory financial standing and qualifications, should have been given special consideration as compared with other applicants because of his war service. He states that he was offered about 500 acres of land, but that it was suitable only for growing tobacco and a little kapok and was in an almost inaccessible area.

133. In conclusion he states that he is not the only applicant who feels that he has been incorrectly treated by the Government and he asks that the Visiting Mission should judge the matter in an unbiased spirit and take whatever action it deems appropriate.

*Observations of the Administering Authority (T/953/Add.4 and T/C.2/SR.30)*

134. The Administering Authority states that the general subject of this petition, namely the allocation of ex-enemy sisal estates, is fully covered in its observations on the petition from Mr. B. L. Vadgama (T/Pet.2/128).

135. In regard to the particular case of the present petitioner, it is noted that in reply to a complaint addressed by him to the Governor of the Territory, he was informed that there had been many more applicants than estates and that consequently the great majority of applicants had to suffer disappointment. It was added that his failure to obtain one of the ex-enemy sisal estates would in no way prejudice any future application he might make for other land.

136. The Administering Authority states that the petitioner's contention that the allocation of the ex-

enemy sisal estates was not fairly carried out is as unfounded as his allegation that his own application received no consideration. As regards his statement that he was offered an alternative estate of 500 acres, it is explained that he was not offered any land but was informed that certain properties were about to be advertised. Since then and subsequent to his present petition, the petitioner has been in correspondence with the authorities and has been given particulars of certain land being made available for alienation and also information regarding the ex-enemy sisal estates which, for various reasons, the Government has decided not to offer for alienation.

137. The Administering Authority further states that the petitioner has been informed that no other ex-enemy sisal estates are at present available or are likely to become available in the foreseeable future. In the circumstances, it is suggested that the Trusteeship Council should decide that no action is called for by it on this petition.

*Action taken by the Standing Committee*

138. This petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

139. At its 32nd meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 19.

PETITION FROM THE BUHAYA (BUKOKA) COUNCIL  
(T/PET.2/154)

*Summary of the petition*

140. The petitioners raise a number of general questions relating to constitutional matters, land, education, relations with the Trusteeship Council and commerce.

141. They also complain of the existence of widespread prostitution among the Buhaya. They add that although the Administration is well-informed of the situation it has failed to take the necessary measures to eradicate prostitution or to support the efforts being made by the Buhaya themselves.

*Observations of the Administering Authority (T/953/ Add.4 and T/C.2/SR.28)*

142. As regards the specific question of prostitution among the Buhaya, the Administering Authority refers to its observations on the petition from the Bahaya Union (T/Pet.2/104).<sup>8</sup>

*Action taken by the Standing Committee*

143. This petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

144. At its 32nd meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 20.

PETITION FROM MR. HASSANI SEMBOJA AND FOURTEEN OTHERS (T/PET.2/155)

*Summary of the petition*

145. This petition relates to the same subject as that of previous petitions (T/Pet.2/136 and T/Pet.2/96). The petitioners state that the election and appointment of the new chief of Usangi was incorrect and that the present office holder, who is a member of a clan alien to the village, is not entitled to the chieftom under tribal law.

*Observations of the Administering Authority (T/953/ Add.5 and T/C.2/SR.30)*

146. The Administering Authority draws attention to its observations on petition T/Pet.2/136 (T/953/ Add.2) and Trusteeship Council resolution 329 (VIII).

*Action taken by the Standing Committee*

147. The petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 and 27 June 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

148. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 21.

PETITION FROM MR. ABDALAHAMANI KAPONTA (T/PET.2/156)

*Summary of the petition*

149. After referring to a number of general questions concerning agriculture, wages and the regulations governing the felling of trees, the petitioner makes the following specific complaints:

(a) *Land alienation*: In the Ugala area the inhabitants were moved from land where sleeping sickness was prevalent and the land has since been made a game reserve.

(b) *Inoculation of cattle*: This is carried out in an incorrect way and the inoculators improperly levy a tax of 50 cents per head.

(c) *Railway employees*: Station-masters improperly levy a charge for assisting illiterate persons in the preparation of way-bills for consignment of goods.

*Observations of the Administering Authority (T/968 and T/C.2/SR.30)*

150. The Administering Authority submits the following observations on the specific complaints of the petitioner:

(a) *Land alienation*: Ugala is still a sleeping sickness area and the land has not been made a game reserve. The petitioner is evidently ignorant of the legal process by which an area can be declared a game reserve. Whenever a reserve is established a proclamation to that effect is published in the *Official Gazette* and elsewhere, the land is surveyed and the local inhabitants are informed of the boundaries of the proposed reserve.

(b) *Inoculation of cattle*: The petitioner's allegations concerning the manner in which compulsory inoculation is carried out are denied. The Administering Authority explains that it is illegal for inoculators to charge fees

<sup>8</sup> See paragraphs 9 and 10 above.

and if such practices exist they can be stopped only with the co-operation of the aggrieved parties who should complain to the appropriate authorities.

(c) *Railway employees*: There is no official charge for assisting illiterate persons in filling out way-bill forms but irregularities can be checked only if the aggrieved persons complain to the proper authorities.

#### *Action taken by the Standing Committee*

151. This petition was examined and discussed at the 30th and 32nd meetings of the Standing Committee on 19 June and 1 July 1952. The relevant discussion is contained in documents T/C.2/SR.30 and T/C.2/SR.32.

152. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend

that the Administering Authority put an end to the anti-democratic policy which allows racial discrimination and crudely violates the rights and interests of the indigenous population of the Trust Territory. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

153. At its 32nd meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 22.

#### DRAFT RESOLUTIONS

*For the texts of draft resolutions 1 to 22 inclusive, adopted without change at the 442nd meeting of the Trusteeship Council, see resolutions 469 (XI), 470 (XI), 471 (XI), 472 (XI), 473 (XI), 474 (XI), 475 (XI), 476 (XI), 477 (XI), 478 (XI), 479 (XI), 480 (XI), 481 (XI), 483 (XI), 484 (XI), 485 (XI), 486 (XI), 487 (XI), 488 (XI), 489 (XI) and 490 (XI).*

### DOCUMENT T/L.289

#### **Fifteenth report of the Standing Committee on Petitions: petitions concerning Ruanda-Urundi**

[Original text: English]  
[3 July 1952]

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 32nd and 34th meetings on 1 and 3 July 1952, the following petitions concerning Ruanda-Urundi:

(1) Petition from the *Union des colons du Ruanda-Urundi* (T/Pet.3/39);

(2) Petition from Mr. Nzamwita Gaston Jovite (T/Pet.3/44 and T/Pet.3/44/Add.1);

(3) Petition from the *Union des colons du Ruanda-Urundi* (T/Pet.3/55);

(4) Petition from Mr. Chaka Selemani (T/Pet.3/56);

(5) Petition from Dr. R. Van Saceghem (T/Pet.3/57).

2. Mr. P. Leroy participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends

that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 1, 2 and 3.

4. The Standing Committee further recommends that the Trusteeship Council postpone until its twelfth session the examination of the petition from Mr. P. J. Wilkinson (T/Pet.3/58) concerning Ruanda-Urundi. The Administering Authority which did not receive this petition within the two months' time-limit provided in rule 86 of the rules of procedure for the Trusteeship Council, informed the Committee that it was not prepared to participate in the examination of this petition at the present session.

5. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous population.

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PETITION FROM THE *Union des colons du Ruanda-Urundi* (T/PET.3/39)

*Summary of the petition*

6. After stating that the settlement of European colonists in Ruanda-Urundi is inevitable and, moreover, beneficial to the Territory, the petitioners complain of racial discrimination against the whites and quote the four following cases as examples:

(a) As regards justice, the Public Prosecutor's Department tries to excuse African offenders, whereas the strictest letter of the law is applied to Europeans;

(b) The legislation on the social obligations of employers, which is incomplete and often badly applied, imposes much heavier burdens on Europeans than on the indigenous inhabitants;

(c) The conditions governing the recruitment of labour, which also differ for the two categories of inhabitants, debar white persons from many categories of occupations;

(d) Lastly, white persons can be expelled by simple administrative decision, whereas Africans are not subject to such action.

7. They request that the successive removals of discriminatory practices should be effected for the good of all and that the many existing racial discriminations against the whites should not be forgotten in the general reform undertaken.

*Observations of the Administering Authority (T/943 and T/C.2/SR.32)*

8. The Administering Authority comments in detail on the four examples cited by the petitioners as discriminatory practices to the detriment of the white population.

(a) Attitude of the Public Prosecutor's Department: although the Public Prosecutor's Department extends special protection to the indigenous inhabitants, the courts by no means seek to excuse Africans guilty of infringements of the law. There is only one Penal Code, which is applicable to all members of the population without distinction as to race.

(b) Different social obligations imposed upon European and indigenous employers: the legislation regarding labour contracts was drafted so as to protect the indigenous inhabitants from foreigners who might take advantage of their ignorance. Moreover, indigenous employers who pay a personal tax other than the tax on indigenous inhabitants are put on the same footing as foreign employers.

(c) Recruitment of labour: the situation complained of by the petitioners arises from an economic struggle between employers and employees of the same race and not from racial discrimination.

(d) Expulsion of non-indigenous persons: it is consistent with international law that in no circumstances can an indigenous inhabitant be expelled from his own country. With regard to non-indigenous inhabitants permanently settled in the Territory, the contingencies in which they might be expelled are surrounded with the most stringent guarantees.

*Action taken by the Standing Committee*

9. This petition was examined and discussed at the 32nd and 34th meetings of the Standing Committee on 1 and 3 July 1952. The relevant discussion is contained in documents T/C.2/SR.32 and T/C.2/SR.34.

10. At its 34th meeting, the Committee adopted, by 5 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution I.

PETITION FROM MR. NZAMWITA GASTON JOVITE (T/PET.3/44 AND T/PET.3/44/ADD.1)

*Summary of the petition*

11. After criticizing the situation in the Trust Territory as regards administration, education, justice, social and economic progress of indigenous inhabitants and wages of indigenous labour, the petitioner sets forth a number of personal grievances.

12. He complains first of the inadequacy of his salary. As an assistant-clerk, third class, he receives a monthly salary of 1,390 francs, although he needs a minimum of 2,290.50 francs a month to live.

13. He then accuses the Administration of not having granted his request to be transferred to Ruanda, his native territory, although he has been in Urundi for three years already.

14. Lastly, in a subsequent communication (T/Pet.3/44/Add.1), the petitioner declares that after the departure of the Visiting Mission, he was subjected to persecution by his immediate chief.

*Observations of the Administering Authority (T/944 and T/C.2/SR.32)*

15. After replying to the petitioner's general criticism, the Administering Authority comments on his personal grievances.

16. The list of what the petitioner regards as necessary for a minimum standard of living is fantastic. The expenses for food noted there are exaggerated and

would be enough for ten ordinary workers. Although the petitioner is married, he has no children. On the other hand, although his salary is low, it should be remembered that he is only twenty and has been in the service only two and a half years. The salaries of government employees have been increased recently in the light of increases in the cost of living and further increases are contemplated.

17. As regards the petitioner's request for a transfer, the Administering Authority points out that to grant every request for a transfer would render administration impossible. His request was in fact about to be granted when he suddenly decided to hand in his resignation on 4 September 1951.

18. Lastly, with regard to the petitioner's complaint of persecution by his superiors, the Administering Authority declares that it was simply his shortcomings at work which caused representations to be made to him.

#### *Action taken by the Standing Committee*

19. The petition was examined and discussed at the 32nd and 34th meetings of the Standing Committee on 1 and 3 July 1952. The relevant discussion is contained in documents T/C.2/SR.32 and T/C.2/SR.34.

20. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its antidemocratic policy which permits crude violation of the rights and interests of the indigenous population and that the salaries of indigenous inhabitants working in the administration be increased. As a result of the Committee's rejection of this proposal, by 5 votes to one, he was not in a position to support the draft resolution.

21. At its 34th meeting, the Committee adopted, by 5 votes to one, the draft resolution which is reproduced below as draft resolution 2.

#### *PETITION FROM THE Union des colons du Ruanda-Urundi (T/PET.3/55)*

##### *Summary of the petition*

22. The petitioners protest against the elections held in September 1951 in the two extra-customary centres (*centres extra-coutumiers*) at Usumbura to select councillors for those centres.

23. They declare that the elections constitute an example of unjustifiable racial discrimination against the whites. In support of this statement, they put forward the following considerations: first, the right of election granted to the Africans is still refused to the European population; secondly, owing to their historical heritage and experience, the whites are much more anxious and better prepared to take part in political elections than the Africans; lastly, not only the Barundi, who are natives of the area, but also African immigrants participated in the elections at Usumbura.

#### *Observations of the Administering Authority (T/961 and T/C.2/SR.32)*

24. The Administering Authority states that the elections of councillors held in the extra-customary centres at Usumbura are in accordance both with the

Charter of the United Nations and the law of the country and in no way constitute an example of racial discrimination to the detriment of the whites.

25. It points out that the interest taken by the indigenous population in political life is shown by the increased number of voters in 1951 as compared with 1949. The composition of the electoral body is justified by the nature of the extra-customary centres where the juxtaposition of very varied ethnic groups makes it impossible to apply customary law.

26. Lastly, the question of the participation of the white population in the administration of the areas in which it resides should not be associated with the problem of organizing extra-customary centres. There is no parallel between the administration of these centres, which sometimes include tens of thousands of indigenous inhabitants, and the administration of localities inhabited by a few hundred non-indigenous inhabitants.

#### *Action taken by the Standing Committee*

27. This petition was examined and discussed at the 32nd and 34th meetings of the Standing Committee on 1 and 3 July 1952. The relevant discussion is contained in documents T/C.2/SR.32 and T/C.2/SR.34.

28. At its 34th meeting, the Committee adopted, by 5 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution 1.

#### *PETITION FROM MR. CHAKA SELEMANI (T/PET.3/56)*

##### *Summary of the petition*

29. The petitioner accuses a certain chief, André Kalinda, of having robbed him of the property left him by his late father, in the Kamuronza Region (Territory of Kirotsche) and of having exiled his young brother with the assistance of the Administrator of the Territory. He claims the repatriation of his brother and the restoration of the property usurped by Kalinda, i.e., the 178 head of cattle left by his father.

30. The petitioner also asks the date of the next periodic visit of the United Nations to Ruanda-Urundi.

#### *Observations of the Administering Authority (T/983 and T/C.2/SR.32)*

31. The Administering Authority says that the petition is not admissible under rule 76 of the rules of procedure of the Trusteeship Council as it does not concern the affairs of a Trust Territory, in this instance, Ruanda-Urundi. The authority against which the petitioner lodges his complaint is the Government of the Belgian Congo, since the incidents to which he refers occurred in the Kivu Region and the person on whose behalf he solicits action is a native of the Congo.

#### *Action taken by the Standing Committee*

32. This petition was discussed at the 32nd meeting of the Standing Committee on 1 July 1952. In the light of the observations of the Administering Authority, the Committee decided to recommend that the Trusteeship Council consider this petition to be inadmissible.

#### *PETITION FROM DR. R. VAN SACEGHEM (T/PET.3/57)*

##### *Summary of the petition*

33. The petitioner complains that the family allowances which, according to the decree of 30 March 1948, are granted to the legitimate or acknowledged



children of pensioned colonists in Ruanda-Urundi, are refused to unacknowledged children born out of wedlock.

34. He asks that unacknowledged mulatto children should be given the right to receive family allowances under the decree of 30 March on the same footing as acknowledged children.

*Observations of the Administering Authority (T/C.2/SR.32)*

35. The Administering Authority states that the law with regard to family allowances for legitimate children and acknowledged illegitimate children is the same in Ruanda-Urundi as in Belgium. As unacknowledged illegitimate children are not legally part of their parents' family, it is only reasonable that they should not receive family allowances.

36. It is difficult to guarantee to unacknowledged mulatto children the same rights as acknowledged

children but there is certainly no social discrimination against them.

#### *Action taken by the Standing Committee*

37. This petition was examined and discussed at the 32nd and 34th meetings of the Standing Committee on 1 and 3 July 1952. The relevant discussion is contained in documents T/C.2/SR.32 and T/C.2/SR.34.

38. At its 34th meeting, the Committee adopted, by 5 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution 3.

#### DRAFT RESOLUTIONS

*For the texts of draft resolutions 1 to 3 inclusive, adopted without change at the 442nd meeting of the Trusteeship Council, see resolutions 491 (XI), 492 (XI) and 493 (XI).*

### DOCUMENT T/L.295

#### Sixteenth report of the Standing Committee on Petitions: petitions concerning Tanganyika

*[Original text: English]  
[9 July 1952]*

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 33rd, 35th and 36th meetings on 2, 7 and 9 July 1952, the following petitions concerning Tanganyika:

(1) Petition from Representatives of the Wa-Meru Tribe (T/Pet.2/99 and Add.1-7)

(2) Petition from Mr. Gamaliell Sablak (T/Pet.2/143)

2. These petitions had been examined by the Trusteeship Council and an oral hearing granted to the representative of the petitioners at its 431st and 432nd meetings on 30 June 1952. Sir John Lamb participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions.

4. The Standing Committee draws the attention of the Council to the fact that the petitioners have indicated their wish to send another representative to the Trusteeship Council to make a further oral presentation on the subject matter of the petition. At the time of the Committee's examination of the petitions, Mr. Earle Seaton, the representative of the Wa-Meru tribe, had no information as to when the second representative of the petitioners was to arrive. The Committee therefore decided to complete its examination of the petitions and to refer to the Council any decision regarding the possible postponement of final action on them.

5. The petitions referred to above are the last petitions relating to Tanganyika which the Standing Committee on Petitions was able to examine during the course of the eleventh session of the Trusteeship Council as the Administering Authority did not receive the remaining petition concerning Tanganyika on the

agenda, that of Mr. Paul Finger (T/Pet.2/157), within the two months' time-limit provided in rule 86 of the rules of procedure for the Trusteeship Council and was not prepared to consider the petition at this session.

6. The representative of the Union of Soviet Socialist Republics voted against the report in view of the fact that it contained a draft resolution adopted by the Committee which was unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, this draft resolution did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violations of the rights and interests of the indigenous population of the Trust Territory.

PETITION FROM REPRESENTATIVES OF THE WA-MERU TRIBE (T/Pet.2/99 AND ADDS.1-7) AND PETITION FROM MR. GAMALIELL SABLAK (T/Pet.2/143)

#### *Summary of the petitions*

(1) *Petition from representatives of the Wa-Meru tribe (T/Pet.2/99 and Add.1-7)*

7. The petitioners state that, in accordance with a recommendation made by the Arusha-Moshi Lands Commission, the Wa-Meru living in the Ngare-Nanyuki and Leguruki areas will be moved to arid and tsetse-ridden lands in another area in order to make room for European settlers, thus depriving them of two farms, (No. 31 Kilimambuzi and No. 328 Leguruki) which they purchased from the Government in previous years, the farms having originally been on Wa-Meru land which had been alienated by the Germans. Since they were first told that they must evacuate the Ngare-Nanyuki areas they have protested this decision and demanded its reversal. However, they complain that the 3,000 Wa-Meru families involved are being obliged to move without their consent. The petitioners cite a

letter written by the Secretary of State for the Colonies in February 1946 stating, *inter alia*, that priority should be given to the needs of Africans and that settlement of non-Africans should not lead to forcible eviction of Africans from the land.

8. The petitioners complain (T/Pet.2/99/Add.7) that as a result of the eviction of the 3,000 Wa-Meru from Ngare-Nanyuki the people are destitute, their cattle, sheep, and goats having died, or been lost on the journey. They state that they have no houses since those they occupied have been burnt by the police and that they suffer from disease and lack of food.

9. With regard to the scheme as a whole the petitioners dispute various points made by the Administration in justifying the scheme. They do not believe that the scheme is in their best interest but claim it is motivated by racial discrimination and constitutes a violation of the statement of the Secretary of State for the Colonies mentioned above; they regard the land offered in exchange as inferior land and claim that the land being offered them already forms part of the tribal lands although uninhabited. Finally, they maintain that according to tribal custom no land may be alienated by their chief without prior consultation with the people. They therefore request the United Nations to intercede on their behalf with the Administering Authority.

(2) *Petition from Mr. Gamaliell Sablak (T/Pet.2/143)*

10. The petitioner sets forth a number of complaints concerning general problems relating to education, land and constitutional development.

11. In connexion with the general complaint that Africans are being moved from their lands which are then given to settlers and no alternative land is found for these who are dispossessed, the petitioner makes reference in particular to the Administration's plan to take more land at Ngare-Nanyuki, Leguruki and Singisi where the Africans have lived for generations.

*Written observations of the Administering Authority (T/953)*

12. The Administering Authority comments that the petitioners do not represent the Wa-Meru tribe as a whole and can claim only to express the views of the people living in the Ngare-Nanyuki area who total 312 taxpayers and their families (not 3,000 as stated in the petition).

13. The subject of the petition concerns one part of a general plan which as a whole is greatly in the interests of the African population and beneficial to the Wa-Meru tribe. The scheme to transfer the small Wa-Meru population from the arid land in the Ngare-Nanyuki area to more extensive and better agricultural land adjoining the main tribal territory was announced in 1949 in the recommendations of the Arusha-Moshi Lands Commission but no protests were made until recently. In the meantime the other parts of the plan have been put into operation and the new lands have been acquired and are being developed entirely at government expense: a piped water supply has been laid down, an agronomic survey of the area is proceeding and arrangements have been made to reopen a medical dispensary in the resettlement area. Under the plan, the Wa-Meru, will be fully refunded the price paid by them for the two former German farms, they will

receive their new lands free of all cost, and the families being moved will be given compensation for disturbance, free transport and assistance in establishing themselves in the new area.

14. The petitioners previously addressed an appeal in the same terms to the Secretary of State and their representations have been the subject of careful examination. In the circumstances, the Administering Authority suggests that the Trusteeship Council should decide that no action is called for on this petition.

*Comments of the 1951 Visiting Mission (T/946, paragraphs 199-202)*

15. The Mission states that, as the petition was received on the eve of its departure from the Territory, it did not have time to ascertain whether the Government intended to carry out the transfer even if the persons concerned refused to agree to it. While there may be good practical reasons for the transfer, the Mission feels that the removal of any land from actual occupation by Africans in this heavily congested area is open to question and warrants the serious attention of the Trusteeship Council, particularly if there is any foundation to the suggestion that pressure is being brought on the Africans concerned. In this connexion, the Mission recalls the explanations given by the Tanganyika Government to the previous Mission and to the Trusteeship Council to the effect that, if any land is approved for alienation, the Africans then occupying it, would be given the option of remaining or of removing to any other area as they wished.

*Observations of the Administering Authority on the Report of the Visiting Mission (T/977)*

16. The Administering Authority states that since the removal of the 312 families in question is part of a general scheme from which the tribe as a whole will derive considerable benefit and since other parts of the scheme have already been put into effect, it is not feasible at this stage to consider abandonment of the whole scheme because of the belated objections of a small section of the tribe to carrying out their part of the bargain. The decision was therefore taken to proceed with the move despite the opposition of some of the people concerned. In the first stages there was a degree of passive resistance, but the move was completed without any undue incident.

17. The Administering Authority regrets that there should have been necessity to bring pressure to bear on these people, but in the circumstances its justification can hardly be in doubt. Moreover, apart from both practical and ethical aspects of the case, the matter bears a very different aspect from the fact that the lands in question are not ancestral lands of the people in question. Until recently there was no African settlement in this part of the district, the only "occupation" being a seasonal one by wandering Mosai herdsmen. The two farms purchased by the Meru have been recently acquired. The explanation given the previous Mission to the effect that if any land was approved for alienation, the Africans when occupying it would be given the option of remaining or of removing to any other area related to the alienation of traditionally occupied tribal lands. In the particular case of Ngare-Nanyuki the circumstances are quite different.

*Oral hearing of the representative of the Wa-Meru tribe*

(1) *Statement of the representative of the Wa-Meru tribe*

18. The representative of the Wa-Meru tribe, Mr. Earle Seaton, made an oral statement and answered questions at the 431st and 432nd meetings of the Council on 30 June 1952.

19. Mr. Seaton stated (T/PV.431) that after the initial proposal concerning the removal of the Wa-Meru in 1949 and the protests which followed it, it was announced by the District Commissioner in June 1950 that the tribespeople would not be required to move. Subsequently, however, in February 1951 the people were informed that they would have to vacate their lands and that if they did not leave voluntarily they would be compelled by force to do so. In November 1951 the Administering Authority sent 7 European officers, 66 armed African police and about 100 Kenya labourers to remove the people by force. Household goods, foodstuffs and other movable property if not removed were burnt. Houses, cattle pens and other buildings were destroyed. The people did not attempt to resist the Administration's agents but remained passive spectators. Nevertheless 20 were arrested and imprisoned, one man died while being removed, 7 pregnant women suffered miscarriages, and much livestock was lost.

20. Mr. Seaton stated that despite the fact that petitions had been sent to the Trusteeship Council and that the Council had announced its intention to consider the question, the Administering Authority had proceeded in its scheme for the realienation of the land without waiting for the decision of the Council. On 15 June 1952 two of the thirteen units into which the area was to be divided under the new scheme had been granted to successful applicants.

21. Mr. Seaton contended that with regard to the refunding of the price paid for the two farms alienated to the Germans and purchased by the tribespeople from the Government, the price paid for them between the years 1925 and 1939 was very much less than the value of the land at the present time or than the amount which might be obtained by the Wa-Meru should the farms be sold in the open market. However, the principal interest of the Wa-Meru was not in the money aspect of the question but in remaining on the lands, to which they considered themselves attached by religious, traditional and sentimental ties. The Wa-Meru would not refuse to co-operate in any scheme genuinely designed to relieve congestion of the native population or to develop the resources of the Territory in the interests of all its inhabitants, but they had not been convinced of the merits of this particular scheme of land redistribution, and the method and timing of its enforcement had provoked bitter and perhaps long-lasting resentment.

22. During subsequent questioning and discussion (T/PV.431 and T/PV.432) Mr. Seaton pointed out that in the area to which the tribespeople were to be moved there was little promise of fertility and it was doubtful if the Wa-Meru could live there without changing their whole economy, which included both agriculture and grazing. They had not moved to the lands previously, although their own lands were

heavily congested, because the new lands were infested with tsetse flies and they were afraid of trypanosomiasis.

23. In conclusion the chief concern of the tribe was that the Trusteeship Council should send a mission to Tanganyika to investigate the matter on the spot and come to some conclusion on both the suitability of the Kingori land for settlement and the desirability in principle of the forcible removal of native populations in order to create reserves for non-native settlers. Meanwhile, the tribe wished the Council to request the Administering Authority to allow the Wa-Meru to continue to use their former lands until the report of such a commission should have been made.

(2) *Observations of the Administering Authority on the remarks of the representative of the Wa-Meru tribe*

24. At the 431st and 432nd meetings of the Council on 30 June 1952, in connexion with the oral hearing of the representative of the Wa-Meru tribe, the special representative of the Administering Authority made a statement and answered questions. (T/PV.431 and T/PV.432) He pointed out that there was no racial discrimination involved in the scheme; applicants for the land available for cattle ranching were to be selected on the basis of their qualifications, and should an African or Asian present suitable qualifications he would have an equal opportunity though it was unlikely that there would be an African or Asian possessing such qualifications.

25. The Wa-Meru were cattle-owners and cattle-breeders, but did not yet conform to all the veterinary requirements of a controlled ranching scheme.

26. The Government of Tanganyika was quite satisfied that the land being made available to the Wa-Meru was more suitable land both for agricultural and for pastoral purposes. Every measure would be taken to see that water supplies were adequate; the veterinary department had posted members of its staff to the area with supplies of the drugs necessary should any cattle get trypanosomiasis. Furthermore salt-producing areas had been excised from the cattle-ranching land and could remain available to the tribe.

27. The proposals involved the acquisition for tribal use of 3,945 acres of former German estates, 7,145 acres of other non-native estates and 100 acres of mission-owned land, and in addition 159,000 acres of new land were being made available to provide for the expansion of the tribe. The whole cost of the implementation of the Commission's recommendation was being borne by the Tanganyika Government, including the refund to the tribe of the price paid for the purchase of the two former German farms in the Ngare-Nanyuki area, the acquisition of alienated lands for tribal use and the heavy cost of developing the new settlement area.

28. The special representative stated further that the land for the cattle-ranching scheme had already been allocated to 13 individual applicants and that such applications had been made before the Standing Committee on Petitions requested information on the matter.

29. The special representative had no information to substantiate the claims of the petitioners that in June 1950 the District Commissioner had informed the tribe that they would not be required to move. Since 1949 successive administrations had been emphasizing the

necessity for the move. The scheme had been discussed with the Chief, who was then the recognized Native Authority, and he had accepted the scheme, though with some reluctance. Since then there had been developments in native administration in Arusha, and there is now a Council, which might refuse to be bound by what the previous Native Authority, the Chief, had said.

30. It was not until 1951 when the actual movement of persons took place that a special ordinance had been passed by the Legislative Council to control it. The law applied generally, not only to the two farms in question.

31. Full compensation would be paid for the two farms purchased and if the petitioners feel that the value of the land had increased over the amount paid for it in 1925-1939, there was no reason why an increase in the amount paid might not be considered, although the special representative doubted that the land had increased in value during the period of its occupation by the petitioners. Ample funds had been made available out of which compensation was to be paid, but the lack of co-operation of the people concerned in discussing these matters with the Administration had made it difficult properly to assess compensation. When assessed it would be immediately paid.

32. With regard to the consequences claimed by the petitioners to have resulted from the movement, the special representative stated that the matter had been carefully examined by the Tanganyika Government which had established that the old man who died during the move had been in an advanced stage of tuberculosis and that the women who had suffered miscarriages as a result of being chased about had certainly not been chased by government employees.

33. In burning the houses in order to carry out the general scheme, the Administering Authority had no choice, since if the houses had not been destroyed the people would have immediately returned to them. The special representative emphasized that the people moved were not compelled to go the new lands made available to them by the Government. The absence of coercion in this matter was fully demonstrated by the fact that very few had done so, the majority having gone back to congested tribal lands. With regard to the complaints concerning livestock lost during the movement, no evidence had been presented to the Administering Authority concerning such losses, save for the loss of two head of cattle, which had died of natural causes.

34. The other very important side of the question concerned the necessity for and general benefits to be derived from the scheme as a whole. The creation of homogeneous units of African and non-African settlement would be of advantage to both communities and would alleviate quarrels regarding trespassing, cattle wandering, infection from plant and cattle disease, etc. Moreover, in order to develop the country economically

it was necessary to build up the stock industry, both to improve inferior herds and to build up a meat-producing industry urgently needed in certain parts of the Territory. Finally, the scheme sought to relieve the congestion of the native population in tribal lands and especially to provide them with adequate means of access to other areas suitable for stock grazing and cultivation and eventual settlement. The movement of the people from the two farms in question must be looked at as a part of this broad plan.

35. The special representative stated that in the last two or three years a political movement had begun to grow in the Arusha area, and that these petitions were really one result of the growth of political feeling. The petitioner of T/Pet.2/143, Mr. Gamaliell Sablak, did not own land or live in the area and was quite unaffected by the Government proposals. He was a member of a political association seeking to make capital out of the situation. The special representative felt that the petitions were the result of political activities rather than the feeling of the entire tribe.

#### *Action taken by the Standing Committee*

36. These petitions were examined and discussed at the 33rd, 35th and 36th meetings of the Standing Committee on 2, 7 and 9 July 1952. The relevant discussion is contained in documents T/C.2/SR.33, T/C.2/SR.35 and T/C.2/SR.36.

37. The representative of the Union of Soviet Socialist Republics put forward a draft resolution already submitted in the Trusteeship Council (T/L.287) whereby the Trusteeship Council would recommend that the Administering Authority immediately return to the Wa-Meru Tribe the lands alienated from it, prohibit in the future the alienation of the said lands, compensate the members of the Wa-Meru Tribe in full for losses suffered during the eviction, *inter alia*, by building new homes for the indigenous inhabitants to replace those burned by the police, immediately put an end to its anti-democratic policy towards the indigenous population, and not permit in future violation of the rights and interests of the indigenous population of the Trust Territory.

38. The representative of New Zealand introduced a draft resolution which was revised to take into account the suggestions of other members of the Committee.

39. The proposals before the Committee were put to the vote at the 36th meeting. The USSR draft resolution was rejected by 4 votes to one. The New Zealand draft resolution as revised was adopted, by 4 votes to one, and is reproduced below.

#### DRAFT RESOLUTIONS

*For the text of the draft resolution, as amended at the 452nd meeting of the Trusteeship Council, see resolution 468 (XI).*

## DOCUMENT T/L.299

## Seventeenth report of the Standing Committee on Petitions: petitions concerning Togoland under British administration

[Original text: English]  
[14 July 1952]

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 33rd and 37th meetings, on 2 and 11 July 1952, the following petitions concerning Togoland under United Kingdom administration:

- (1) Petition from the Togoland Congress (T/Pet.6/314);
- (2) Petition from Nana Atorsah Agyeman, Head Chief of the Nawuris, Kpandai (T/Pet.6/315);
- (3) Petition from the Chairman of the Togoland Congress (T/Pet.6/316).

2. Mr. M. Ensor participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 1, 2 and 3.

4. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous populations.

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## PETITION FROM THE TOGOLAND CONGRESS (T/Pet.6/314)

*Summary of the petition*

5. The petition is in the form of a cablegram in which it is stated that the United Kingdom Government has approved the title of Prime Minister for the leader of the Gold Coast Government and that the Territory has virtually attained Dominion status. Furthermore, the Minister for Defence and External Affairs has made an official statement on the policy and intentions of the Gold Coast Government declaring the annexation or integration of British Togoland was against the national interest and the expressed wishes of the inhabitants of Togoland. The petitioners add that tension is rising and demand that immediate action be taken to implement the General Assembly's decision of last January.<sup>9</sup>

*Observations of the Administering Authority (T/C.2/SR.33 and T/C.2/SR.37)*

6. The special representative of the Administering Authority stated that the allegations contained in the petition are exaggerated. He denied that the Gold Coast had virtually attained Dominion status and said that

the statement of the Minister of Defence and External Affairs did not necessarily represent the official view of the Administering Authority. In any event the statement did not show that the Gold Coast Government had any improper designs on Togoland; on the contrary, the Minister of Defence and External Affairs had simply drawn the attention of Togoland to the benefits to be derived from the continued close association of their Territory with the Gold Coast and had expressed the hope that they would eventually wish to throw in their lot with the new nation being formed in the Gold Coast. He added that there does not exist any significant tension among the indigenous inhabitants of the Trust Territory and that the assertion of the petitioners that tension is rising is the sort of meaningless formula frequently employed by the Togoland Congress.

7. As regards the petitioners request that action be taken to implement General Assembly resolution 555 (VI), the special representative stated that it had been decided to hold elections for the Joint Togoland Council on 1 or 2 July 1952. He had not as yet received any information concerning the results of those elections.

*Action taken by the Standing Committee*

8. The petition was examined and discussed at the 33rd and 37th meetings of the Standing Committee on

<sup>9</sup> Secretariat note: This presumably refers to General Assembly resolution 555 (VI).

2 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.33 and T/C.2/SR.37.

9. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority establish in the Trust Territory, legislative and administrative organs which would not be subordinate to the organs created on the basis of the union of the Trust Territory of Togoland under British administration with the adjacent British colony and that, with this objective in view, the Administering Authority take legislative and other steps guaranteeing participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory. As a result of the Committee's rejection of this proposal, by 4 votes to 1 with 1 abstention, he was not in a position to support the draft resolution.

10. At its 37th meeting the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 1.

PETITION FROM NANA ATORSAH AGYEMAN, HEAD  
CHIEF OF THE NAWURIS, KPANDAI (T/PET.6/315)

*Summary of the petition*

11. The petition, which is in the form of a cablegram, is not entirely clear. The petitioner complains that the Administering Authority in British Togoland is employing all means to absorb the Kpandai area into the protectorate of the Northern Territories. He states that over one thousand persons were legally debarred from taking part in the local council elections in the area and adds that over five thousand indigenous inhabitants demand immediate redress. He considers that the method of registering the electorate employed by the Administering Authority was most questionable.

*Observations of the Administering Authority (T/C.2/SR.33)*

12. The special representative of the Administering Authority stated that the petition refers to the Gonja district in the Northern Section where the Nanjuros and Nawuris form a small section of the population who are at loggerheads with the Gonjas and others who constitute the majority of the inhabitants of the district. As a result of this hostility, the Nanjuros and Nawuris failed to register for the recent elections to the Kpandai Local Council within the time-limits prescribed for registration despite the fact that the Administration had given considerable publicity to the registration procedures and had explained that registration was required in order to enable them to participate in the elections. The elections therefore took place without the participation of the Nanjuros or Nawuris and neither tribe is represented in the local council as it is at present constituted.

13. However, after the time-limit for registration had expired large numbers of Nanjuros and Nawuris sought to register and submitted requests which the Reviewing Officer decided after inquiry could not be accepted. The special representative added that the total number of these applications was 1,231 which was much larger than could possibly have come from the Nawuris and Nanjuros resident in the area.

14. In view of the fact that the Nanjuros and Nawuris are concentrated mainly in two electoral wards which are at present unrepresented on the local council, he stated that it had been decided to hold fresh elections in the near future in these two electoral wards.

15. In conclusion, the special representative stated that the petitioner represents at most only some 500 Nawuris and not 5,000 as alleged in the petition.

*Action taken by the Standing Committee*

16. The petition was examined and discussed at the 33rd and 37th meetings of the Standing Committee on 2 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.33 and T/C.2/SR.37.

17. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority establish in the Trust Territory legislative and administrative organs which would not be subordinate to the organs created on the basis of the union of the Trust Territory of Togoland under British administration with the adjacent British colony and that, with this objective in view, the Administering Authority take legislative and other steps guaranteeing participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory. As a result of the Committee's rejection of this proposal, by 4 votes to 1 with 1 abstention, he was not in a position to support the draft resolution.

18. At its 37th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM THE CHAIRMAN OF THE TOGOLAND  
CONGRESS (T/PET.6/316)

*Summary of the petition*

19. The petitioner, in a cablegram, states that the Togoland Congress and statutory bodies in Southern Togoland have submitted a resolution suspending the registration for local government elections in the Trust Territory, until such time as a Joint Council has been established. Adding that 53 natural rulers, including chiefs from the Northern Territories, signed the resolution, he states that the Ministers for Local Government, Defence and External Affairs must bear the responsibility for any consequences of the disregard for democratic principles in Togoland. He concludes by stating that the people of Togoland are mobilized for any emergency.

*Observations of the Administering Authority (T/C.2/SR.33)*

20. The special representative of the Administering Authority stated that the Togoland Congress had adopted a resolution to the effect that the elections to the Joint Togoland Council should precede the elections to the local councils. A similar decision had been taken by the Southern Togoland Council but had subsequently been reversed.

21. He explained that with the exception of the Yingor local council, which had already been established, no other elections of local councils in the Southern Section would be held until the middle of August by which time the Joint Togoland Council would not only



have been elected but would probably have held its first meeting.

22. He added that the Togoland Congress did not represent the Northern Section and that, with the exception of some Nanjueros and Nawuris, the people of the Northern Section were not represented on the Togoland Congress.

23. As regards the final statement of the petitioner to the effect that the people of Togoland are mobilized for any emergency, the special representative drew attention to his observations on a similar statement contained in petition T/Pet.6/314 (see paragraph 6 above).

#### *Action taken by the Standing Committee*

24. The petition was examined and discussed at the 33rd and 37th meetings of the Standing Committee on 2 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.33 and T/C.2/SR.37.

25. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph

in which the Trusteeship Council would recommend that the Administering Authority establish in the Trust Territory legislative and administrative organs which would not be subordinate to the organs created on the basis of the union of the Trust Territory of Togoland under British administration with the adjacent British colony and that, with this objective in view, the Administering Authority take legislative and other steps guaranteeing participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory. As a result of the Committee's rejection of this proposal, by 4 votes to 1 with 1 abstention, he was not in a position to support the draft resolution.

26. At its 37th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 3.

#### DRAFT RESOLUTIONS

*For the texts of draft resolutions 1, 2 and 3, adopted without change at the 450th meeting of the Trusteeship Council, see resolutions 629 (XI), 630 (XI) and 631 (XI).*

### DOCUMENT T/L300

#### **Eighteenth report of the Standing Committee on Petitions: petitions concerning Togoland under French administration**

*[Original text: English]  
[14 July 1952]*

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 33rd, 34th and 37th meetings on 2, 3 and 11 July 1952, the following petitions concerning Togoland under French administration:

(1) Petition from Mr. Ferdinand Kalipe (T/Pet.7/264);

(2) Petition from Messrs. Ata Quam Dessou, Fio Agbano II and Sébastien D. Mlapa IV (T/Pet.7/265 and Add.1);

(3) Petition from the Joint Togoland Congress (T/Pet.7/266);

(4) Petition from Mr. Augustino de Souza (T/Pet.7/267 and Add.1);

(5) Petition from the All-Ewe Conference (T/Pet.7/268);

(6) Petition from Mr. John Amate Atayi, President of the *Parti togolais du Progrès* (T/Pet.7/269);

(7) Petition from One Hundred Ewes in Oda (T/Pet.7/271);

(8) Petition from the Ewe Community, Kumasi (T/Pet.7/272);

(9) Petition from the Akpini Native Authority (T/Pet.7/273);

(10) Petition from the President, Akimbaukwa Branch, All-Ewe Conference (T/Pet.7/274);

(11) Petition from Mr. Togbe Kwadzo Dei (T/Pet.7/275);

(12) Petition from Mr. Peter Edoh, Secretary of the Notse Society (T/Pet.7/276);

(13) Petition from the Ewe Unions Association, Sekondi-Takoradi (T/Pet.7/277);

(14) Petition from the All-Ewe Conference, Keta Branch (T/Pet.7/278);

(15) Petition from Mr. John Amate Atayi, President of the *Parti togolais du Progrès* (T/Pet.7/279);

(16) Petition from the Ewe Union, Asamankese (T/Pet.7/280);

(17) Petition from the All-Ewe Conference (T/Pet.7/281);

(18) Petition from Mr. Amentor, Secretary, Ewe Union, Apesolubi (T/Pet.7/282);

(19) Petition from the All-Ewe Conference, Korforidua Branch (T/Pet.7/283);

(20) Petition from the Pan-Ewe Union, Kadjebi, Buem (T/Pet.7/284);

(21) Petition from the *Mouvement de la Jeunesse togolaise* (T/Pet.7/292 and Add.1);

(22) Petition from the *Association des Nations Unies du Togo* (T/Pet.7/293);

(23) Petition from Messrs. Aku, Olympio and Antor (T/Pet.7/294);

(24) Petition from Mr. Augustino de Souza (T/Pet.7/295 and Add.1);

(25) Petition from Mr. Antor, Secretary-General of the Togoland Congress (T/Pet.7/296);

(26) Petition from Mr. Augustino de Souza (T/Pet.7/297);

(27) Petition from Mr. Augustino de Souza (T/Pet.7/298 and Add.1);

(28) Petition from Mr. Sam Klu and Dr. Aku (T/Pet.7/299);



(29) Petition from Mr. Augustino de Souza (T/Pet.7/300);

(30) Petition from Messrs. Apaloo and Aihntson (T/Pet.7/301);

(31) Petition from Mr. Augustino de Souza (T/Pet.7/302).

2. Mr. R. Doise participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information

is required concerning the action taken on draft resolutions Nos. 1, 3, 4, 5, 6, 7 and 9.

4. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous population.

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PETITIONS CONCERNING THE AGBETIKO INCIDENT OF 10 AUGUST 1951 (T/PET.7/265 AND ADD.1 AND T/PET.7/269)

### *Summary of the petitions*

5. Two petitions deal in different terms, with an interval of time which took place on 10 August 1951 at the village Agbetiko in the Aného Cercle in Togoland under

French administration. The two texts do however agree that the incident was caused by a dispute concerning the succession to the chieftdom, and that one man was killed in the disturbance.

(a) *Petition from Mr. John Amate Atayi, President of the Parti togolais du Progrès (T/Pet.7/269)*

6. The President of the *Parti togolais du Progrès* states that in 1948, when the traditional chief of the

village died, the *Comité de l'Unité togolaise* [C.U.T.] immediately put up a certain Gregoiré Amouzou as candidate in opposition to the "natural" candidate, Ayité Hounouvi, a son of the dead chief. Amouzou's candidature was supported by attempts at intimidation and threats against Ayité Hounouvi and his supporters, and as a result of the machinations of the opposition party the village was divided into two bitterly hostile camps. The Administration, through weakness, tried to pacify feelings by placing "the real chief" and "the usurper" at the head of each of the two camps. At the end of 1948 a disturbance broke out. The question of the succession to the chieftom was brought before the customary court, and later an appeal was made to the tribunal of the second degree. Both ruled in favour of Ayité Hounouvi. On 25 July 1951 the Administration approved the choice of Ayité Hounouvi, who was recognized as chief by almost all the inhabitants of the village of Agbetiko, with the exception of a small opposition group. On 10 August, at the enthronement ceremonies, the "subversive" party, the *Comité de l'Unité togolaise*, organized riots, and some of the chief's supporters, attacked by henchmen of the *Comité de l'Unité togolaise*, were gravely wounded. One of them died of his wounds on 12 August.

(b) *Petition from Messrs. Ata Quam Dessou, Fio Agbano II and Sebastien D. Mlapa IV* (T/Pet.7/265 and Add.1)

7. The second of the petitions dealing with this incident also refers to the chieftom, which was disputed over a period of three years by two opposing candidates. However, this petition states that the will of the people was consulted and that Mr. Gregoiré Amouzou won against the wishes of the Administering Authority, which instead of confirming the appointment decided to set up two chiefs in the village. However, Order No. 951, 49-APA, of 2 December 1949, set up procedure for arbitration by six chiefs in cases of disputed chieftoms. The procedure was followed in this instance, and ended in victory for Mr. Gregoiré Amouzou; but his opponent carried the case before the customary court, which ruled in his favour, although the order referred to above had not provided for such appeal to the customary court. When the local authorities arrived at the village of Agbetiko for the purpose of arbitrarily installing Ayité Hounouvi as village chief a riot ensued.

*Observations by the Administering Authority* (T/999 and T/C.2/SR.33)

8. The Administering Authority first gives an account of the succession dispute, which, it asserts, was settled absolutely regularly, with full respect for the custom and the law. It states, in substance, that in 1948, during a preliminary customary consultation, the village chiefs subject to the same customary law decided that the chieftom should pass to Ayité Hounouvi. Subsequently, as a result of appeals by the two hostile camps in turn, the case was brought first before the arbitration commission, which rejected the customary solution, then before the customary court, which reversed the commission's decision, and finally before the court of second instance which upheld the decision of the customary court. It was in view of the threats of disturbance by the leaders of the C.U.T., and in the hope of bringing about a calmer atmosphere as a preliminary step that

the Administration tried to postpone the application of the customary solution immediately after the customary consultation of 1948 and provisionally tolerated division of the village. The Administering Authority also points out that the chief of Togoville, a signatory of the C.U.T. petition (T/Pet.7/265 and Add.1), had declared himself in favour of Ayité Hounouvi when the customary consultation took place in 1948; it was only subsequently, under pressure from the C.U.T., that he changed his attitude.

9. Concerning the incident itself, the Administering Authority states that on the evening of 10 August, after the official enthronement of the new chief, a short scuffle was instigated by the C.U.T. during which one villager who supported the new chief met his death. In conclusion, the Administering Authority states that the incident was deliberately provoked by the C.U.T. for propaganda purposes.

10. The Administering Authority further states that the authority of the new chief of Agbetiko Ayité Hounouvi is recognized by the great majority of the population and that since the incident, peace and order have been prevailing in the village.

#### *Action taken by the Standing Committee*

11. The petition was examined and discussed at the 33rd and 37th meetings of the Standing Committee on 2 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.33 and T/C.2/SR.37.

12. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petitions the following text: "In view of the petition from Mr. John Amati Atayi (T/Pet.7/269) and the petition from Mr. Ata Quam Dessou (T/Pet.7/265 and Add.1) indicating that the Administering Authority is encouraging the existence of the tribal system which is incompatible with a progressive development of the indigenous population of the Trust Territory towards independence the Trusteeship Council recommends that the Administering Authority take measures which would ensure a transfer from the tribal system to a system of self-government based on democratic principles". As a result of the Committee's rejection of this proposal, by 5 votes to one, he was not in a position to support the draft resolution.

13. At its 37th meeting, the Committee adopted by 5 votes to one, the draft resolution which is reproduced below as draft resolution 1.

PETITIONS CONCERNING THE VOGAN INCIDENT OF 23 AUGUST 1951 (T/PET.264, T/PET.7/265 AND ADD.1, T/PET.7/266, T/PET.7/267 AND ADD.1, T/PET.7/268, T/PET.7/271, T/PET.7/272, T/PET.7/273, T/PET.7/274, T/PET.7/275, T/PET.7/276, T/PET.7/277, T/PET.7/278, T/PET.7/279, T/PET.7/280, T/PET.7/281, T/PET.7/282, T/PET.7/283, AND T/PET.7/284)

#### *Summary of the petitions*

14. Nineteen petitions relate to the incident at Vogan on 23 August 1951, in which seven to ten persons (according to various versions) were reported killed and some fourteen injured when a detachment of police opened fire.

15. Two different versions emerge from these petitions, one favourable and the other adverse to the Administration.

a) *Petition favourable to the Administration (T/Pet.7/279)*

16. The President of the *Parti Togolais du Progrès* places the responsibility for the incident on the *Comité de l'Unité togolaise*. His account is that following the death of the old chief of the village of Vogan, his son Jacob Kalipé was appointed regent to take over until the seating of a new chief.

17. During his father's long illness, the petitioner states, Jacob Kalipé so administered Vogan that his authority and prestige increased. Like other members of his family, he could legitimately claim to succeed his father as chief, and in that event would have the support of a great majority of the population.

18. The *Comité de l'Unité togolaise*, knowing that, proclaimed a certain Amouzou Zebada as chief of Vogan, contrary to the custom which provided that first the family council and then the village council should choose a new chief from among the existing candidates.

19. A number of sudden attacks were made in an effort to intimidate Jacob Kalipé, and on 23 August 1951 a mob of agitators gathered in front of the customary court hall with the object of preventing him from presiding over the meeting. As the demonstration was assuming the proportions of a riot, it was necessary to re-establish order and call for help from Anécho for that purpose. At that point twenty guards arrived on the scene, but were unable to restore order. The guards, faced by an unleashed and threatening mob, finally fled after repeated warnings. Eight persons were mortally wounded.

20. The petitioner states that the *Comité de l'Unité togolaise* had meant that day to be a day of bloodshed and that premeditation has been fully established. He asks the Trusteeship Council to put an end to events which have brought bloodshed to the country by closing the case of the Ewes.

b) *Petitions adverse to the Administration*

21. Sixteen petitions (T/Pet.7/264, T/Pet.7/266, T/Pet.7/268, T/Pet.7/271, T/Pet.7/272, T/Pet.7/273, T/Pet.7/274, T/Pet.7/275, T/Pet.7/276, T/Pet.7/277, T/Pet.7/278, T/Pet.7/280, T/Pet.7/281, T/Pet.7/282, T/Pet.7/283 and T/Pet.7/284) consist of short cables, pamphlets sent by groups and organizations in both Togoland and in the Gold Coast, who associated themselves with the unification movement in protesting against the incident at Vogan. Almost all ask, *inter alia*, that the United Nations should send a commission to investigate the incident. One of them (T/Pet.7/266) asks for the immediate removal of the Commissioner of the Republic and the creation of an interim government pending independence.

22. A more detailed account of the incident, briefly summarized below, is given in two other petitions (T/Pet.7/265 and Add.1 and T/Pet.7/267).

23. Following the death of the old chief of the village of Vogan, the villagers decided that Amouzou Zebada should be considered as the "acting chief" of the village and the Kalipé family endorsed this decision on 28 July.

24. On 3 August, however, Jacob Kalipé, upheld by the local authorities, who had imported a detachment of the National Gendarmerie from Anécho on the previous

day, announced that he was going to take over the duties of village chief.

25. In the petitions Jacob Kalipé is described as an unscrupulous ne'er-do-well, consumed by ambition, who had at one time been forced by public opinion in the village to leave the political scene until 1950, when, in order to restore to him some of his prestige, the local authorities appointed him President of the Ouatchi Customary Court at Vogan.

26. There are two courts sitting in Vogan: the Ouatchi Customary Court, presided over by Jacob Kalipé, and the Vogan village court, usually presided over by Deputy Chief Zebada. Jacob Kalipé wished to combine the two judicial functions to mark his accession as village chief, and this was opposed by the people.

27. On 23 August, Jacob Kalipé, to forestall the people's resistance, called in the police to help him in taking over Deputy Chief Zebada's functions as judge. In pushing back the crowd, the police resorted to brute force, and in face of the resistance offered, shots were fired. Seven persons were killed and fourteen more wounded.

28. The three chiefs (T/Pet.7/265/Add.1) regard this incident as an instance of the pressure applied to the population to accept chiefs of the *Parti Togolais du Progrès* in order to form a disloyal majority against the "tremendous desire for Ewe unification". The President of the C.U.T. (T/Pet.7/267) accuses the local Administration of "pursuing its policy of suppressing any autonomist and nationalist movement".

*Observations by the Administering Authority (T/999 and T/C.2/SR.33)*

29. The Administering Authority makes very detailed observations on the Vogan chieftdom dispute and on the incident of 23 August 1951.

30. After describing the succession dispute at length, it asserts that the local Administration took every precaution to ensure that the succession should be settled in accordance with custom. The old chief named Jacob Kalipé as his successor, and the Customary Council of Vogan approved the choice. By recognizing Jacob Kalipé as chief of Vogan on 5 September, the Administration merely confirmed a choice made in accordance with tradition.

31. The events of 23 August are also recounted in detail by the Administering Authority. The tragic incident, it states, was provoked by demonstrators who wanted to prevent Jacob Kalipé from presiding over the customary court. The police merely did their duty in this unfortunate affair. They were forced to open fire, since to hesitate would have resulted in the massacre of the detachment and the looting of the village. Nevertheless, repressive action was strictly limited to what was necessary for the maintenance of order and for self-defence after having exhausted every legal means and avoiding any provocative acts. In particular, before resorting to arms, the guards gave the statutory warning, followed by a warning volley, and two grenades were then exploded against a wall. All these precautionary measures proved vain.

32. In conclusion, the Administering Authority places the responsibility for this incident on the leaders of the C.U.T. and charges them with premeditation; the taking of the "oath of blood" a few days previously, the

cutting of the telegraph wires during the night and the sudden departure of certain of the Party's chiefs, it states, leave no room for doubt on that score. As a result of judicial inquiries, forty-four persons are being charged with crimes connected with the incident; the formal investigation of these charges is almost completed and the trials will take place before the *Cour d'Assises* in due course.

#### *Action taken by the Standing Committee*

33. The petitions were examined and discussed at the 33rd and 37th meetings of the Standing Committee on 2 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.33 and T/C.2/SR.37.

34. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petitions the following text: "Pursuant to the petitions that followed upon the massacre by the police of the inhabitants of Vogan on 23 August 1951, the Trusteeship Council (1) recommends that the Administering Authority carry out an investigation and punish severely the officials responsible for the massacre by the police of the inhabitants of Vogan, (2) recommends that the Administering Authority put an end immediately to its anti-democratic policy that permits crude violation of the rights and interests of the indigenous population and (3) instructs its Visiting Mission to investigate the circumstances of the massacre by the police of indigenous inhabitants of Vogan on 23 August 1951 and submit a special report on this subject." As a result of the Committee's rejection of this proposal, by 5 votes to one, he was not in a position to support the draft resolution.

35. At its 37th meeting, the Committee adopted, by 5 votes to one, the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM THE *Mouvement de la Jeunesse togolaise* (T/PET.7/292 AND ADD.1)

#### *Summary of the petition*

36. Shortly before the elections of 9 and 30 December 1951, the petitioners requested the United Nations to give consideration to a resolution they had forwarded to the Commissioner of the Republic in Togoland. The resolution (a) requests that the elective powers of the delegates to the Representative Assembly of Togoland should be extended to permit the revision of the electoral list before the elections, (b) requests that the new act establishing a single electoral body for Togoland should be applied in preparing for new elections to the Representative Assembly of Togoland, and (c) protests against the open interference of the Administration with the electoral machinery of the Territory.

37. After the elections in December 1951, the petitioners sent the United Nations a second resolution that they had forwarded to the Commissioner of the Republic. In that resolution they request that, after normal revision of the electoral lists, the results of the elections should be declared void and declare that in view of the conditions in which the elections were held, no resolution originating from the new delegates to the Representative Assembly of Togoland can be deemed binding on all the peoples of Togoland under French administration. The resolution also condemns any system of

forced labour and advocates the establishment of cultural exchanges between young people in the south, centre and north of Togoland.

#### *Observations of the Administering Authority (T/99 and T/C.2/SR.34)*

38. After noting that the *Mouvement de la Jeunesse togolaise* is a branch of the *Comité de l'Unité togolaise* whose activities are limited and almost entirely confined to the town of Lomé, the Administering Authority states that there is no system of forced labour in Togoland under French administration, that it has never placed any obstacle in the way of the development of cultural exchanges between the south and north of Togoland—the contrary is rather the case—and, lastly, that the elections of 9 and 30 December 1951 proceeded normally.

39. It further states that, pursuant to a promise made by the Administration, new elections in the Representative Assembly took place in March 1952 after the enactment of the law providing for the establishment of a single electoral college for Togoland under French administration.

#### *Action taken by the Standing Committee*

40. The petition was examined and discussed at the 34th and 37th meetings of the Standing Committee on 3 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.34 and T/C.2/SR.37.

41. At its 37th meeting, the Committee adopted, by 5 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution 3.

PETITION FROM THE *Association des Nations Unies de Togo* (T/PET.7/293)

#### *Summary of the petition*

42. The petitioner protests against the elections to be held on 9 December 1951 (the petition is dated 1 December). He requests that the United Nations should intervene to postpone the elections pending complete revision of the electoral lists and adoption of the new electoral law now before the Council of the Republic.

43. The petitioner also states that the Administering Authority is attempting to give a false picture of the Territory's representation at a time when the country must choose its political system and that its action jeopardizes peace in Togoland.

#### *Observations of the Administering Authority (T/101 and T/C.2/SR.34)*

44. The Administering Authority refers to its observation on petition T/Pet.7/292 and Add.1 (paragraphs 38 and 39) and indicates that the *Association des Nations Unies* has only about ten members, and is uninfluential.

#### *Action taken by the Standing Committee*

45. This petition was examined and discussed at the 34th and 37th meetings of the Standing Committee on 3 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.34 and T/C.2/SR.37.

46. At its 37th meeting, the Committee adopted, by 5 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution 4.

PETITIONS FROM MESSRS. AKU, OLYMPIO AND ANTOR (T/Pet.7/294) AND FROM MR. ANTOR, SECRETARY-GENERAL OF THE TOGOLAND CONGRESS (T/Pet.7/296)

### *Summary of the petitions*

47. In a cable to the Secretary-General of the United Nations, Messrs. Aku, Olympio and Antor (T/Pet.7/294) protest against the "intolerable restrictions" placed on all political demonstrations in Togoland under French administration since the beginning of this year. They claim that no meeting can be held in places other than private houses; no procession of a political nature is tolerated in the towns outside Lomé and the private houses where public meetings are in process are invariably surrounded by gendarmes armed with automatic weapons. They conclude: "Such provocation can only lead to clashes and useless bloodshed which we entreat you earnestly to prevent".

48. In a later cable (T/Pet.7/296), Mr. Antor reports that at Palimé on 16 March the French Government was in arms to prevent Togoland delegates to the United Nations General Assembly from reporting at a public rally on the decision adopted by the General Assembly at its sixth session. He states that the population was thrown into panic and that public order was "in extreme danger". He demands the immediate dispatch of a commission of investigation.

### *Observations of the Administering Authority (T/1015 and T/C.2/SR.34)*

49. The Administering Authority states that freedom of assembly is subject in Togoland to the same legislation as in France, i.e., the Acts of 7 June 1848 and 30 June 1881. Under these regulations processions and demonstrations on the public highway are authorized subject to previous notification, provided that they do not threaten a breach of the peace; meetings on the public highway are prohibited but they are authorized elsewhere without previous notification, in so far as they are compatible with the maintenance of order. In the contrary case, the Administration has the right and obligation to intervene for the purpose of maintaining public security.

50. Contrary to the petitioners' allegations, the Administration has taken no general action to restrict public freedom since early in 1952. It has merely (a) enforced the law prohibiting meetings on the public highway, and (b) intervened in a number of particular cases when the projected demonstration was likely to disturb the peace.

51. With regard to the incidents at Palimé on 16 March, the Administering Authority states that the *Unité togolaise*, after holding a public meeting on that day, instigated, in front of the *Cercle* offices, an assembly of demonstrators who insulted the police and threw stones at them. The *Commandant* appealed to those responsible for the meeting to stop the demonstration but they refused to take any action. The police then proceeded to clear the square and the main streets. The firmness and presence of mind shown by the *Commandant de Cercle* certainly made it unnecessary to take severe measures and in the end the demonstrators withdrew without any of them having been wounded.

52. The Administering Authority further states that the petitioners who had appeared before the Fourth Committee at the sixth session of the United Nations General Assembly were free to address public meetings on their activities, subject to the existing legislation.

### *Action taken by the Standing Committee*

53. The petition was examined and discussed at the 34th and 37th meetings of the Standing Committee on 3 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.34 and T/C.2/SR.37.

54. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petitions the following text: "In connexion with the petitions from Messrs. Aku, Olympio and Antor (T/Pet.7/294) and Mr. Antor (T/Pet.7/296) in which are reported arbitrary actions of the French authorities prohibiting meetings and demonstrations, the Trusteeship Council (1) recommends that the Administering Authority put an end to its anti-democratic policy which permits crude violation of the rights and interests of the indigenous population and (2) instructs its Visiting Mission to investigate these petitions on the spot and submit a special report on this matter to the Council." As a result of the Committee's rejection of this proposal, by 5 votes to one, he was not in a position to support the draft resolution.

55. At its 37th meeting, the Committee adopted, by 5 votes to one, the draft resolution which is reproduced below as draft resolution 5.

PETITIONS FROM MR. AUGUSTINO DE SOUZA (T/Pet.7/295 AND ADD.1 AND T/Pet.7/297)

### *Summary of petitions*

56. In a telegram dated 19 March 1952 (T/Pet.7/295), the petitioner accuses the local administration of committing acts of provocation against the population. He alleges that during the lecture tour of Mr. Sylvanus Olympio in the *Cercle* of Atakpamé, the police organized raids and seized the trade rifles used by the villagers to fire welcoming shots during the reception, in accordance with their customs and usage. People who shouted "we want freedom" were arrested and taken to police headquarters where they were beaten. He concludes with a statement of his intention to report all acts of provocation to which the Administration finds it necessary to resort to in order to break the spirit of the struggle for the independence and unification of Togoland.

57. In a further letter (T/Pet.7/295/Add.1) the petitioner cites two cases of acts of provocation to which the *Comité de l'Unité togolaise* has allegedly been subjected by the local administration.

58. In a second petition (T/Pet.7/297), the petitioner transmits to the Secretary-General a letter addressed to the Commissioner of the Republic in Togoland protesting against the arbitrary seizure of trade rifles by the Atakpamé police in the village of Klabé-Zogbegan, Klabé-Apayemé and Badou during Mr. Olympio's tour. He adds that it is customary "among us" to fire rifle salutes at festivals and funerals, black powder only being used, and that when Mr. Olympio and Mr. Ajavon went to Hohoe in Togoland under British administration they were greeted with a salute of 150 rifles.

*Observations of the Administering Authority (T/1015 and T/C.2/SR.34)*

59. After stating that the *Parti togolais du Progrès* and *Unité togolaise* are almost equally strong in the *Cercle* of Atakpamé, the Administering Authority says that at the time of the elections it was forced to take steps to avoid clashes between members of the opposing parties. Thanks to the Administration's precautions, there was no incident. The police brutalities reported by the petitioner are figments of the imagination.

60. With regard to the trade rifles, the Administering Authority observes that the regulations on the subject require two kinds of declaration; one relating to the possession of trade weapons and the other to permission to fire salutes with such weapons in public. The weapons held by certain people, who had not complied with the regulations on these two points, were confiscated pending compliance with the necessary formalities.

*Action taken by the Standing Committee*

61. The petition was examined and discussed at the 34th and 37th meetings of the Standing Committee on 3 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.34 and T/C.2/SR.37.

62. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petitions the following text: "Pursuant to the petitions of Mr. Augustino de Souza (T/Pet.7/295 and Add.1 and T/Pet.7/297) in which it is reported that the local police of the Administering Authority were violating the right of holding free meetings and that the police attacked and dispersed a group of women returning from the meeting and without justification arrested and jailed one of the indigenous inhabitants of the village, the Trusteeship Council recommends that the Administering Authority put an end to its anti-democratic policy which permits crude violation of the rights and interests of the indigenous population of the Trust Territory." As a result of the Committee's rejection of this proposal, by 5 votes to one, he was not in a position to support the draft resolution.

63. At its 37th meeting, the Committee adopted, by 5 votes to one, the draft resolution which is reproduced below as draft resolution 6.

PETITION FROM MR. AUGUSTINO DE SOUZA (T/PET.7/298 AND ADD.1)

*Summary of the petition*

64. The petitioner protests against Decision No. 1 of the Administrative Officer in charge of the *Cercle* of Mango on 15 March 1952, prohibiting any public or private meeting organized in the subdivision of Mango by the C.U.T. or by Mr. N'Tchaba N'Djambara and his supporters, until further orders.

65. He calls upon the United Nations to intervene with a view to the repeal of this discriminatory measure whose sole purpose is to stifle the free expression of the people's aspirations.

*Observations of the Administering Authority (T/1015 and T/C.2/SR.34)*

66. The Administering Authority states that the point at issue is not a political affair but an old rivalry,

by which two Tchokossé clans are irreconcilably divided, regarding the *chefferie* of the town of Mango. This *chefferie* was at the time conferred, by a perfectly regular procedure, upon the present chief, Mr. Tabi Nambiema, but Mr. N'Tchaba N'Djambara, *Chef du Quartier* at Sangharra, who claims the right to the *chefferie*, has never acquiesced in the appointment. The *Comité de l'Unité togolaise* has exploited this rivalry in order to infiltrate into Mango by taking the side of Mr. N'Tchaba N'Djambara.

67. The *Commandant de Cercle* at Mango took his decision because of the danger of violent antagonism breaking out at public meetings organized on a political pretext but with the real purpose of attacking the authority and prestige of the *Chef supérieur*. The decision was therefore based solely on a desire to ensure the maintenance of public order and security. The prohibition was repealed early in April, as soon as the situation had quieted.

68. The Administering Authority further gives the assurances that the legislation governing public meetings is applied impartially and that no discrimination is exercised against meetings organized by the *Comité de l'Unité togolaise*.

*Action taken by the Standing Committee*

69. The petition was examined and discussed at the 34th and 37th meetings of the Standing Committee on 3 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.34 and T/C.2/SR.37.

70. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority put an end to its anti-democratic policy which permits crude violation of the rights and interests of the indigenous population of the Trust Territory including the right to hold meetings. As a result of the Committee's rejection of this proposal, by 5 votes to one, he was not in a position to support the draft resolution.

71. At its 37th meeting, the Committee adopted, by 5 votes to one, the draft resolution which is reproduced below as draft resolution 7.

PETITIONS FROM MR. SAM KLU AND DR. AKU (T/PET.7/299), FROM MR. AUGUSTINO DE SOUZA (T/PET.7/300) AND FROM MESSRS. APALOO AND AIHTSON (T/PET.7/301)

*Summary of the petitions*

72. These three petitions protest against the arrest, during the electoral campaign of March 1952, of Mr. Sam Klu, candidate of the *Unité togolaise* for the Representative Assembly, and two of his electoral agents.

73. Mr. Augustino de Souza says that the real motive of the arrests was to eliminate Mr. Sam Klu who has always been elected in the Palimé district with an overwhelming majority.

74. Mr. Apaloo and Mr. Ahtson also request the immediate release of the prisoners, the final cessation of "such actions" and the immediate dismissal of Governor Digo.

*Observations of the Administering Authority (T/1015 and T/C.2/SR.34)*

75. The Administering Authority reports that on the evening of 23 March at Palimé, after a meeting of the C.U.T., a police patrol which had been ordered to clear the public highway was hailed with insults and had stones thrown at it from the house of Mr. Sam Klu. The judicial investigation formally established the fact that the harangues addressed to the crowd at the public meeting by Sam Klu, Mathias Apalos and John Ball, local leaders of the C.U.T., were actual incitements to revolt. The persons concerned were committed on 26 March on a charge of incitement to disorder, contempt of the authorities and spreading of false information. The case is now pending before the court and the accused are being detained pending trial.

76. The firm intervention of the judicial authorities restored complete calm in the Palimé Cercle and put an end to the tense situation which had lasted for several weeks. The arrest of Mr. Sam Klu in no way interrupted the electoral campaign of the C.U.T., whose two candidates, Mr. Aku and Mr. Sam Klu, were elected.

*Action taken by the Standing Committee*

77. The petition was examined and discussed at the 34th and 37th meetings of the Standing Committee on 3 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.34 and T/C.2/SR.37.

78. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petitions the following text: "In connexion with the petitions from the indigenous inhabitants of Togo (T/Pet.7/299-T/Pet.7/301) in which is reported the illegal arrest of the candidate of the *Comité de l'Unité togolaise* for the so-called representative assembly in March 1952 and of two other indigenous inhabitants of Togoland, the Trusteeship Council recommends that the Administering Authority immediately release the above-mentioned arrested indigenous inhabitants and that it put an end to its anti-democratic policy and refrain in future violating the rights and interests of the indigenous population." As a result of the Committee's rejection of this proposal, by 5 votes to one, he was not in a position to support the draft resolution.

79. At its 37th meeting, the Committee adopted, by 5 votes to one, the draft resolution which is reproduced below as draft resolution 8.

PETITION FROM MR. AUGUSTINO DE SOUZA (T/PET.7/302)

*Summary of the petition*

80. Mr. Augustino de Souza communicates to the United Nations a petition from Mr. Bossafou Nambiema, of which a summary follows.

81. Mr. Bossafou Nambiema says that according to custom, the *chefferie* of the Tchokossé should have gone to Mr. N'Tchaba N'Djambara and not to the present chief Tabi Nambiema who was recognized by the Administering Authority in 1930. Since that time the *chefferie* has been divided into two rival clans, but friendship was restored in 1941 and there was no untoward event until 1951 when two incidents took place.

82. The first of these incidents took place on 17 June 1951, on the occasion of the election of the Togoland deputy to the National Assembly. On that day, the polling station was occupied by police who, in the presence of the chief Tabi Nambiema and the *Commandant de Cercle*, used threats to persuade the electors to vote for the candidate Grunitzky.

83. The second incident took place on 27 October 1951, when the chief Nambiema had sixty-six C.U.T. members arrested on a charge of resisting the authorities. Thirty-one of these were subsequently sentenced to various terms of imprisonment and thirty-five were acquitted. During the incident, eleven persons, one of whom subsequently died, were seriously injured. Since that time all meetings of the C.U.T. have been prohibited.

84. Mr. Bossafou Nambiema also complains that the Administering Authority employs the indigenous inhabitants of Mango on forced labour on the pretext of economic exigencies.

85. He also accuses chief Tabi Nambiema of various acts of extortion. Charges of fraud have been made against him, he alleges, "without any final settlement".

86. Lastly, he declares that the association of the Union of Northern Chiefs was constituted without the consent of the village chiefs. Noting that Togoland was divided by the Europeans, he hopes that the principle of the unification and independence of Togoland will be recognized.

*Observations of the Administering Authority (T/1015 and T/C.2/SR.34)*

87. With regard to the *chefferie supérieure* of the Tchokossé, the Administering Authority refers to its observations on petition T/Pet.7/298 and Add.1 (see paragraph 66) and notes once more that the present *Chef supérieur* was appointed in a perfectly regular manner.

88. With regard to the elections of June 1951, it recalls that the polling station was under the charge of the *Commandant de Cercle* who was assisted by representatives of the *Unité togolaise* and that the latter did not observe any irregularity during the voting.

89. With regard to the extortions alleged to have been committed by the *Chef supérieur*, it recalls that the judicial authorities, to which the matter was referred in due form, did not consider that there were any grounds for court action.

90. The incidents of 27 October 1951 were also judicially investigated. The assertion that several persons were seriously wounded is completely mendacious.

91. Lastly, the meetings of the C.U.T. were not prohibited in 1951 but for a few weeks in March 1952 only. Forced labour does not exist in any form at Mango.

*Action taken by the Standing Committee*

92. The petition was examined and discussed at the 34th and 37th meetings of the Standing Committee on 3 and 11 July 1952. The relevant discussion is contained in documents T/C.2/SR.34 and T/C.2/SR.37.

93. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend



that the Administering Authority put an end to its anti-democratic policy which permits crude violation of the rights and interests of the indigenous population of the Trust Territory. As a result of the Committee's rejection of this proposal, by 5 votes to one, he was not in a position to support the draft resolution.

94. At its 37th meeting, the Committee adopted, by

5 votes to one, the draft resolution which is reproduced below as draft resolution 9.

#### DRAFT RESOLUTION

*For the texts of draft resolutions 1 to 9 inclusive, adopted without change at the 453rd meeting of the Trusteeship Council, see resolutions 632 (XI), 633 (XI), 634 (XI), 635 (XI), 636 (XI), 637 (XI), 638 (XI), 639 (XI) and 640 (XI).*

### DOCUMENT T/L.306

#### Twenty-second report of the Standing Committee on Petitions: petition from Mr. P. J. Wilkinson concerning Ruanda-Urundi (T/Pet.3/58)

*[Original text: English]  
[18 July 1952]*

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 39th and 40th meetings on 15 and 18 July 1952, the petition from Mr. P. J. Wilkinson (T/Pet.3/58) concerning Ruanda-Urundi.

2. Mr. R. Scheyven participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee recalls that on the basis of the Committee's recommendation contained in its fifteenth report to the Council (T/L.289) the Council, at its 442nd meeting, decided to postpone consideration of this petition because the Administering Authority had not received the petition within the two months' time-limit provided in rule 86 of the rules of procedure for the Trusteeship Council and was not at that time prepared to participate in the examination of the petition. In view of the fact that the Administering Authority has since found it possible to take part in the Council's examination of the petition and has submitted written observations thereon, the Standing Committee recommends that the Council reverse its previous decision and replace the petition on the agenda of its present session.

4. The Standing Committee therefore submits herewith to the Council its report on this petition, and recommends that the Council decide that no special information is required concerning the action taken on it.

#### PETITION FROM MR. P. J. WILKINSON (T/Pet.3/58)

##### *Summary of the petition*

5. The petitioner, a lawyer at Kampala (Uganda), requests the Trusteeship Council to intervene on behalf of his client, Ahmed Ishak, who has been deported from Ruanda-Urundi by the Government of the Territory.

6. He recalls that in 1948, Ahmed Ishak, who was then threatened with deportation, addressed a petition in that connexion to the United Nations Visiting Mission to the Territory.<sup>10</sup> However, it was not until 9 February 1952 that the order for deportation was in fact issued.

7. The petitioner also reports that Ahmed Ishak was deported because of his conviction fifteen years previously for trafficking in gold and that the judgment whereby he was convicted was vitiated by a flaw in the proceedings.

*Observations of the Administering Authority (T/1021, T/C.2/SR.39 and T/C.2/SR.40)*

8. The Administering Authority states that Mr. Ahmed Ishak's deportation from Ruanda-Urundi was the subject of an ordinance by the Governor-General dated 6 February 1948. However, he was not required to leave the Territory until February 1952 after decisions had been taken on his successive appeals, first to the United Nations Visiting Mission<sup>10</sup> and later to the inferior court, the court of appeal and the Belgian Council of State. The courts having set aside his appeals, Mr. Ishak was ordered to leave the Territory before 6 February 1952 and was actually expelled on 9 February 1952.

9. The Administering Authority adds that the Government was especially indulgent in Mr. Ishak's case and that he had ample opportunity to liquidate his property. Since he has been bankrupt since 1939 doubt is cast on the statement that he possesses "considerable business" interests in Ruanda-Urundi.

10. As regards the deportation order itself, the Administering Authority states that it has been examined by the Council in connexion with a previous petition<sup>10</sup> and that the petition raises no new issue. The order was based upon Mr. Ishak's conviction for receiving gold illegally. It is pointed out that his conviction for that offence was reviewed by the court and that he had the benefit of legal defence. The Administering Authority further states that in addition to the afore-mentioned conviction, Mr. Ishak was convicted and fined on three previous occasions for offences which he had committed.

11. The Administering Authority further states that Mr. Ishak is not a native of the Trust Territory of Ruanda-Urundi and was not born there.

##### *Action taken by the Standing Committee*

12. This petition was examined and discussed at the 39th and 40th meetings of the Standing Committee on

<sup>10</sup> See petition T/Pet.3/3 and resolution 59 (IV) in which the Council decided that no action was called for on its part in regard to the personal request of the petitioner.

15 and 18 July 1952. The relevant discussion in contained in documents T/C.2/SR.39 and T/C.2/SR.40.

13. At its 40th meeting, the Committee adopted, by 5 votes to none with one abstention, the draft resolution which is reproduced below.

# DRAFT RESOLUTION

*For the text of the draft resolution, adopted without change at the 453rd meeting of the Trusteeship Council, see resolution 494 (XI).*

## DOCUMENT T/L.308

### Twentieth report of the Standing Committee on Petitions: petitions concerning the Cameroons under British administration

[Original text: English]  
[18 July 1952]

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 38th, 39th and 40th meetings on 14, 15 and 18 July 1952 the following petitions concerning the Cameroons under British administration:

(1) Petitions from Mr. Joseph Ngu (T/Pet.4/70 and Add.1) and the French Cameroons Welfare Union (T/Pet.4/71 and Add.1-5 and T/Pet.4/72);

(2) Petition from the Bakweri Land Committee (T/Pet.4/76 and Add.1);

(3) Petition from Mr. A. K. Ikomi (T/Pet.4/78);

(4) Petition from Josue Noubissié (T/Pet.4/80);

(5) Petition from the Bwinga Native Community (T/Pet.4/81);

(6) Petition from Mr. Martin Asongwed and others, Bamenda Improvement Association (T/Pet.4/82).

2. Brigadier E. J. Gibbons participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 1 to 5, inclusive.

4. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous populations.

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PETITIONS FROM MR. JOSEPH NGU (T/Pet.4/70 AND ADD.1) AND THE FRENCH CAMEROONS WELFARE UNION (T/Pet.4/71 AND ADD.1-5 AND T/Pet.4/72)

*Summary of the petitions*

5. The French Cameroons Welfare Union (T/Pet.4/71 and Add.1-5) refers to its previous petition<sup>11</sup> and states that despite the assurances given the Council by the special representative to the effect that immigrants from the French Cameroons enjoyed equal privileges with the local inhabitants of the British Cameroons, and the Council's consequent decision to take no action, the "real political situation" as concerns the immigrants is far from satisfactory. In fact, the petitioners state, immigrants from the French Cameroons are denied the right to vote in elections, are not given adequate representation in either the Native Authority Councils or the Native Courts of the Victoria Division, and are discriminated against both in respect of appointments to the public service and the granting of educational scholarships, this despite the fact that they are very numerous and make an important contribution to the economy of the Territory and to the revenue from taxation.

6. As regards the question of representation, the petitioners protest further that there has been no improvement of their situation under the new Nigerian Constitution. They urge that the French Cameroons Welfare Union should be constituted a primary electoral unit to represent all the immigrants scattered in the Victoria Division, and the Governor should utilize the discretionary power conferred on him by the Constitution to appoint special members to the House of Representatives to represent their interests. They find it difficult to understand why the Governor has exercised this power to appoint representatives of certain commercial interests but has not done so in the case of the immigrants from the French Cameroons who they estimate to number more than 20,000 persons in the most southern parts of the Territory alone.

7. The petitioners further express grief and disappointment at the resolution adopted on their petition (resolution 383 (IX)) by the Trusteeship Council during its ninth session and state that the resolution seems to reflect either a cursory or inadequate appreciation of the arguments presented by the Union. They point out that the Union is fully conversant with the procedure for acquiring United Kingdom citizenship; however they do not wish either British or French nationality, but want the status of Cameroons nationality to be recognized, and look forward to the time when the two Cameroons will achieve self-government.

8. The petitioners also protest against the frontier between the two Cameroons and state that it should not be allowed to form a bar to the enjoyment of human rights by the people living on either side of it.

9. Attached to the petition and its addenda are copies of correspondence between the petitioners and the British authorities concerning the right of non-British nationals to participate in elections.

10. The second petition from the French Cameroons Welfare Union (T/Pet.4/72) deals with the same

questions covered by the first. The petitioners transmit a copy of the written statement submitted by the representative of the British Cameroons to the General Conference held at Ibadan to discuss the future system of government for Nigeria. They contend that this statement shows, *inter alia*, that the people of the British Cameroons share their view that the Trust Territory has a political status distinct from that of Nigeria and entertain misgivings lest the present political trend may lead to complete integration with Nigeria. They add that the people of both Cameroons are anxious for unification of the two Trust Territories and they feel that the observations of the Administering Authority on the frontier question (T/486) presented at the sixth session of the Trusteeship Council distorted the question. They claim that a referendum would show the importance to the frontier tribes of the unification question.

11. The petition from Mr. Joseph Ngu (T/Pet.4/70 and Add.1) contains a similar protest from the French Cameroons immigrants in the Kumba Division against their exclusion from the electorate in the British Cameroons. They support the first petition of the French Cameroons Welfare Union and likewise call for unification of the two Cameroons.

*Observations submitted to the Council during the ninth session*

12. In an oral statement before the *Ad Hoc* Committee on Petitions at the Council's ninth session, (T/AC.41/SR.13) the special representative outlined the position of French immigrants in the Cameroons under British administration with regard to electoral rights. Under the new Nigerian Constitution the status of British subject or British protected person was a necessary qualification for voting, and persons born in the French Cameroons or having acquired French citizenship were automatically disqualified if they did not acquire subsequently the status of British subjects or British protected persons. The preliminary requirement for naturalization was a period of residence of five years. There were no educational requirements for citizenship. However, a delay of as long as two years might elapse between the application and the final granting of citizenship.

13. The suggestion for creation of a special electoral unit for French immigrants was considered to be impractical, as the immigrants were scattered and a constituency should be a geographical unit.

14. As regards the second petition of the French Cameroons Welfare Union (T/Pet.4/72) the Administering Authority, in its written observations, (T/955/Add.1, page 2) states that it raises no points additional to those contained in petitions T/Pet.4/70 and T/Pet.4/71 and their addenda, and therefore would best be considered in conjunction with them.

*Action taken by the Trusteeship Council at its ninth session*

15. At its ninth session the Trusteeship Council examined the petitions contained in documents T/Pet.4/70, T/Pet.4/71 and Add.1. The special representative of the Administering Authority, at the 13th meeting of the *Ad Hoc* Committee on Petitions made an oral statement on the questions raised in these petitions (T/AC.41/SR.13). The petitions were

<sup>11</sup> See T/Pet.4/19-T/Pet.5/8 and resolution 172 (VI).

examined and discussed at the 13th and 14th meetings of the *Ad Hoc* Committee (T/AC.41/SR.13 and T/AC.41/SR.14). At its 374th meeting on 17 July 1951, the Trusteeship Council adopted a resolution (resolution 383 (IX)) in which it noted that close co-operation between the Administering Authority and those elements of the population from the Cameroons under French administration was important to the development of the Territory; requested the Administering Authority to furnish in its next annual report additional information on the question of the status of residents of the Cameroons under British administration who were immigrants from the Cameroons under French administration, namely: the composition of this immigrant population, the length of time they remained in the Territory, the proportion which had been resident there for a long time, the proportion of this population which had come to the Territory recently, the number of immigrants who had asked to acquire the status of British subjects and the results of their requests, and the length of time required for an immigrant not only to be naturalized but to vote; urged the Administering Authority to make every effort to ensure that the petitioners understood the procedures for acquiring naturalization and the right to vote; and decided to place these petitions on the agenda of the session of the Trusteeship Council at which the requested information was available and to re-examine them at that time.

*Information received after the ninth session*

16. Pursuant to the Trusteeship Council's request at its ninth session the Administering Authority furnished the following information in its annual report for 1951 (paragraphs 480-482):

(a) *Northern Province*: Although precise figures cannot be ascertained, it is estimated that between 400 and 500 persons enter the Dikwa Division annually from the French Cameroons. With few exceptions these are all peasant farmers. About 65 per cent settle permanently and of the remainder 85 per cent leave before the end of the year. There is very little immigration from French Territory into the Adamawa region, although there is always a seasonal influx of casual workers.

(b) *Southern Province*: Approximately 17,000 people of the French Cameroons are living in the Cameroons or Bamenda Provinces representing a total of 3.6 per cent of the population. Of these, 15,045 are in the Cameroons Province and 2,047 in the Bamenda Province. The greatest number are in the Kumba (4,000 persons) and Victoria Divisions (9,845 persons). It is probable that the majority of the immigrant population in Kumba has been there for a long period of time. In Victoria, out of a total of 5,626 taxable males, 837 are understood to have arrived within the last five years. About half the immigrant population of the Victoria Division are employed by the Cameroons Development Corporation.

17. The qualifications for naturalization are set out in the Second Schedule to the British Nationality Act, 1948. An applicant must have resided in Nigeria or the Trust Territory for one year prior to application and must have resided in the United Kingdom or its colonies or protectorates for four out of the previous seven years. One application for naturalization has been received from a French Cameroonian in Kumba Division

and is being considered. Naturalized persons would be entitled to vote immediately if their applications have been successful.

*Observations submitted to the Council during the eleventh session*

18. In oral statements before the Standing Committee on Petitions during the Council's eleventh session (T/C.2/SR.38), the special representative and the representative of the United Kingdom stated that the procedure for obtaining the status of British subject or British protected person was governed by a British Act of Parliament, which applied to the United Kingdom and all British-governed territories and that no exceptions could be made for any particular territory. Careful consideration had been, and was still being, given to the possibility of adjusting the electoral law in order to give immigrants from the Cameroons under French administration the right of suffrage but it was very doubtful whether the legal obstacles could be overcome. It was pointed out that there was ample time for immigrants who wished to apply for naturalization now and had fulfilled the necessary residence requirements, to obtain naturalization in time to participate in the next elections which would be held in four years' time.

19. It was further stated that with the exception of their disqualification in respect of electoral rights, immigrants from the French Cameroons did not suffer any major disability: they enjoyed full freedom of movement and did not suffer any discrimination in respect of appointments to the public service and the granting of scholarships. Applicants for scholarships sponsored by the Cameroons Development Corporation were required to have received their primary education in the British Cameroons and secondary education in either the British Cameroons or Nigeria, and any student with those qualifications was eligible irrespective of origin.

20. As regards the frontier between the two Cameroons, the special representative stated that there existed no barrier to cultural contacts between the inhabitants of both Territories. He added that, as a result of recent consultations between the two Administering Authorities, agreement had been reached on a number of minor questions which had in some instances caused unnecessary inconvenience. Amended regulations concerning trade and exchange control were under consideration by the Nigerian Government and would, if adopted, remove such minor inconveniences.

*Action taken by the Standing Committee*

21. This petition was examined and discussed at the 38th, 39th and 40th meetings of the Standing Committee on 14, 15 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.38, T/C.2/SR.39 and T/C.2/SR.40.

22. At its 40th meeting, the Committee adopted, by 5 votes to none with 1 abstention the draft resolution which is reproduced below as draft resolution 1.

PETITION FROM THE BAKWERI LAND COMMITTEE (T/PET.4/76 AND ADD.1)

*Summary of the petition*

23. The petitioners state that, while appreciating the measures proposed by the Administering Authority and

approved by the Trusteeship Council (resolution 174 (VI)) for the alleviation of the Bakweri land shortage and for their social regeneration, they consider that the execution of these measures should be preceded by an unequivocal pronouncement by the Trusteeship Council recognizing the Bakweri people as the *sole* legal owners of the plantation lands within their tribal area. They contend that certain statements by the Administering Authority to the effect that the Nigerian Government's plans for the plantations had been fully explained to and accepted by the Bakweri were not altogether correct. Furthermore, the Ex-Enemy Lands (Cameroons) Ordinance was not referred to the Bakweri people for study and comment.

24. The petitioners refer to statements made in the Nigerian Legislative Council Debates by the Government spokesman who declared, *inter alia*, that the lands which were to be converted into native lands would be leased to the Cameroons Development Corporation on a 99-year term, and that it was intended to give the natives fully adequate land for their own use, but no more. These statements, according to the petitioners, have given the Bakweri people a rude awakening.

25. The petitioners describe as a travesty of the truth certain statements by the nominated member for the Cameroons Division in the Nigerian Legislative Council, Chief Manga Williams, to the effect that the Government's scheme had been explained to and welcomed by all the Bakweri people. The petitioners consider that the Administering Authority has used Chief Manga Williams as a cloak for the furtherance of its designs upon the Bakweri lands, and are yet to be convinced that the scheme was contrived solely for the benefit of the Cameroons people.

26. The petitioners refer to Brigadier Gibbons' suggestion to the *Ad Hoc* Committee on Petitions that it would be very helpful if the Trusteeship Council were to make a statement agreeing with the Visiting Mission that the decision of the Administering Authority showed the existence of an enlightened land policy, as the Bakweri might then be ready to co-operate in the regeneration schemes. In view of his statement, the Bakweri people have decided not to co-operate in the land-resettlement plans unless and until the Trusteeship Council has reached a decision on the Bakweri claim to ownership.

27. The petitioners find it difficult to understand why their de-alienated land should be administered for the use and common benefit of the whole population when they have no say regarding the lands of other indigenous people in the Territory. The Bakweri people are not satisfied that furtherance of the so-called native interests is the real purpose of the land acquisition and consider that the "act of enlightened land policy" bristles with inconsistencies, such as the question of "controlled tenancy", which is not applied to other indigenous land-owners, and the fifteen-acre plot per family limitation. The petitioners further state that the Administering Authority is not adequately discharging its responsibilities toward the Bakweri because of its reluctance to make use of the right to re-acquire lands held by religious missions and trading firms which it possesses under the clauses of the alienation agreements drawn up by the former German Administration. The

Bakweri are not financially able to bring legal suit to obtain these lands, as the Administering Authority has suggested. However, they are prepared, if necessary to submit the whole matter to the International Court of Justice and, in view of their poverty, they ask financial assistance from the General Assembly to enable them to do this.

28. In their second communication (T/Pet.4/76/Add.1) the petitioners note that the Visiting Mission referred to the possibility of a judicial inquiry to investigate the legal question of the ownership of the land<sup>12</sup> and they request that a judicial body be established for this purpose and that it accompany the next Visiting Mission to the Territory.

*Observations of the Administering Authority (T/955/Add.1 and T/C.2/SR.39)*

29. The Administering Authority observes that all the points raised in the petition have already been dealt with by the Trusteeship Council.

30. It further states that apparently the Bakweri Land Committee can no longer fairly claim to be fully representative of the Bakweri People. Other Bakweri representatives, anxious to avail themselves of the offered resettlement, have begun to approach the Administration with requests for its implementation and recently there has come into existence a Bakweri Farmers' Union, comprising some 70 members, which has adopted a realistic and non-political approach to the problem and is pledged to support the plans for Bakweri resettlement offered by the Administration and commended by the Trusteeship Council. The Bakweri Farmers' Union has, moreover, entered into an agreement with the Cameroons Development Corporation for the sale of bananas on the understanding that any expansion of peasant banana production will be matched by an equal expansion in food production. The ultimate objective is the exploitation by Bakweri farmers of lands to be excised from the Corporation's holdings in accordance with the Administration's resettlement plan. The Administering Authority considers that this changed attitude on the part of the Bakweri offers a reasonable prospect of making headway with the schemes for Bakweri rehabilitation.

31. As regards the Administration's efforts at community development including the provision of training facilities at Man O'War Bay, the Bakweri's response has not as yet been very satisfying but there have been signs of co-operation and it is the Administering Authority's intention not to relax its efforts in this direction.

#### *Action taken by the Standing Committee*

32. This petition was examined and discussed at the 39th and 40th meetings of the Standing Committee on 15 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.39 and T/C.2/SR.40.

33. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority return to the Bakweri Tribe the lands alienated from it, extend to the members of the Bakweri Tribe financial and other assistance

<sup>12</sup> See *Official Records of the Trusteeship Council, Seventh Session, Supplement No. 2, paragraph 195.*

in order to relieve their exceptionally grievous situation, and not permit in future the alienation of lands belonging to the Tribe. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

34. At its 40th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM MR. A. K. IKOMI (T/PET.4/78)

*Summary of the petition*

35. The petitioner submits the following dispute concerning land.

36. During the Second World War, he states, two portions of his farm land were acquired by the local government under the provisions of the Land and Native Right Ordinance and a "paltry" sum of £5 was paid to him as compensation. As the war progressed, virtually all his land was appropriated by the Government and its value was considerably impaired by the occupants, successively soldiers and policemen.

37. Stating that he has submitted appeals to the British authorities without avail, the petitioner requests that a fair compensation compatible with the provisions of the Land and Native Rights Ordinance be paid to him for the arrears originally excised from his holding and that the remaining arrears be returned to him.

*Observations of the Administering Authority (T/1018 and T/C.2/SR.39)*

38. The Administering Authority transmits a plan of the piece of land claimed by the petitioner showing the two areas regarding which he claims further compensation and the other two areas which he requests be returned to him.

39. As regards the first two areas, the petitioner's right of occupancy was revoked in accordance with the provisions of chapter 105 of the Land and Native Rights Ordinance and the petitioner was granted £5 compensation which he accepted without comment. It was not until nearly nine years after the revocation that he raised any objection to the amount awarded, and it is therefore considered that he has forfeited any claim to additional compensation in respect of these portions of land.

40. As regards the other two areas, the petitioner's right of occupancy has not been interfered with by the Government and the petitioner has been reassured on this point by the District Officer. If, as he claims, these portions have been used by members of the police or military on their own initiative, the petitioner was always free to complain to the officer-in-charge or to the local courts.

*Action taken by the Standing Committee*

41. This petition was examined and discussed at the 39th and 40th meetings of the Standing Committee on 15 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.39 and T/C.2/SR.40.

42. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority comply with the petitioner's request. As a result of the Committee's

rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

43. At its 40th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 3.

PETITION FROM JOSUE NOUBISSIE (T/PET.4/80)

*Summary of the petition*

44. The petitioner complains that, on 18 December 1951, British customs officials seized ten half sacks of cocoa, the year's production of his plantation in the Cameroons under French administration, which he was transporting across the border with the intention of selling in the British administered Territory. The seizure took place within a few metres of the border and not only was the produce declared confiscated, but the petitioner was fined £4.

45. The petitioner draws attention to the statement made before the Trusteeship Council by the representative of the Administering Authority (T/AC.20/SR.13, pages 15-16) to the effect that no frontier restrictions are placed upon the export or import of indigenous products, and appeals to the United Nations to have the produce in question restored to him.

*Observations of the Administering Authority (T/997)*

46. The Administering Authority states that, on 18 December 1951, the petitioner and another African from Nlohe, named Pear Samma, were arrested at the border by customs officials while attempting to smuggle some 700 pounds of cocoa into the Territory. They were charged under Section 197 (d) of the Customs Ordinance (Cap 48, Laws of Nigeria) but agreed to settle the case out of Court. They were, therefore, dealt with under the provisions of Section 223 of the Ordinance and fined a total of £4, the cocoa being confiscated. These penalties appear to be extremely reasonable in view of the fact that the maximum penalty which may be imposed under the Ordinance is equivalent to three times the value of the goods or £100, whichever is greater.

47. The petitioner's allegations are not, therefore, founded on fact and he has adduced no evidence to support his general charges against the preventive staff. The population of the areas adjoining the border is well aware that the relaxation of restrictions on trans-frontier trade does not apply to cocoa and it is a matter of common knowledge that anyone intending to import cocoa in commercial quantities should obtain the necessary export and import licences and pay the prescribed duty on the cocoa at a customs port at the frontier.

*Action taken by the Standing Committee*

48. This petition was examined and discussed at the 39th and 40th meetings of the Standing Committee on 15 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.39 and T/C.2/SR.40.

49. At its 40th meeting, the Committee adopted, by 5 votes to none with one abstention, the draft resolution which is reproduced below as draft resolution 4.

PETITION FROM THE BWINGA NATIVE COMMUNITY (T/PET.4/81)

*Summary of the petition*

50. The petitioners refer to their previous petition (T/Pet.4/7) in which they sought title to and com-

pensation for land occupied by the United Africa Company since before the First World War. They refer also to a subsequent letter from the Chief Secretary of the Nigerian Government (copy not attached) which apparently communicated the Government's decision in the matter and states that compensation has been paid to the Victoria Native Administration. The petitioners complain that the Government has not consulted them in reaching this decision, that indigenous ownership of the land has not been recognized and that the compensation should not have been paid to the Native Authority but to the petitioners themselves since the land in question was alienated before the present law was passed relating to the administration of native lands. They therefore request the Trusteeship Council to intervene with the Administering Authority on their behalf with a view to obtaining revocation of the Government's decision and satisfaction of their demands.

*Observations of the Administering Authority (T/C.2/SR.39)*

51. The Administering Authority states that the United Africa Company occupies the land in question as successor to a previous company which was established prior to the First World War. The Company did not possess freehold title to the land since it had failed to register its claim within the prescribed time-limit. However, this was regarded as a purely technical omission in view of its long period of undisputed occupation of the land.

52. The question was submitted to negotiation between the Company and the Administering Authority acting as trustee for the indigenous inhabitants as a result of which the Company was granted a certificate of occupancy subject to payment of an annual rental and of arrears of rent covering the period of occupation. This rent is paid to the Government which, in turn, pays a sum equivalent to the rent to the Victoria Native Administration which is the nearest and smallest unit of local government in the area. The monies thus transferred are used for the benefit of the indigenous population in the area in which the property is situated.

53. The Administering Authority states that it is not prepared to reverse its policy by paying the revenue derived from the land directly to the Bwina Native Community.

*Action taken by the Standing Committee*

54. This petition was examined and discussed at the 39th and 40th meetings of the Standing Committee on 15 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.39 and T/C.2/SR.40.

55. At its 40th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 5.

PETITION FROM MR. MARTIN ASONGWED AND OTHERS,  
BAMENDA IMPROVEMENT ASSOCIATION (T/PET.4/82)

*Summary of the petition*

56. In a cablegram, parts of which are rather difficult to understand, the petitioners submit a dispute concerning land which they allege to have been wrongfully taken from them by the people of Bali with the assistance of the former German and present British administrations. They state that after having petitioned

unsuccessfully for the return of the land they brought their case before the Supreme Court. Their suit was rejected and they were required to pay 150 guineas costs; the judge stating that they should have obtained title to the land before initiating legal proceedings.

57. On the day of the judgment, fifty women demonstrated before the Judge demanding that he either grant permission for them to farm the land or restrain both parties to the dispute from doing so until the case was settled. The following morning, while the Judge left Bamenda under a police escort, the Executive Officer addressed the women and later wrote letters to the petitioners ordering them to restrain from using the land.

58. Incensed by the court's action and by the taunts of their opponents, the petitioners state that they "declared civil war" against the people of Bali on 3 March and that the Resident of Bamenda summoned a detachment of over 100 constabulary to restore order. They assert that the disorders in Bamenda are due to bad administration and they protest the Resident's action in removing two of their chiefs from the hospital. They also demand that periodic reports on the disturbances be sent to the Governor and the Press of Nigeria.

*Observations of the Administering Authority (T/1013 and T/C.2/SR.39)*

59. The Administering Authority states that the land in question was occupied by a number of clans known collectively as the Widekum Migration until about 1860 when the Balis invaded and took possession of the area. Since that time the Widekums have never ceased to assert their claim to the land and there has been considerable ill-feeling between the tribes. For its part, the Administration has consistently held the view that since the Balis were in effective occupation at the time a European administration was established in the Cameroons, the validity of their title by right of conquest must be recognized. The Administering Authority adds that the situation is complicated by the fact that along the greater part of the boundary the two communities are intermixed and repeated efforts to delimit the boundaries of their respective territories have been unsuccessful.

60. In 1950 the people of Mengen (a branch of the Widekums) commenced a series of legal actions which resulted in an appeal to the Supreme Court in which they claimed title to virtually the whole area subject to the jurisdiction of the Bali Native Authority and \$10,000 damages for trespass. The claim was dismissed on 25 February 1952 because the plaintiffs had not pleaded a title to the land under the Land and Native Rights Ordinance and the Bali defendants were awarded 150 guineas costs. The Mengen people felt aggrieved at this decision and a deputation of some 150 people, mostly women, demonstrated before the Judge's quarters where lengthy explanations were given by both the Judge and the Senior District Officer although with little effect.

61. Subsequently, on 3 March, about 5,000 armed persons from Mengen and allied communities made a concerted attack on Bali territory during which they burnt some 2,000 homes, looted crops, cattle and property and destroyed bridges on the roads. In this and subsequent minor affrays 4 Balis and 3 Widekums



were killed and a total of 48 persons injured, the number being not more only because of the timely intervention of the Resident and other officials. Order has now, however, been restored without resort to the use of force. The two chiefs referred to by the petitioners were in hospital at the time of the attack but upon their discharge were taken back to their village in order to recall their tribesmen.

62. In view of the Supreme Court's judgment referred to above, the Governor has appointed a judge of the Supreme Court to conduct an inquiry into the rival claims of the disputants to the land in question and to make recommendations touching the exercise of any powers conferred upon the Governor by the Land and Native Rights Ordinance.<sup>13</sup> The Commissioner is at present engaged in this inquiry and the Administering suggest that, while the matter is *sub-judice*, the Trusteeship Council may deem it appropriate to bring

<sup>13</sup> The relevant sections of the Ordinance are quoted in the observations.

to the attention of the petitioners the fact that a Commission of Inquiry has been established.

63. The Administering Authority further states that a separate investigation has been instituted under the Collective Punishment Ordinance to ascertain the responsibility for the disturbances and that the results of this investigation will be available shortly.

#### *Action taken by the Standing Committee*

64. This petition was examined and discussed at the 39th and 40th meetings of the Standing Committee on 15 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.39 and T/C.2/SR.40.

65. At its 80th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 6.

#### DRAFT RESOLUTIONS

*For the texts of draft resolutions 1 to 6 inclusive, adopted without change at the 453rd meeting of the Trusteeship Council, see resolutions 615 (XI), 616 (XI), 617 (XI), 618 (XI), 619 (XI) and 620 (XI).*

### DOCUMENT T/L.309

**Twenty-first report of the Standing Committee on Petitions: petitions from the Kamerun United National Congress concerning the Cameroons under British administration and the Cameroons under French administration (T/Pet.4/79-T/Pet.5/105 and Add.1, T/Pet.4/83)**

*[Original text: English]  
[18 July 1952]*

1. The Standing Committee on Petitions established by the Trusteeship Council at the 397th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 39th and 40th meetings on 15 and 18 July 1952, two petitions from the Kamerun United National Congress (T/Pet.4/79-T/Pet.5/105 and Add.1 and T/Pet.4/83) concerning the Cameroons under British administration and the Cameroons under French administration.

2. Brigadier E. J. Gibbons and Mr. C. Watier participated in the examination as special representatives of the Administering Authorities concerned.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on the annexed draft resolution.

4. The representative of the Union of Soviet Socialist Republics stated that he had voted against both the draft resolution and the report adopted by the Committee because the draft resolution did not recommend to the Administering Authorities, the Governments of the United Kingdom and France, that they should create in the Trust Territories legislative and administrative organs which were not subordinate to any organs based on a union between the Trust Territories and adjacent colonies or other colonies of the Administering Authorities in general and that, to this end, the Administering Authorities should take measures to ensure the participation of the indigenous population in legislative, judicial and administrative organs of the Trust Territories and because the draft resolution

did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authorities take urgent measures to satisfy the requests of the petitioners on the participation of the indigenous populations in the work of the Trusteeship Council and to put an end to the violation of the rights and interests of the indigenous population.

#### *Summary of the petitions*

5. The first petition (T/Pet.4/79-T/Pet.5/105 and Add.1) takes the form of a memorandum explaining the programme of the Kamerun United National Congress which was founded in August 1951. The Congress's main objective is the early unification of the two Cameroons. However, they recognize that this cannot be achieved immediately and as a necessary preliminary to unification the petitioners seek the following:

(a) Removal of all existing obstacles to the free movement of persons and goods across the border dividing the two Cameroons and creation of a customs union such as existed between 1916 and 1921;

(b) Revision of the Trusteeship Agreements to provide safeguards to preserve the distinct political status of the two Cameroons, especially in connexion with the creation of administrative unions;

(c) Establishment of a free and unfettered liaison between the indigenous peoples of the two Cameroons with freedom of speech, of the Press, of assembly, of petition and of movement;

(d) Creation of a separate House of Assembly for the British Cameroons, and of a High Commissioner directly responsible to the Trusteeship Council through

the Governor of Nigeria; the petitioners are of the opinion that by administering the Trust Territory as part of Nigeria and not establishing a separate legislature for the Territory, the Administering Authority is failing to take account of the wishes of the majority of the population and to fulfil its trusteeship obligations; they consider that the Territory is capable of financing its own public institutions and administrative services and point to the budgetary surplus of £310,000 in 1950 and the existence of untapped natural resources;

(e) Creation of a separate House of Representatives in the French Cameroons independent of the French National Assembly; the petitioners consider that the legislatures of both Cameroons should have an African majority and, with a few exceptions, all the Ministries should be headed by Africans;

(f) Compulsory instruction in French and English in the schools of both Cameroons;

(g) Indigenous representation at the meetings of the Trusteeship Council during discussion of matters concerning the two Cameroons.

6. The petitioners complain that both Administering Authorities have failed to live up to their obligation to promote the most rapid possible development of the Cameroons in the political, economic, social and educational fields and they express dissatisfaction with the conclusions of the first United Nations Visiting Mission, which they believe was reluctant to criticize the Administering Authorities in the face of adverse comments especially in the British Parliament and Press. In particular, they complain that the Mission failed to give proper expression to the clearly expressed wishes of the people to be unified.

7. The petitioners also complain that there are only two European-owned shops in the Southern Section of the British Cameroons which charge very high prices, sell only to registered customers, and insist on "conditional" sales.

8. In a subsequent communication (T/Pet.479-5/105/Add.1) the petitioners request the assistance of the Trusteeship Council to obtain a "safe conduct" to enable 30 of their members from the British Cameroons to attend a conference in the French Cameroons about May 1952.

9. In their second petition (T/Pet.4/83), the petitioners complain against the introduction by the Government of Nigeria of a regulation (Public Notice No. 4, dated 29 December 1951) imposing certain restrictions upon the type and quantity of goods that may be taken out of the Territory. The petitioners consider that the regulation constitutes a virtual embargo on inter-territorial petty and barter trade and contend that, before introducing it, the Administration should have satisfied itself that the proposed measures were not detrimental to the vital interests of the indigenous people on both sides of the border between the British and French Cameroons, and should have obtained the views of the indigenous inhabitants. The petitioners state that an explanation of the regulation was not published until nearly three months after its promulgation.

*Written observations of the Administering Authority for the Cameroons under French administration (T/1009)*

10. The Administering Authority states that the Kamerun United National Congress represents only a small minority in the Cameroons under French administration. It points out that the *Union des Populations du Cameroun*, the sole group in agreement with the petitioners, received only 2.5 per cent of the votes cast in the most recent elections for the Representative Assembly.

11. The Administering Authority states that, as the first Visiting Mission observed in 1949, the indigenous population shows little enthusiasm for unification of the two Cameroons, and that the sense of belonging to a national community is of fairly recent origin and shows the success of the Administering Authority's efforts at political development. It adds that the constitutional changes suggested in the petition would prejudice the future of the two Territories after the termination of the trusteeship and as such, could not be made by the Administering Authority.

12. As regards the complaint that the Administering Authority is not contributing adequately to the economic development of the Territory, it is observed that development is largely sustained by public financing from France and that as of May 1952 a total of 23,400 million francs had already been invested in the first four-year plan the cost of which, when completed, will amount to 32,720 million francs. A further four-year plan on a similar scale will be inaugurated in 1953.

13. As regards the frontier between the two Cameroons, the Administering Authority states that only one area (Dschang) does it separate ethnically related groups. It is the policy of both Administering Authorities to relax the frontier regulations as much as possible and regulations to this effect were introduced in 1950. New regulations which will amount in practice to removing all obstacles to the transport of goods produced and consumed locally are now under consideration and will be put into force as soon as possible.

14. It is not considered practicable to provide teaching in English in primary schools, since young children would thereby be required to study three languages. However, adequate facilities for studying English exist in secondary schools.

15. The special representative informed the Committee that there had never existed a customs union between the two Territories. However, the steps under consideration by the two Administering Authorities to liberalize frontier regulations had already been applied by the French authorities. He assured the Committee that the freedoms referred to in the petition were already fully recognized in the two Trust Territories.

16. As far as the request for a safe conduct for members of the Kamerun United National Congress to attend a conference in the Cameroons under French administration during May 1952, the special representative stated that inhabitants of the Cameroons under British administration could cross the frontier merely by presenting an identity card and that, except for breach of the peace, no one had ever been arrested as a result of political activity. No request for permission to enter the Territory had been addressed to the French authorities and no conference had been definitely

scheduled during May. As the Administering Authority had learnt of the request only later through the United Nations Secretariat, it could not regard that part of the petition as being in good faith.

*Written observations of the Administering Authority for the Cameroons under British administration (T/1018)*

17. The Administering Authority states that it would not be proper to comment on the ultimate aim of unification of the two Cameroons since that is a matter for the people to decide themselves when the objectives of the Trusteeship Administration have been achieved. It is noted, however, that few of the inhabitants of the British Cameroons show enthusiasm for unification.

18. The Administering Authority adds that the identity of the Trust Territory is preserved by the Trusteeship Agreement and the supervisory machinery provided by the Trusteeship Council. However, while the separate status of the Territory has been preserved, it has benefited greatly from its close association with Nigeria through the financial assistance which it received prior to 1949, the availability of technical, educational and health services, access to Nigerian markets and the stimulus afforded by contact with a politically more developed territory. It is pointed out that participation in the new Nigerian Constitution has resulted in substantial political advancement in the British Cameroons, where, in many parts, the principle of election by adult suffrage was previously unfamiliar. The Administering Authority adds that the desirability of making the British Cameroons a separate region was carefully considered in connexion with the new Constitution and the position is fully described in the annual report on the Territory for 1949 (paragraphs 114-116 and 119). It considers that the proposal put forward by the petitioners for immediate adoption are impractical and would prejudice the future political development of the Territory.

19. On the question of frontier trade between the two Cameroons, the Administering Authority states that a large number of concessions have been made and lists the items which may be exported free of duty. The only goods of importance which are subject to customs duties are alcohol, tobacco, imported textiles and kerosene. While persons entering the Territory

from the French Cameroons are required to possess a travel document, this does not impede the movement of persons across the frontier which is, in fact, as free as possible.

20. The Administering Authority considers that compulsory teaching of French in primary schools would present practical difficulties. However, there are many close cultural links between the indigenous populations of both Territories and the two Administering Authorities make every effort to strengthen those links.

21. As regards "conditional" sales, the Administering Authority states that it is opposed to such practices and would ensure that any specific cases brought to its attention were investigated.

22. In conclusion, the Administering Authority states that there has been considerable progress in political, economic, social and educational advancement since the visit of the last Visiting Mission in 1949 as is shown in the annual reports on the administration of the Territory.

23. The special representative of the Administering Authority informed the Committee that French was now taught as a subject in the secondary schools of the Territory.

24. On the question of frontier formalities, the special representative stated that the Government of Nigeria had under consideration measures for facilitating petty and barter trade across the frontier, by increasing the quantity of goods which could be transported without formalities and by liberalizing exchange controls.

*Action taken by the Standing Committee*

25. The petition was examined and discussed by the Standing Committee at the 39th and 40th meetings on 15 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.39 and T/C.2/SR.40.

26. At its 40th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below.

**DRAFT RESOLUTION**

*For the text of the draft resolution, adopted without change at the 453rd meeting of the Trusteeship Council, see resolution 621 (XI).*

**DOCUMENT T/L.310**

**Nineteenth report of the Standing Committee on Petitions: petitions concerning the Cameroons under French administration**

*[Original text: English]  
[18 July 1952]*

1. The Standing Committee on Petitions established by the Trusteeship Council at the 39th meeting, tenth session, and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 37th, 38th and 40th meetings on 11, 14 and 18 July 1952, the following petitions concerning the Cameroons under French administration:

(1) Petition from the *Union des Populations du Cameroun* (T/Pet.5/97 and Add.1);

(2) Petition from the *Union des Populations du Cameroun*, Central Office of M'Balmayo (T/Pet.5/99);

(3) Petition from the *Union des Populations du Cameroun*, Comité régional de Foumban (T/Pet.5/101);

(4) Petition from Mr. Ernst Mayer (T/Pet.5/103);

(5) Petition from Mr. Ernest Mpoumpiel (T/Pet.5/106 and Add.1);

(6) Petition from Mr. Valère Eddy Mengack (T/Pet.5/107);

(7) Petition from the President of the *Comité régional de l'Union des Populations du Cameroun à Foumban* (T/Pet.5/108).

2. Mr. C. Watier participated in the examination as the special representative of the Administering Authority.

3. The Standing Committee submits herewith to the Council its report on these petitions, and recommends that the Council decide that no special information is required concerning the action taken on draft resolutions Nos. 1-7 inclusive.

4. The representative of the Union of Soviet Socialist Republics voted against the present report in view of the fact that it contained draft resolutions adopted by the Committee which were unacceptable to the delegation of the Union of Soviet Socialist Republics because, in his view, those draft resolutions did not take into consideration the interests of the indigenous inhabitants and did not recommend that the Administering Authority take urgent measures to satisfy the requests of the petitioners and to put an end to the violation of the rights and interests of the indigenous population.

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### PETITION FROM THE *Union des Populations du Cameroun* (T/PET.5/97 AND ADD.1)

#### *Summary of the petition*

5. The main points of the petition, which is extremely lengthy, are summarized as follows:

(a) *Persecution of "progressives"*: The petitioners allege that freedom of speech is lacking in the Territory and that progressive elements are often punished for submitting protests to the Administration. The petitioners cite several alleged instances of such mistreatment.

(b) *Racial discrimination*: The petitioners state that there are hotels and clubs in the Territory to which Africans are not admitted and mention three such establishments by name. They also complain that the Administration does not pursue legitimate charges brought by Africans against Europeans or chiefs protected by the Administration.

(c) *Elections*: They call for democratic elections and allege that the Administration has prepared fraudulent electoral lists for the forthcoming elections.

(d) *Bamileke officials*: They ask that all Bamileke officials who have served in the Dschang region for more than four years be transferred on the grounds that they are despotic and exploit the area.

(e) *The prison system*: They state that European prisoners enjoy special privileges and that Africans are under-fed, ill-lodged and are obliged to perform water fatigues which consist in carrying water in barrels of 100 litres by two persons.

(f) *Constitutional reform*: They allege that the elected indigenous representatives are not allowed to participate in the Representative Assembly and they request that the European electoral college be suppressed, that universal suffrage be introduced with a single electoral college and parliamentary immunity for

all representatives. They ask that the President of the Assembly be an African.

(g) *Indigenous provident societies*: They complain that contributions are compulsory and that the societies benefit only Europeans. They ask that the societies be either abolished or restored to the indigenous people.

(h) *Unification of the Cameroons*: They call for unification of the two Trust Territories and state that the existence of two official languages, different educational systems and legislation can only hinder the ultimate establishment of a single Cameroonian nation. They add that the mere relaxation of frontier barriers will not satisfy public opinion, and allege that human rights are not respected in the French zone and that many people are migrating to the British zone.

6. Enclosed with the petition is a further petition from the Bafou-Fondong Branch of the *Union des Populations du Cameroun* setting forth a number of charges against chief Ngouajie, the chief of Bafou-Fondong.

7. In a subsequent communication (T/Pet.5/97/Add.1), the petitioners complain that despite the recommendations of the Trusteeship Council (resolution 164 (VI)), restrictions are still imposed on trade between the two Cameroons and they list the names of 21 inhabitants of Eloong in the Cameroons under British administration who have been fined by the French authorities for attempting to sell their agricultural products at N'Kongsamba in the French Territory.

*Observations of the Administering Authority (T/1001 and T/C.2/SR.38)*

8. The Administering Authority submits observations on the petition as follows:

(a) *Persecution of "progressives"*: The Administering Authority states that there is no persecution of progressives and no interference with political organizations. It supplies information on each of the cases cited by the petitioners as examples of persecution showing that in each case the petitioners' allegations are unfounded and that where legal action was taken it was in pursuance of criminal law. The Administering Authority adds that its policy is to promote the gradual evolution of the Territory towards democratic self-government.

(b) *Racial discrimination*: The Administering Authority refutes the petitioners' allegations of discrimination in respect of the specific cases cited in the petition. As regards the complaint that Africans are excluded from certain hotels and clubs it is pointed out that of the establishments cited by the petitioners, one is a private club to which only members are admitted, the second is a hotel which admits all persons who are correctly dressed and the third is a rest centre with insufficient accommodation for all applicants.

(c) *Elections*: The Administering Authority states that the complaint of fraudulent elections is absolutely untrue. At the last revision of the electoral rolls, entries were made on the basis of the most recent census and representatives of all political parties participated in drawing up the rolls. The electoral lists were publicly displayed and every opportunity was afforded to individuals to correct errors and omissions or to register even after the specified time-limit.

(d) *Bamileke officials*: It is true that certain indigenous officials in the Bamileke region have served there for several years and that some of them have settled there and carry on commercial activities through their wives or relations. It is, however, difficult to remove officials from their country of origin unless flagrant abuse or the exercise of undue influence can be proved.

(e) *The prison system*: The latest report of the Control Commission for the Dschang prison showed that the prisoners are well lodged in sanitary conditions. The water fatigue, which will soon be abolished at the two prisons referred to where water distribution systems are being installed, is not oppressive and the load carried by two prisoners is only about 60 litres, not 100 as alleged by the petitioners. Prisoners are regularly rotated after several trips and are never required to perform such work for a whole day.

(f) *Provident societies*: The allegation that provident societies operate only for the benefit of Europeans is untrue since they are controlled and run by their members. The societies are managed by boards of directors all of whom, with the exception of the chairman, are elected by the members of the society concerned. As an example of the manner in which the societies operate the Administering Authority observes that the Numgo society has established a sawmill operated entirely for the benefit of its members. The Administering Authority comments that the strict supervision which administrative officials exercise over the operation of provident societies is often unpopular with those members of the board who refuse to understand that general interests must come before individual interests.

(g) *Unification of the Cameroons*: The Administering Authority notes that the petitioners advocate a single official language for the Cameroons under British and French administration but do not propose a Cameroonian dialect. This in itself constitutes adequate proof that there is no real cultural link between the two Territories. As regards their allegation that masses of Cameroonians are leaving the French Territory to settle in the British zone, the Administering Authority points out that nearly all the Bamilekes who emigrated some years ago have since returned to their country of origin. It describes as fantastic the allegation that human rights are not respected in the French Territory.

9. The Administering Authority concludes by stating that the recent elections have proved that the petitioners represent only an extremely small minority of the indigenous electorate and therefore have no authority to speak for the population of the Territory as a whole.

*Action taken by the Standing Committee*

10. The petition was examined and discussed at the 37th, 38th and 40th meetings of the Standing Committee on 11, 14 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.37, T/C.2/SR.38 and T/C.2/SR.40.

11. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council, noting the facts of racial discrimination against the indigenous population of the Cameroons under French administration, forging of electoral rolls, persecution of progressive elements,

and judicial arbitrariness, would recommend that the Administering Authority put an end to the anti-democratic policy involving racial discrimination and crude violation of the rights and interests of the indigenous inhabitants of the Cameroons under French administration. As a result of the Committee's rejection of its proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

12. At its 40th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 1.

**PETITION FROM THE *Union des Populations du Cameroun*, CENTRAL OFFICE OF M'BALMAYO (T/PET.5/99)**

*Summary of the petition*

13. The petitioners complain against a proposal to send indigenous representatives to the French National Assembly and the division of the Territory into three electoral constituencies. They consider this to be an attempt by the Administration to divide the people of the Cameroons and they state their intention to ignore the jurisdiction of the French Parliament.

14. They are also dissatisfied with the laws of 23 May 1951 which created two separate electoral colleges for Europeans and Africans and point out that this is in contrast to French Togoland which has only one electoral college. They infer that the dual collegiate system provides unequal treatment in view of the great difference in the size of the European and indigenous communities and the fact that Europeans can compete for the three seats allocated to the indigenous election college. In connexion with the latter point, they allege that one of the European candidates, M. Louis Aujoulat, enjoys the support of the local administration which is forcing the indigenous inhabitants to vote for him. Claiming that the dual collegiate system is designed to prevent the rapid emancipation of the Territory, they request that it be replaced by a single electoral college.

15. The petitioners further state that the people of the Cameroons unanimously demand the following:

(a) A speedy revision of the Trusteeship Agreements for the purpose of establishing an autonomous government in the Cameroons;

(b) Establishing of a Legislative and Constituent Assembly in the Cameroons;

(c) Unification of the two Cameroons;

(d) Repeal of all discriminatory measures hindering the progressive development of the population towards self-government.

16. Finally, the petitioners raise the general question of indigenous representation at the United Nations.

*Observations of the Administering Authority (T/1016 and T/C.2/SR.37)*

17. With regard to the protest against the establishment of three electoral constituencies, the Administering Authority observes that since the Act of 11 May 1951 allots three seats in the National Assembly to the indigenous electorate of the Cameroons, it was the natural course to divide the electorate into three constituencies for the purpose of electing its representatives. The Administering Authority adds that no other protest has been made in the Territory against this division.

18. As to the candidature of Europeans for election to the seats allocated to the indigenous electoral college the Administering Authority states that there are no racial restrictions upon candidates for election by either electoral college. It decides the petitioners' allegation that pressure was used to obtain M. Aujoulat's election and points out that the majority of the indigenous electorate did not vote for him.

19. Likewise, the Administering Authority states that the number of votes cast in the June elections, 288,754, contradicts the petitioners' assertion that the people of the Cameroons repudiate representation in the French National Assembly. It explains that the participation of Cameroonian representatives in the National Assembly was decided upon on the grounds that it was only just to grant the Trust Territory a voice in the formulation of French laws in view of the fact that French laws are applied in the Territory under the terms of the Trusteeship Agreement.

20. The Administering Authority explains that the existence of two separate electoral colleges in the French Cameroons is justified by the important part played by the European community in the economic and social development of the Territory. In this connexion the situation in the French Cameroons is in contrast to that prevailing in French Togoland where the economy is mainly agricultural and the role of the European community is of lesser importance. The Administering Authority also observes that the Territorial Assembly of the French Cameroons expressed the wish that the dual collegiate system be retained and that the recent elections showed that the population of the Territory as a whole is not opposed to this system. Nevertheless continuance of the dual collegiate system is only provisional and it may be possible to establish a single electoral college when the Territory has attained sufficient degree of development and provided that the experiment of instituting a single college in French Togoland proves successful.

21. As regards the demands which the petitioner claim represent the unanimous wishes of the people of the Cameroons, the Administering Authority comments that no referendum has ever been taken in the Territory and that the petitioners cannot claim to represent the unanimous will of the Cameroonian people since at the last elections the candidates of the *Union des Populations du Cameroun* received altogether slightly more than 6,000 out of 288,000 votes cast. The Administering Authority denies the existence of any racial discrimination or of discriminatory measures hindering the progressive development of the population towards self-government.

*Action taken by the Standing Committee*

22. The petition was examined and discussed at the 37th and 40th meetings of the Standing Committee on 11 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.37 and T/C.2/SR.40.

23. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council would recommend that the Administering Authority establish in the Trust Territory legislative and administrative organs which would not be subordinate to the organs created on the basis of the union of the Trust Territory with French



Colonies, that it enact legislative and other measures which would ensure the participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory and that it establish in the Territory of the Cameroons under French administration a single electoral system for indigenous inhabitants and Europeans on the basis of direct, universal and equal franchise with a secret ballot. As a result of the Committee's rejection of this proposal, by 4 votes to 1 with 1 abstention, he was not in a position to support the draft resolution.

24. At its 40th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 2.

PETITION FROM THE *Union des Populations du Cameroun, Comité régional de Foumban* (T/PET.5/101)

*Summary of the petition*

25. In a communication which, in parts, is difficult to understand, the petitioners complain that justice is not dispensed equally in the Bamoun region and that the higher chiefs, village chiefs and chiefs of families are never brought to judgment for their misdeeds because the chief of the subdivision never wishes an inquiry to be made into any complaints lodged against them. In support of these allegations the petitioners refer to a number of cases in which they allege that justice was denied or thwarted.

*Observations of the Administering Authority*  
(T/1001 and T/C.2./SR.37)

26. The Administering Authority provides detailed information on the cases referred to as illustrative evidence in the petition showing that they have been, or are being, settled in accordance with law and tribal custom. It considers that the petitioners' complaints are tendentious and are part of the campaign against the traditional tribal system which is being waged with the support of the *Union des Populations du Cameroun*. In this campaign the organization utilizes every possible device to oppose the authority of the traditional chiefs and indulges in calumnious complaints.

27. The Administering Authority states that its policy is to promote by all possible means the gradual evolution from the traditional tribal system to a system of self-government based on democratic principles.

28. Annexed to the observations is a copy of a letter dated 20 February 1952 and addressed to the High Commissioner from the petitioning group in which they state that the cases referred to in their petition have been, or are being, settled satisfactorily through the intervention of the regional chief of Bamoun and expressing their thorough satisfaction with this chief.

*Action taken by the Standing Committee*

29. The petition was examined and discussed at the 37th and 40th meetings of the Standing Committee on 11 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.37 and T/C.2/SR.40.

30. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council, considering that the tribal system which now exists in the Trust Territory

of the Cameroons under French administration and which is encouraged by the Administering Authority is incompatible with the progressive advancement of the indigenous population of the Territory towards self-government and independence, would recommend that the Administering Authority take measures to ensure the transfer from the tribal system to a system of self-government based on democratic principles. As a result of the Committee's rejection of this proposal, by 4 votes to 1 with 1 abstention, he was not in a position to support the draft resolution.

31. At its 40th meeting, the Committee adopted, by 5 votes to 1, the draft resolution which is reproduced below as draft resolution 3.

PETITION FROM MR. ERNST MAYER (T/PET.5/103)

*Summary of the petition*

32. The petitioner, an Austrian national, states that he had owned a banana plantation in the Territory since 1936 and that his two children were both born in the Cameroons. In 1939, he left the Territory for reasons of ill health and was unable to return owing to the war. In the meantime, his plantation was managed by a French friend.

33. In 1949, when the French Government revoked the order confiscating the property of Austrian nationals, he filed a claim to the property and produced the necessary documents, including a certificate of non-registration as a Nazi. Six months later he discovered that his name had been included in the list of German nationals whose property was to be sold by auction, but was successful in obtaining the removal of his name from this list. Subsequently, in September 1950, the order of confiscation on his property was rescinded.

34. Having obtained the return of his plantation, the petitioner applied for a visa to return to the Territory, but his application was refused by the Governor-General of the Cameroons. When he inquired into the reasons for this rejection, he was informed that the secret police at Yaoundé considered him to be a Nazi, that he had displayed undue haste in returning to Austria in 1939 to be mobilized into the German Army and that he had served with the occupation troops in France.

35. The petitioner states that he has been unable to defend himself against these accusations. He does not feel that he has committed any crime against France and he appeals to the United Nations to enable him to obtain a hearing of his case "before a world forum".

*Observations of the Administering Authority*  
(T/1016 and T/C.2/SR.38)

36. The Administering Authority states that it would be inopportune to reverse the decision to refuse the petitioner permission to re-enter the Territory. It observes that during the period immediately prior to the Second World War, Mr. Mayer made no secret of his sympathies for national-socialism and his anti-French sentiments. He left the Territory following a visit by an agent of the *Propaganda Abteilung* and after renting his plantation to a certain M. Rouger. It is true that the confiscation of his plantation as ex-enemy property was rescinded in 1950 and that he now is completely free to dispose of his lands in



the Cameroons. However, his return to the Territory would not fail to provoke those persons who knew him before 1939 and who remember his hostile attitude towards France. The local government did not grant him a residence permit in the interests of law and order.

37. The Administering Authority adds that if Mr. Mayer should dispose of his property in the Trust Territory, the Administration would place no obstacle in the way of the transfer of the proceeds of sale to the country in which he is now resident.

#### *Action taken by the Standing Committee*

38. This petition was examined and discussed at the 38th and 40th meetings of the Standing Committee on 14 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.38 and T/C.2/SR.40.

39. At its 40th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 4.

PETITION FROM MR. ERNEST MPOUMPIEL (T/PET.5/106 AND ADD.1)

#### *Summary of the petition*

40. The petitioner states that he is being wrongfully and arbitrarily detained in prison on a charge of having made a false accusation against a French official. He explains that he brought a series of complaints alleging malpractices by an *administrateur*, Mr. Pierre Muller. The charges were investigated by a magistrate who, the petitioner alleges had been suborned by the accused, were dismissed as being without foundation and the case was shelved. A year later the case was reopened upon request of the Ministry for Overseas France, to which the petitioner had sent a copy of his accusation and the petitioner was arrested on a charge of making a false accusation.

41. The petitioner complains that the case was originally shelved owing to racial prejudice and that when it was reopened, he was charged with false accusation solely on the basis of one of the complaints which he had made; no attempt being made to investigate his other complaints. He alleges that his arrest is a reprisal and he appeals to the Trusteeship Council to intervene in order that if the *Service judiciaire* continues its proceedings against him either a thorough investigation be made into all the complaints which he had brought against Mr. Muller, or that the entire case be dropped and he be released.

42. Attached to the petition are copies of two letters by the petitioner relating to his case.

*Observations of the Administering Authority (T/1016 and T/C.2/SR.38)*

43. The Administering Authority states that the petitioner's charges against the Administration are groundless. It recalls that in April 1950 the petitioner addressed a petition to the High Commissioner accusing Mr. Muller of ten acts of extortion. As a result of these accusations legal proceedings were instituted against Mr. Muller and the petitioner was called as a witness and given every opportunity to substantiate his accusations.

44. As the preliminary investigation showed that there was no case against Mr. Muller, the case was dismissed and subsequently legal proceedings were instituted against the petitioner for making a false accusation.

45. During the hearing of the case, the petitioner addressed a written statement to the High Commissioner and other officials alleging that the *juge de paix* of Batouri had conducted a pseudo-inquiry with the object of exonerating Mr. Muller. As a result of this statement further legal proceedings were instituted against the petitioner for insulting a member of the judiciary.

46. The petitioner was convicted on both counts and was sentenced to a fine of 1,000 francs and two terms of six months' imprisonment running concurrently. This sentence was subsequently ruled invalid by the court of appeal which, however, found the petitioner guilty on the charge of making a false accusation and imposed the same penalty as the lower court. The petitioner has since served his term of imprisonment and has been released.

#### *Action taken by the Standing Committee*

47. This petition was examined and discussed at the 38th and 40th meetings of the Standing Committee on 14 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.38 and T/C.2/SR.40.

48. At its 40th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 5.

PETITION FROM MR. VALÈRE EDDY MENGACK (T/PET.5/107)

#### *Summary of the petition*

49. The petitioner complains that he is still deprived of his civil rights and is even forbidden to own sporting guns as the result of a court sentence passed upon him in 1941. He considers that the sentence should either have been expunged by the amnesty of 1946 or that his civil rights should have been restored to him after a period of two years.

50. He explains that in 1941 he was convicted on a charge of having stolen from his employer. He was sentenced to two years' imprisonment and was released in 1943. Subsequently in 1951 he was again convicted of breach of trust and theft, this time because he had engaged another person as a buyer on his employer's account and had given him money belonging to his employer. For the second offence, the petitioner was sentenced to pay a fine of 2,000 francs.

51. In view of his second conviction, the petitioner's request for restitution of his civil rights was refused. He, therefore, appeals to the Trusteeship Council to intercede on his behalf and points out that he has ten children to support.

*Observations of the Administering Authority (T/1016 and T/C.2/SR.38)*

52. The Administering Authority states that the petitioner's appeal for restitution of his civil rights was submitted to the *Chambre des mises en accusation* on 2 November 1951. It was rejected because the pres-

cribed period of three years had not elapsed since the second conviction referred to in the petition. Even if the Court had not decided thus it is probable that the petitioner's appeal would have been rejected anyhow because he had not fulfilled the sentence imposed on him in 1941 by paying the sum of 8,000 francs in damages.

53. Since the petitioner did not submit a further appeal against the Court's decision within the prescribed time-limit, the decision of the Court has become final and he may not submit a new request for restitution of his civil rights until a further two years have elapsed.

#### *Action taken by the Standing Committee*

54. This petition was examined and discussed at the 38th and 40th meetings of the Standing Committee on 14 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.38 and T/C.2/SR.40.

55. At its 40th meeting, the Committee adopted, by 5 votes to none with 1 abstention, the draft resolution which is reproduced below as draft resolution 6.

PETITION FROM THE PRESIDENT OF THE *Comité régional de l'Union des Populations du Cameroun à Fombot* (T/PET.5/108)

#### *Summary of the petition*

56. The petition takes the form of copies of eight communications from Africans complaining that their land has been taken from them by various chiefs with the authorization of the French Administration. In one of the communications it is stated that the Sultan of Bamoun was arrested in 1931 and died in prison in 1933. Subsequently all the Sultan's notables and servants were likewise arrested and the Sultan's property was given by the Administration to the chiefs who were appointed to replace them. It is also alleged that the chiefs are appointed by the Administration without consultation with the indigenous people, and that in one case which occurred in 1951 when a new chief was being installed at Fombot, the authorities brought soldiers who beat the people and finally arrested the entire village.

57. It is also complained that there is a very large number of European plantations in the Bamoun lands from which the Europeans derive large profits.

*Observations of the Administering Authority (T/1016 and T/C.2/SR.38)*

58. The Administering Authority states that the democratic evolution of the Territory is resulting in an increasing tendency among the villagers to claim individual ownership over the land or plantations which they occupy, as a result of which they are constantly in conflict with the supporters of the traditional tribal system who are anxious to retain the advantages of and enjoy the rents from their traditional fiefs. The *Union des Populations du Cameroun* champions the cause of the progressive elements but nevertheless the complaints which it has transmitted indiscriminately in the present petition emanate from both groups. The Administering Authority examines separately each of the complaints contained in the eight communications transmitted in the petition and in respect of seven of

them which concern individuals, explains that the cases are pending before the tribal or territorial courts.

59. As regards the eighth communication, which complains of ill-treatment by the Administration of the Sultan of Bamoun and his followers and seizure of their property, the Administering Authority states that it refers to disturbances which took place in 1924 and 1931 as the result of opposition by the chiefs to the Administering Authority's policy of democratic evolution. These events resulted in the arrest and conviction of a number of persons and the exiling, not imprisonment, of Sultan Njoya in 1931. Full information on these incidents was transmitted in the Administering Authority's reports to the League of Nations for 1924 and 1931.

60. The Administering Authority denies that it has sought to impose new chiefs upon the population without the latter's consent. In 1951 a higher chief was nominated after consultation and with the support of a majority of the family chiefs. Since the candidate favoured by the majority met with some opposition an alternative solution acceptable to both sides was found. The soldiers, who numbered only three platoons, were sent to the region after the incident was settled and therefore did not intervene.

61. As regards the alleged seizure of land by the Administration or under its auspices, the Administering Authority states that such incidents have never occurred and that the complaint is motivated by the attitude of old chiefs who are seeking to retard the process of social evolution in their own interests. It adds that such matters fall within the competence of the tribal courts and that if the *Union des Populations du Cameroun* really wished to assist the complainants it should advise them to appeal to these courts.

62. Finally, as regards the European plantations in the region, the Administering Authority states that all these lands were ceded after consultation with the indigenous population concerned and that they are situated in former unoccupied land. The efforts of the Europeans to develop these lands has been beneficial to the economy of the region and to the indigenous population.

#### *Action taken by the Standing Committee*

63. The petition was examined and discussed at the 38th and 40th meetings of the Standing Committee on 14 and 18 July 1952. The relevant discussion is contained in documents T/C.2/SR.38 and T/C.2/SR.40.

64. The representative of the Union of Soviet Socialist Republics proposed that the Committee insert in its draft resolution on the above petition a paragraph in which the Trusteeship Council, noting that the petition reports that the Administering Authority has supported tribal chiefs who have alienated land from indigenous inhabitants, that the Administering Authority is forcibly imposing on the indigenous inhabitants the authority of tribal chiefs and that in 1951 in Fombot, troops sent in by the French authorities arrested the entire population of the village in order to bolster the authority of the newly appointed chief, would recommend that the Administering Authority take measures designed to ensure a transfer from the tribal system, which is incompatible with the progressive development

of the Trust Territory towards self-government and independence, to a system of self-government based on democratic principles and that it not permit the alienation of lands of the indigenous inhabitants. As a result of the Committee's rejection of this proposal, by 5 votes to 1, he was not in a position to support the draft resolution.

65. At its 40th meeting, the Committee adopted by

5 votes to 1, the draft resolution which is reproduced below as draft resolution 7.

#### DRAFT RESOLUTIONS

*For the texts of draft resolutions 1 to 7 inclusive, adopted without change at the 453rd meeting of the Trusteeship Council, see resolutions 622 (XI), 623 (XI), 624 (XI), 625 (XI), 626 (XI), 627 (XI) and 628 (XI)*

#### DOCUMENT T/L.315

#### Dominican Republic: amendment to the operative part of the draft resolution proposed by the Standing Committee on Petitions (T/L.295)

[Original text: English]  
[22 July 1952]

1. In paragraph 2 replace the words "it should have been found necessary" by the words "the Administering Authority should have found it necessary".

2. In paragraph 3, add the words "by the Administering Authority" after the words "was found necessary".

3. In paragraph 4, delete the phrase "which is advantageous to the majority of the indigenous inhabitants of the Arusha-Moshi area". The paragraph will stand as follows:

*"Recognizes that the movement in question forms part of a larger scheme already in an advanced stage*

*of implementation and that it has already provided for tribal occupation a greater area of previously alienated land and will open up further underdeveloped lands for tribal expansion".*

4. In paragraph 5, at the end of the paragraph, replace the word "assent" by the word "consent".

*Note by the Secretary-General:* The petition reproduced below was transmitted to members of the Trusteeship Council by the Secretary-General in accordance with rule 85 and supplementary rule F of the rules of procedure of the Trusteeship Council.

#### DOCUMENT T/Pet.2/99

#### Petition from the representatives of the Wa-Meru Tribe concerning Tanganyika

[Original text: English]  
[14 September 1952]

P.O. Ngare Nanyuki,  
Via ARUSHA. T.T.  
23rd August 1951.

The Secretary General,  
U.N.O.,  
Lake Success — NEW YORK.  
Dear Sir,

According to Wilson Land Distribution report, and Tanganyika Government report dated 21st February 1949, on European Settlement, at Moshi. We the Wa-Meru tribe are given to understand that the Tanganyika Government and the Secretary of States for the Colonies has agreed that same will apply to Arusha, and that Engare-Nanyuki and Leguruki originally Wa-Meru land linking two European Settlement e.i., Ol Donyo-Sambu, Ngare-Nairobi will be left for European thus making Ol Donyo-Sambu, Ngare-Nanyuki, Leguruki, Ngare-Nairobi one land for European by evicting about 3,000 Wameru families to another place which is hereby strongly opposed by the Wa-Meru tribe.

The Wa-Meru tribe as a whole reject and condemn any Government action of evicting Wa-Meru from

their rightful land to another place; and hereby request your kind personal and official sympathetical help to ask the Tanganyika Government to abstain from implementing the report or evicting order without our consent.

A detailed memorandum on this subject will follow in due course.

Yours faithfully,

(Thumb print) L. T. MUNYA LENGOROI

(Thumb print) L. T. MAASA MAKYIA

(Signed) M. S. ISAK

Signed (1) Munya Lengoroi  
(2) Maasa Makyia  
(3) M. S. Isak

*Wa-Meru tribe representatives*

cc. Dr. Bunche, Lake Success, New York. U.S.A.

Dr. Kalibara, " " " " "

Mr. Fenner, Brockway, House of Commons, London, England.

Received at United Nations Headquarters: 30 August 1951

## DOCUMENT T/Pet.2/99/Add.1

## Addendum

[Original text: English]  
[20 September 1951]

P. O. Engare Nanyuki Meru.  
Via ARUSHA.  
12th September, 1951.

To the Secretary-General U.N.O.  
Lake Success-New York.  
Sir,

With reference to our letter dated 23rd August, 1951, we beg with most humble to enclose herewith our Memorandum as we promised you that we shall forward it in due course.

We also beg to inform you that we are eager of your reply, and we shall be very highly obliged to receive it as soon as chance allows you.

Yours Most Obedient Servants!

1 Munya Lengoroi (Thumb print)  
2 Maasa Makyia (Thumb print)  
3 M. S. Isak (Signed) M. S. Isak

Copy to: —

Dr. Bunche U.N.O. Lake Success New York  
Dr. Kalibara " " " "  
Mr. Fenner Brockway House of Common,  
London England

Received at United Nations Headquarters,  
18 September 1951.

## MEMORANDUM FOR ENGARE-NANYUKI

Eng. Nanyuki is a settlement settled by we Wameru tribe and it is our Originally land. (The name Engare-Nanyuki as it means is a name of a River which flows from Meru mountain through Longido Masai).

During the time when the Germanys were ruling this Territory they robbed us two farms e.i., Farm No. 31 Kilimambuzi and Farm No. 328 Leguruki. Also there was another area settled by Dutches upto now. After 1914 to 1918 was when Germany were conquered by British Empire who took over the Territory. They the British Empire ordered us (Wameru) to pay all the work which was done by Germanys Settlers in those two farms No. 31 Kilimambuzi and No. 328 Leguruki, and that the farms may be ours.

We the Wa-meru tribe as a whole agreed and decided that the money must be collected to cover the work which was done in those two farms, and thus, after, collecting the money ourselves, we did not reach the amount wanted by the Government. We again decided to raise our Poll Tax by 4/- per head and by doing that we cleared the debt. British Government was satisfied by our effort and agreed that we have cleared the debt. Since all that time we took those two farms upto now and they are settled by us.

On our behalf we sent to DSM the late Chief Sambage and 12 Delegates (Elders to waitness that the debt has been cleared. And thus a document was signed at DSM.)

We are pity. On 7th June 1949. Our District Commissioner Mr. Troup visited here and informed us that we are going to be shifted from Eng. Nanyuki to Kingori and Ongatoongoshu. We asked him why Sir?

And then he replied, "It is a Government Order!" Then asked why the Government is forcing us to shift from our Eng. Nanyuki? He said, "That it is according to the Judge Wilson's Land Distribution report."

There we told him that Judge Wilson stated that our Country is very much populated in excess and that all the farms which were owned by the enemies must be distributed to us, nothing was mentioned about Eng. Nanyuki. We are not going to shift from Eng. Nanyuki. The District Commissioner left for Arusha after which he went on leave.

After few days came his successor Mr. W. A. Forbes and Chief S. Sante Sambege the son of the late Chief Sambage, they called a meeting which was held at Nanga-Kutuk on 17/6/50. The DC. Mr. W. A. Forbes informed us that as it was stated in the Wilson's report that we are going to shift from Eng. Nanyuki and Leguruki, we are not going to shift as it has been proved that we paid a great deal of money and waitnessed at Dar-es-salam that Eng. Nanyuki is ours also a signed document which was signed on our behalf by the late Chief Sambage and 12 Delegates (Elders) can be found at DC's Office Arusha, Dar-es-salam and Chief S. Sante has in his possession One copy. Therefore Eng. Nanyuki is yours he stated, when Mr. Troup returned from his leave he started his movement of saying that we are going to shift from Eng. Nanyuki. On 9/2/51 he the DC., the P.C. and the Chief Sante attended a meeting which held at Kilimambuzi where they informed us that we must be shifted.

On 11/7/51 the D.C. Mr. B. J. J. Stubbings of Arusha Attended a meeting which was held at Kilimambuzi and also informed us that we must shift from Eng. Nanyuki. Replying to him we told him that we shall never shift from Eng. Nanyuki. There he said that we are going to be forced to do so, and thus he left the D.O. and ordered him to list our huts, Cattle, Sheep, Goats, Plantations etc. As we are going to be carried by Government transport to Kingori. We again told him that we as a whole (3,000 and over INHABITANTS OF ENG. NANYUKI) reject and blame that action of Tanganyika Government and thus we shall never shift from Eng. Nanyuki.

Sympathetically we beg with most humble to ask you to consult Tanganyika Government to stop its movement of shifting us from our Eng. Nanyuki.

Yours Most Humble,

(Signed) (1) Munya Lengoroi (Thumb print)  
(2) Maasa Makyia (Thumb print)  
(3) M. S. Isak (His signature)

Copy to: —

Dr. Bunche U.N.O. Lake Success U.S.A. New York  
Dr. Kalibara " " " "  
Mr. Fenner Brockway House of Common, London  
England U.N.O. Visiting Mission.

Note by the Secretary-General: The petition reproduced below was transmitted to the members of the Trusteeship Council by the Secretary-General in accordance with rule 85 and supplementary rule F of the rules of procedure of the Trusteeship Council.

## DOCUMENT T/Pet.2/99/Add.2

## Second addendum

[Original text: English]  
[8 October 1951]

*Note by the Secretary-General:* The petition reproduced below was transmitted to members of the Trusteeship Council by the Secretary-General in accordance with rule 84 and supplementary rule F of the rules of procedure of the Trusteeship Council.

P. O. Engare Nanyuki Meru  
Via ARUSHA  
12th September, 1951

The Honourables,

The U.N.O. Visiting Mission.  
Our Lordships,

We are very glad and most respectfully to hear that you have come to visit this Country being sent by U.N.O. Trustee-Committee, to investigating our difficulties. Although we were not aware of your comings, we are very happy to submit this few lines to you which will meet with your sympathy assistance.

On 7th June, 1949, we the Wa-Meru tribe received a report issued by the Tanganyika Government which stated that we are going to be shifted from Engare Nanyuki, which is our originally Land.

Since all that time we have tried to ask Tanganyika

Government to refrain from implementing the report or evicting order without our consent.

From the above facts we deem it necessary to approach you in this matter, with a hopefull that you will give it your official assistance, that we may not be shifted from Engare-Nanyuki.

Besides that, we enclose herewith a copy of a letter and its Memorandum addressed to the Secretary General of the U.N.O. which will enable you to understand our difficulties.

Regarding you as delegates sent by our Heavenly Father, we hope that you will stop our tears and let us remain in our Mother Land Engare-Nanyuki.

Yours Most Obedient Servants

(Signed) 1. Munya Lengoroi  
2. Maasa Makyaia  
3. M. S. Isak

*Note by the Secretariat:* The following documents were attached to the above communications: (a) a letter dated 23 August 1951 to the Secretary-General of the United Nations (text already reproduced in document T/Pet.2/99); (b) an undated memorandum (text already reproduced in document T/Pet.2/99/Add.1).

## DOCUMENT T/Pet.2/99/Add.3

## Third addendum

[Original text: English]  
[10 November 1951]

*Note by the Secretary-General:* The petitions reproduced below were transmitted to members of the Trusteeship Council by the Secretary-General in accordance with rule 85 and supplementary rule F of the rules of procedure of the Trusteeship Council.

P. O. Ngare-Nanyuki  
Via Arusha T.T.  
16th October 1951

Mr. Trygve Lie  
Secretary General  
United Nations Organisation  
Lake Success - New York.

Dear Sir,

RE. EVICTION OF 3,000 FAMILIES OF WA-MERU TRIBE  
FROM ENGARE-NANYUKI IN TANGANYIKA TERRITORY.

In our letter to your Sir, dated the 23rd August, 1951, we for and on behalf of the Wa-Meru tribe promised to send you a detailed Memorandum on the above subject.

In February 1946, Lord Hall, Secretary of State for the Colonies wrote to His Excellency the Governor of Tanganyika on the question of "European Land Distribution and Settlement", in Tanganyika Territory and said:—

"I am prepared to consider the arrangements of Land Distribution to Non-Natives, in areas belonged to the Enemy or in other parts of the land or lands in the following terms:—

(a) That priority should be given to the needs of Tanganyika Natives first.

(b) That Non-Natives should not be given land although such land or lands belonged to the Enemy or otherwise, unless and until it is proved that natives do not need such lands, nor would they have a foreseeable need of it in future.

(c) That it would not be the Government's intention to give the best lands to Non-Natives in the expenses of the Natives.

(d) That settlement arrangements of non-Natives would not forcibly evict the Natives from the land."

Since many years, even before the Europeans came in this country our fore fathers owned and lived in this part of the country known as "Meru". The name Meru was derived from a mountain which in those early days and even today served as the boundary between the Masai land on one side, the Wachaga and ourselves on the other; hence the name of our tribe — "Wa-Meru" (people of mount Meru). From this mountain flows a river called Engare Nanyuki, which is surrounded by good grazing land with plenty of water, human and

animal salt, it is from the name of this river that our land named ie, Engare Nanyuki.

When the Germans came in this country they met us living and grazing in this land, and started evicting our fore fathers from the best fertile lands giving no compensation whatever and started farming cattle and coffee.

After the World War I, 1914-1918 when British Government defeated Germans we demanded our lands back, on which those Germans were farming and especially on two places known as "Kilimambuzi" and "Leguruki", which farms were situated right in the heart of our land, more over the former was really in place where we used to get our salt, and our animal's salt lick.

To revert these two farms, to us, British Government in Tanganyika asked us to pay for Buildings, Houses, Planted trees etc. and for such other things done by the Enemies. For these two Farms we donated, some people 2 heads of cattle, others one, some did give Shs. 60/- each and so on according the wealth one had. That was not enough and Government decided to Tax us, Two Shillings per Tax payer for seven years.

After the seventh year a delegation of twelve old men headed by late Chief Sambege went to Arusha and signed on our behalf documents which testified that we had cleared the debt, and moreover that the land was ours. Since then up to and including 1948 we have been living peacefully and happily on our land.

In 1949 Tanganyika Government appointed a Committee under the Chairmanship of the Hon'able Mr. Wilson to investigate and report on the European land Distribution and Settlement Tanganyika. This Committee reported on the 23rd February 1949, which report Government accepted and passed on the 23rd June 1949.

This report recommended European on Settlement in Arusha and Moshi districts, in the former district (Arusha) our land was the one recommended as suitable for European in places known as Engare Nanyuki and Leguruki, and as already stated these are the best fertile bits of lands, which if we are evicted would mean that some 3,000 families of our tife would suffer to make room for a few European settlers; and that a link would thereby be obtained between Ol Donyo Sambu and Engare Nairobi, which really means that all the best fertile land would be owned by a few Europeans only.

We strongly protest against such a discriminatory report to be implemented in our country and do humbly ask the "United Nations Assembly" and the International Committee of the Congress of Peoples against Imperialism", to help us at this critical moment, and ensure that our land is not taken away from us, nor are we evicted.

Proposals have cunningly been put forward by the "Tanganyika Government", giving excuse that as the Wameru are densely populated at Engare Nanyuki, Government should move them to the bare dry land at places called "Kingori and Ongatoongishu", place where owing to dryness European settlement have failed as it is almost desert, we strongly object to being shifted to this place. Againas stated by the Secretary of State for the Colonies, Non-Natives should not be given our land on our expenses.

Lastly Sir, we wish to stress that as stated above, for the very land which belonged to our fore fathers, taken by the enemy without compensation we had to buy the same land from the Government. Today Government wants to evict us from the redeemed land, so to keep both the land and our wealth.

We beg to remain, Sir,

Yours faithfully,

1. Minunya Lengoroi L.T. (thumb print)
2. Massa Makya L.T. (thumb print)
3. Ms Irak

*For and on behalf of the Wa-Meru Tribe in Tanganyika Territory*

The Hon' Provincial Commissioner,  
Arusha, T.T.

u.f.s. The District Commissioner,  
Arusha.

Sir,

After sending you my greetings, I have to inform you that grieves of my elders of the Uruka Society have been forwarded to me for onward transmission to you. I am their Mangi, and for consideration and better still for you to forward them even further should you deem it fit. Their grieves concern the Wilson report on their land of Ngare Nanyuki.

The main reason concern piece of lands (Shambas) they bought owing to the difficulty they had on obtaining land, secondly they had been residents of the place for many years, and the population has increased ever since. They bought their shambas more than twenty years ago, and it was even informed to those who bought these shambas at that time by the Government that their shambas would remain their property and they have in their possession receipts for the amounts they paid for these shambas and other entitlements. I myself possess notice of my father's shamba to which I have inherited.

The population of Engare-Nanyuki approaches three thousands with the breeding of almost eighteen thousand. These people view most sorrowfully the idea of leaving Ngare-Nanyuki. At Ngare Nanyuki these people who have lived for many years have occupied the whole upper and lowe Ngare-Nanyuki. They have plenty of water for their grazing and for their own use.

It is understood that cattle would die of other kind of sickness and tsetse fly and their will be no sufficient water for their cattle and for the shambas.

With these views we request you to accept our letter in a hope you will this case most carefully. For you are the only hope we have and under your administration, and you are the only one who possess the towel to wipe our tears.

Many salaans,

Yours faithfully, Your most obedient servant.

(Signed) S..Sante. (Chief S. Sante s/o Sambege  
H.Q. Meru Court. Poli.

Received at United Nations  
Headquarters:

22 October 1951

## DOCUMENT T/Pet.2/99/Add.4

## Fourth addendum

[Original text: English]  
[15 November 1951]

The petition reproduced below was transmitted to members of the Trusteeship Council by the Secretary-General in accordance with rule 85 and supplementary rule F of the rules of procedure of the Trusteeship Council.

United Nations  
Incoming Cablegram

Nations Unies  
Télégramme arrivée

From Nairobi (Kenya)

Sent 3 Nov 51 1145 (Nairobi)  
Recd 3 Nov 51 1900 Local

Trygve Lie

Continuation our petition dated 16/10 Wameru eviction from Engare Nanyuki Tanganyika. Orders were issued 31/10 we be moved by 15/11. You request authorities concerned hold pending your consideration petition above

Wameru

## DOCUMENT T/Pet.2/99/Add.5

## Fifth addendum

[Original text: English]  
[15 January 1952]

*Note by the Secretary-General:* The petition reproduced below was transmitted to members of the Trusteeship Council by the Secretary-General in accordance with rule 85 and supplementary rule F of the rules of procedure of the Trusteeship Council.

United Nations  
Incoming Cablegram

Nations Unies  
Télégramme arrivée

From Nairobi (Kenya)  
Sent 17 Nov 51 1130 (Nairobi)  
Recd 17 Nov 51 1320 (Local)

Trygve Lie

Refer telegram 3/11. Police convoys at spot force eviction starts today 17/11. Your information action taken in matter required urgently

Wameru Engare Nanyuki Arusha

ONU à Paris

R Eastern Paris

Nairobi 88 21 1105

Trygve Lie Secretary General United Nations Assembly Paris

Refer telegram 17/11. East African Standard 20/11 Daressalaam correspondent falsely reported Sanya place of eviction. Sanya was never Wamerus country. Wameru protest against move from Engare Nanyuki not from Sanya. Sanya place in Kilimanjaro district. Engare Nanyuki our Motherland Arusha district. 17/11 37 huts stores burnt by police. Wameru strongly oppose eviction from their fertile land to tsetse infested areas. Better Europeans take this area Letter follows.

Munya Lengoroi for Wameru tribe

Received at United Nations Headquarters:  
9 January 1952.

## DOCUMENT T/Pet.2/99/Add.6

## Sixth addendum

[Original text: English]  
[31 January 1952]

*Note by the Secretary-General:* The petition reproduced below was transmitted to members of the Trusteeship Council by the Secretary-General in accordance with rule 85 and supplementary rule F of the rules of procedure of the Trusteeship Council.

Engare Nanyuki  
P. O. Arusea  
Tanganyika Territory  
21st November 1951

The Secretary General,  
United Nations Trusteeship Council,  
United Nations Assembly, Paris.  
Dear Sir,

"Evictions of 3,000 Wameru from Engare Nanyuki"  
— in Tanganyika Territory —

We your humble subjects, Wameru tribe living in Engare Nanyuki location Arusha District of Tanganyika confirm of having written you on the 23 August 1951. Then a petition dated 16th October 1951, on the subject mentioned above.

Since then we have Telegraphed three or four times to you on this serious matter. On the 15th November 1951, as stated in our last telegram dated 17.11.51, the Tanganyika Government brought to Engare Nanyuki a convoy of Police constables headed by the District Commissioner; after some inducement we said we would not move from our country; on the 17th.11.51,



they started pulling down our huts with motor lorries setting them fire on the ground; thirty two and five stores are burnt down.

Engare Nanyuki is our fore father's land where we have lived for generations ever before the European came in this country. We all, children, women, men and even our animals protest from being moved to another place where European farming have failed, Waterless and infected with the Tsetse flies.

Again Sir, as said in the Petition after the World War I, (1914-1919) Government told us to buy this land back which we did our own sake, use and enjoyment and not for Europeans. We feel very sorry when as sons of the soil, see that your Council (Trusteeship Council) and even British Government WINKS so that these local Europeans should force us out and get room for themselves. To move us to place with tsetse infection is an indirect way of decreasing our population.

In the *East African Standard*, local paper of 20.11.51, of which a cutting is here enclosed, you will see how local Europeans misinforms your Trusteeship Council; the correspondent states "Wameru due to be moved from Sanya." whereas the real fact is that they want to move us from Engare Nanyuki, Sanya is another part of the Country all together.

We forward our prayers to those whose hearts thinks of Human Rights, and not colour discrimination.

We have the honour to remain,  
and in duty bound will ever pray.

Your obedient subjects,  
Munya Lenguroi.

*For and on behalf of Wameru tribe*

Received at United Nations Headquarters: 24 January 1952

*East African Standard*  
20 November 1951

#### WAMERU TRIBESMEN DO NOT PROPOSE TO MOVE

"Standard" Correspondent Dar es Salaam

The 2,500 Wameru tribesfolk due to be moved from the Sanya corridor in the Northern Province of Tanganyika this week have adopted a policy of passive resistance. They have refused to move anything themselves. The move is being made in accordance with the recommendations of the Wilson Report which were accepted as providing a solution to the Northern Province land problem.

The report provides for a homogeneous block of European settlement between Kilimanjaro and Meru, in part of which the tribesmen are living.

A special Bill was passed by the Legislative Council at the recent session, allowing for the Africans to be moved.

A team of officials, headed by the Arusha District Commissioner, moved in to organise the move last week. A police post has been established.

#### *No Co-operation*

On Saturday the first part of the move was started. An official statement later described the position as follows:

"The process laid down in the Ordinance was set in force and on November 17, the Government started on the task of movement.

"The effects were taken out of eight or ten huts, listed and placed on lorries for transport to the new land. The houses were then demolished.

"The people concerned sat about half a mile away, refusing to co-operate in the measure but offering no active resistance. The movement is continuing."

The move affects some 350 African taxpayers and their families with 5,000 head of cattle and 1,000 head of small stock.

The Government's statement says: "The families to be moved were informed in 1949 that they would have to vacate the land they were occupying. These warnings were repeated from time to time and were categorically stated at a public *baraza* in June last.

"Compensation for all property to be left behind in the area to be vacated — houses and cultivated land — has been assessed and will be paid by the Government. A sum of £40,000 has been set aside for the purpose.

"The people, however, are opposed to the moving and have told the District Commissioner that they do not propose to go."

In accordance with the Wilson Report recommendations 23,000 acres formerly alienated to Europeans have already reverted to Africans including some 14,000 acres acquired under the land Acquisition Ordinances. Some 9,500 acres more land will shortly be moved over to African occupation.

When the Wameru have been moved out of the Sanya corridor the homogeneous block between the two mountains will be fenced. On the south the fence will run ten miles, on the north for 40 miles.

#### *Better Land*

The Wameru are being moved to what is officially described as better land lying to the south of the homogeneous block. Reception camps have been built for them where they can live till they can build their own homes. A water supply has been laid on and measures have been taken against the tsetse.

A further 80,000 acres lying further south are also available.

The new area has a dispensary ready to treat the ailments of the new settlers. The creation of the homogeneous block between Meru and Kilimanjaro is an essential recommendation of the Wilson Report and once the move has been completed its main recommendations will have been completed.

## DOCUMENT T/Pet.2/99/Add.7

## Seventh addendum

[Original text: English]  
[24 April 1952]

*Note by the Secretary-General:* The petition reproduced below was transmitted to the members of the Trusteeship Council by the Secretary-General in accordance with rule 85 and supplementary rule F of the rules of procedure of the Trusteeship Council.

The Umoja Wa Raia Wameru  
P.O. Box 9 Usa River  
Via Arusha T.T. East Africa  
19th March 1952.

Dr. Ralph J. Bunche  
Lake Success, New York  
U.S.A.

Sir,

We received your letter dated 30th January 1952,<sup>14</sup> for that we thanked; Our adress is now as above.

The evictions of 3,000 Wameru from Engare-Nanyuka in Tanganyika had been done 3 months ago, waiting for your right judgments to come.

We were very glad on hearing that Mrs. Szur is making an effort for our redress.<sup>15</sup>

1. Our troubles for the present times are as following:
  - (a) The people have no houses to live in, because they were burnt.<sup>16</sup>
  - (b) Most of them are dying of malaria.
  - (c) Some are suffering from itchings.
  - (d) Some have nothing to eat.
2. (a) The people are completely destitute; because their cattle, sheep, goats died when they shifted and some lost on the journey.
  - (b) The goats of some people were recently sold by government and their food too.
  - (c) The evicted persons have no where to cultivate crops for their food.
  - (d) They took an oath that they will endure the sufferings until they have been given their lands back.

We gave a flat deniel, on what Sir Alan Lennox Boyd was told that, the native authority accepted to offer the heritage country.

In the year 1948, we discussed with D. C. Troup that we would not exchange our Engare-Nanyuki for other lands.

In the year 1950, D. C. W. A. Forbes ascertained Wameru at the meeting of 6,000 people that Engare-Nanyuka is the heritage of people of Meru; the government will never take it, because of understanding the justice of God who created every tribe. Moreover, he said it was not written in Government writings at all.

*Notes by the Secretariat:*

<sup>14</sup> Acknowledgment of T/Pet.2/99/Add.6.

<sup>15</sup> Communication from Mrs. Szur, Secretary, London Committee of Congress of Peoples against Imperialism [See T/Com.2/L.1].

<sup>16</sup> Ten pictures were attached to this petition, showing burnt houses etc.

Once the chief Sante Sambege wrote a letter to P.C. explaining the Wameru difficulties, so that the lands might not be exchanged for unavailable ones.

One 6th July 1951 the Secretary from Dar es salaam, told us that it was the Government intention to move the said people from the places. We replied him that, we felt it was not right because the country was our own motherlands and the nature had given us such existence in this lovely country.

We forward our prayers to those whose hearts thinks of Human Rights and not Colour discrimination.

We have the honour to remain, and in duty bound will ever pray.

Your obedient Subjects,

MUNYA LENGOROT (*thumb print*)  
GAMALIELI S/O SABLAK  
KIRILO JAPHET

Umoja Wa Raia Wameru  
P.O. Box 9 Usa River  
Via Arusha T.T.  
14th January 1952.

REPORT ON FORCED REMOVAL OF WAMERU PEOPLE IN  
TANGANYIKA

It may be of assistance if I begin this report by introducing myself. As a barrister who has practised in these parts for some years and lived among the people I am glad to feel sufficiently close to their lives and thought to be asked by them to submit their views. In accordance with my usual practice I have checked and counter-checked all the statements made to me, as far as possible and have visited the site under consideration, taken Photographs and spoken to Africans long resident in the area. Sources of other material are the *Tanganyika Gazette* and the *Tanganyika Standard* of a local, and contemporary periodicals. I do not attempt any recommendations and hope that this factual report includes only sufficient material particulars to give a complete picture up to date. It is not easy to give Chronological order the events leading to the present tragedy, because while the Wameru sat confidently and securely in the shelter of assurances given by the highest source that of H.M. Secretary of State Lord Hall in the House of Commons in February 1946 (Appendix A attached)<sup>17</sup> — a change of policy produced another state of affairs and all though on more than one occasion subsequently this charge in the consequent form of eviction notices came to the Wameru — they could not believe that the earlier pledges would be broken their security and homes threatened and actually purchased freeholds expropriated. They have throughout hoped that the mistake would be corrected from the highest source — witness the letters and telegrams (Appendix B)<sup>17</sup> on their behalf couched in the most touching faith of a simple and trusting people.

<sup>17</sup> The above-mentioned appendices were not received by the Secretariat with this report.

It is convenient to begin with the statement by Lord Hall — Secretary of State in February 1946 who stated in essence —

1. That first priority should be given to Tanganyika Natives.
2. That Government had no intention to give the best lands to non-Natives at the expense of Natives.
3. That settlement arrangements of non-Natives would not be at the expenses of Natives.

The Wameru gave full weight to this pledge regarding land in this territory in which from time immemorial their forefathers have lived peacefully — in the shade of Mountain Meru from which indeed they took their name.

The second begins with the Wilson Report — set out in Memoranda of February 21st, 1949 and June 23rd, 1949 — which in essence recommends the removal of 300 families from tribal lands in the Engare-Nanyuki, Ngabobo, and Leguruki areas against their will to another area named Kingori. It is significant that these 300 families are described less clearly as 513 taxpayers by Mr. Griffiths Secretary of State. This Wilson Report has been adopted and steps have been taken to put it into effect. The following points have been made in justification.

1. It is in the best interests of the Wameru.
2. The approval of Native Authorities have been obtained.
3. It is part of a larger scheme of resettlement and development.
4. The land is arid and not suitable for Wameru and better suited for Ranching.

The Wameru make the following objections:—

1. We do not believe it is in our best interest. On the contrary we think it is a sinister move by the British Government to create in Tanganyika another White Highlands similar to that in Kenya.
2. We believe that this implementation of the Wilson Report is flagrant breach of faith as expressed by Lord Hall in his statement quoted.
3. We believe that the land which is offered in exchange is inferior land, in any case our own, and which we would willingly relinquish for the proposed European settlement.
4. We believe that the highest authorities are misled into believing that this Kingori area is uninhabited. Our Tribal custom always reserves large areas of land for potential development as the tribal population naturally increases. Land, also, is used according to a system of rotation. This is known and accepted traditional boundaries. All our neighbours will agree that the land now offered to us is already ours portions of which were already occupied by Wameru families. In effect you give us part of our own in exchange for our relinquishing a better part to you. We feel this is unfair to the thousands who have planned our families in the hope of living in the shadow of Meru.
5. We feel too that the so called European farms given to us are those formerly taken by force from us by the Germans. "The dispossessed farmers" were generally treated both as to extensions of time and as

to compensation. Our homes have been burned, our cooking pots broken and our beds strewn out in the open — our cattle, milked, slaughtered or taken away — our crops destroyed in the field. A mother's house was destroyed as her baby of three days died on removal. The very old perished in the Trucks as your askaris removed them forcibly from the shadow of Meru. We are forbidden to return — except as servants to the new masters in our old homes. By law the Europeans are entitled to argue as to the terms and amount of compensation before the High Court — No similar privilege exists when land is taken by force from Africans. Compensation is payable, if at all, only as a matter of grace and its terms and amount are in the discretion of the Government.

6. According to an old constitutional custom in our tribe which was vested in 1945 and against which nine has dissented, none of the land or other fundamental rights of our tribe may be alienated by our chief *without prior consultation with the people*. There has been no such counsel taken by our chief in this instance. Nor has there been any consent of the people of our tribe to the present evictions. Incidentally we have been asking for the removal of our present chief for years in vain. We have no confidence in him as the breaker of pledges, customs, and law. Those who do this, and their children will suffer even as are suffering now under this chief.

Finally, we hope that as protected persons placed in your trust — your trust — you will not forsake the promise of protection and hear our prayer.

There remains little to add to this statement by the Wameru themselves. I may add that in the hope of preventing the removal they contacted U.N.O. as well as the Government of Tanganyika. I saw the following scenes on the evicted sites when I visited the Maru country on the 23rd. December, 1951.

1. *Ngabobo Village* — approx. 45 miles from Sanya. Ashes and cinders where houses once stood the ground and surrounding trees charred and still smoking, bits of food, broken pots and implements among the ruins.

2. *Engare-Nanyuki area* — scenes similar to those seen in the Ngabobo area. Around the river, which gives it name to this area, were many Meru plantations in thick and healthy cultivation. Good beans, maize and millet (mbege) were left growing abundantly.

3. *Olkongodo Village* of about 600 houses near Kilima Nbuizi. Huts and bomas burned to the ground in a setting of bush vegetation and colourful wild flowers. I am told over 10,000 cattle, sheep and goats were here. In the cool crisp atmosphere, cattle and humans were rarely ill. There was abundant water, sweet, thick grass and extensive salt licks. It was at this site where the people were holding a meeting to discuss how they might passively resist the eviction proceedings that the police arrested.

6. Wameru who were subsequently tried and imprisoned.

At a mass meeting held on the 23rd December, 1951, the Wameru who have been evicted unanimously resolved that they will never accept any compensation for their forced removals.

Munya Lengoroi was confirmed as their spokesman and they requested him to continue to present their

case until justice were done or they were all brought into extinction.

(Signed) MUNYA LENGOROI

### DOCUMENT T/Pet.2/143

#### Petition from Mr. Gamaliell Sablak concerning Tanganyika

[Original text: English]  
[8 October 1952]

*Note by the Secretary-General:* The petition reproduced below was transmitted to members of the Trusteeship Council by the Secretary-General in accordance with rule 84 and supplementary rule F of the rules of procedure of the Trusteeship Council.

#### MEMORANDUM: THE MERU COMPLAINS

1. The development and advancement of the Country.

Since the British Government has ruled this country, the natives of this country have been living in the state of freedom without any fear or anxiety, but now the conditions are changed. The reason is that the treatments of the Government towards the natives are not giving any benefits.

Schools which are used to educate the native children give very very small part of education of which will not enable the natives to bring forth the development and advancement of our country. The children get education from Std. 1-6. Whereas most of them are expelled when they reach Std. 4 or 6. It would be better if the children could get enough education which fulfil the native needs.

The boy or the girl when are returned home the time and energy used in school bring none of this needs.

Most of the children have very low education. This does not mean that they failed in their examinations but is the rule of these schools to take 5% of pupils to get on, and 95% of them are rejected. It should be remembered that these children are 13 years old a part from that 80% do not come to school at all.

2. The shifting of the Natives from their former Fields.

The natives are very sorry to see that the Government is forcing them to move from their own land which already developed and given to them as their heritage from their forefathers. Those who are shifted go about here and there finding out where to start new dwellings by their own effort without any government help. This has been done in Leganga and Nduluti area. These inherited lands are then given to the settlers by the government. The results of these treatments to the natives lead them to great agony. The reason is that when they question the government about these matters they are other wise in prison or deported. These are done without minding the natives and properties.

Whether the natives like or not these laws are passed powerfully.

The Government is proposing to take more lands, i.e. Engare-Nanyuki No. 31, Leguruki No. 328, and Singisi where the natives had lived there generations after generations, for Europeans settlements and companies, whenever they require it. Therefore the natives marvel when they see Europeans are treated better in their own country. Clear understanding the is seen by the natives on the subject of colour-bar.

Moreover we should be very grateful if this law of allowing settlers to have free hold plots as it is in this country be abolished the reason being that when Europeans came in this country they were given the lands without any clear agreements between the government and Chiefs of that times. And now the settlers want strongly to own the land give their children heritage.

4. Political part on the side of the natives.

By the time being the natives are ask to be given the chance to discuss in the meeting about such matters. They suggest that it is important to elect wise representatives among themselves to represent them.

5. The Africans representatives in Legislative Council.

The present members in this council are very, very few. Recently His Excellency the Governor of Tanganyika announced that seven seats should be taken by Africans, 7 by Europeans and 7 by Indians as unofficial members. The African seats should be increased proportionally. N.B. Africans are over 7 millions while the rest count to thousands.

6. Agriculture. The natives are too densely populated. As most of lands are taken by settlers, the small part own by the natives farmer is not enough to produce enough crops for his living. The results of this matter brings poverty and famine in this country. This means more land is needed.

#### *The Stocks*

7. The pasture management is very poor in this country owing to the lacking of enough pastoral fields. The fields which were used are now occupied by European settlers, hence the natives are unable to graze their herds. One settler may have 1000 or 2000 acres, and this is another kind of trick of decreasing the natives improvements. As the settlers have taken most of the lands while the natives are suffering nothing will satisfy the natives will these matters are taken into deep consideration.

Sg. GAMALIELL S/O SABLAK

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A/C.4/195	The Ewe problem: document prepared by the Secretariat		See <i>Official Records of the General Assembly, Sixth Session, Annexes</i> , agenda item 12.
T/218 and Add.1	Report of the United Nations Visiting Mission to East Africa on Tanganyika		See <i>Official Records of the Trusteeship Council, Fourth Session, Supplement No. 3</i>
T/946 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Tanganyika		<i>Ibid.</i> , <i>Eleventh Session, Supplement No. 3</i>
T/953	Petition from the representatives of the Wa-Meru tribe concerning Tanganyika (T/Pet.2/99): observations of the Administering Authority .....	2	
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T/983	Petition from Mr. Chaka Selemani concerning Ruanda-Urundi (T/Pet.3/56): observations of the Administering Authority		Ditto
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T/991	Petitions concerning Somaliland under Italian administration: observations of the Administering Authority		Ditto
T/996	Petitions concerning Somaliland under Italian administration: observations of the Administering Authority		Ditto
T/997	Petition from Mr. Josue Noubissie concerning the Cameroons under British administration (T/Pet.4/80): observations of the Administering Authority		Ditto
I/999	Petitions concerning Togoland under French administration: observations of the Administering Authority		Ditto
I/1001	Petitions concerning the Cameroons under French administration: observations of the Administering Authority		Ditto
I/1002	Petitions concerning Somaliland under Italian administration: observations of the Administering Authority		Ditto
I/1007	Petitions concerning Somaliland under Italian administration: observations of the Administering Authority		Ditto
I/1009	Petition from the Kamerun United National Congress concerning the Cameroons under French administration (T/Pet.4/79-T/Pet.5/105 and Add.1): observations of the Administering Authority		Ditto

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T/1014	Petitions concerning Somaliland under Italian administration: observations of the Administering Authority		Ditto
T/1015	Petitions concerning Togoland under French administration: observations of the Administering Authority		Ditto
T/1016	Petitions concerning the Cameroons under French administration: observations of the Administering Authority		Ditto
T/1018 and Add.1	Petitions concerning the Cameroons under British administration: observations of the Administering Authority		Ditto
T/1019	Petition from the Waleguru of Kibungo-Matombo concerning Tanganyika (T/Pet.2/117): supplementary information from the Administering Authority		Ditto
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T/Pet.2/49-T/Pet.3/5	Petition from Mwambutsa, the Mwami of Urundi, concerning Ruanda-Urundi and Tanganyika		See <i>Official Records of the Trusteeship Council, Fourth Session, Annex.</i>





UNITED NATIONS  
**TRUSTEESHIP  
COUNCIL**  
OFFICIAL RECORDS



*Agenda item 6*

**ANNEXES**  
ELEVENTH SESSION

NEW YORK, 1952

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**Agenda item 6: Reports of the United Nations Visiting Mission to Trust Territories in East Africa, 1951**

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**Check list of documents**

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T/946 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Tanganyika	See <i>Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 3</i>
T/947 and Corr.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Somaliland under Italian administration	<i>Ibid.</i> , Supplement No. 4
T/948	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on Ruanda-Urundi	<i>Ibid.</i> , Supplement No. 2
T/977	Observations of the Administering Authority on the report of the Visiting Mission (on Tanganyika)	<i>Ibid.</i> , Supplement No. 3
T/1006 and Corr.1	Observations of the Administering Authority on the report of the Visiting Mission (on Somaliland under Italian administration)	<i>Ibid.</i> , Supplement No. 4
T/L.312	United Kingdom of Great Britain and Northern Ireland: draft resolution	Same text as resolution 464 (XI) <sup>1</sup>

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<sup>1</sup> See *Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 1*.





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**Agenda item 7: Arrangements for the next visiting mission to Trust Territories in West Africa**

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**DOCUMENT T/981**

**Note by the Secretary-General**

*[Original text: English]*  
*[24 April 1952]*

The Secretary-General has the honour to bring to the attention of the members of the Trusteeship Council the fact that by a letter dated 17 April 1952 the Permanent Representative of El Salvador informed the Secretary-General that his Government had nominated

Dr. Roberto E. Quirós, Alternate Representative of El Salvador on the Trusteeship Council, as a member of the forthcoming visiting mission to Trust Territories in West Africa.

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**DOCUMENT T/981/ADD.1**

**Addendum**

*[Original text: English]*  
*[29 May 1952]*

The Secretary-General has the honour to bring to the attention of the members of the Trusteeship Council the following additional nominations of members on the forthcoming visiting mission to Trust Territories in West Africa:

1. By letter dated 22 May 1952 from the Permanent Representative of Australia, Mr. Roy A. Peachey, Alternate Representative on the Trusteeship Council;
2. By letter dated 27 May 1952 from the Permanent Representative of China, Mr. H. K. Yang, Adviser to the Delegation of China on the Trusteeship Council.

## DOCUMENT T/981/ADD.2

## Second Addendum

[Original text: English]  
[13 June 1952]

The Secretary-General has the honour to bring to the attention of the members of the Trusteeship Council the fact that by a letter dated 10 June 1952 the Permanent Representative of Belgium informed the Secretary-General that his Government had nominated

Mr. Robert Scheyven, District Commissioner and Alternate Representative of Belgium on the Trusteeship Council, as a member of the forthcoming visiting mission to Trust Territories in West Africa.

## DOCUMENT T/L.316

## Union of Soviet Socialist Republics: draft resolution

[Original text: Russian]  
[22 July 1952]

The Trusteeship Council instructs its second Visiting Mission to Trust Territories in West Africa to give special consideration to the investigation on the spot of the degree of participation by the indigenous population of these Trust Territories in political life (self-government); to the implementation of the provisions of the Charter and of the Trusteeship Agreements in

the economic and social fields; to the increase by the Administering Authorities of appropriations for education and other cultural needs and for public health; to the investigation on the spot of particularly important petitions concerning the situation of the indigenous population.

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T/L.313	El Salvador and United States of America: joint draft resolution		For the text of this draft resolution, as amended at the 453rd meeting, see resolution 465 (XI) <sup>1</sup>
T/L.316	Union of Soviet Socialist Republics: draft resolution.....	2	

<sup>1</sup> See *Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 1.*



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**Agenda item 8: Revision of the Provisional Questionnaire: report of the Drafting Committee on the Questionnaire**

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**DOCUMENT T/L.272**

**Dominican Republic: amendment to the revised draft questionnaire (T/L.246 and Corr.1)**

*[Original text: Spanish]  
 [4 June 1952]*

1. *Question 23:* Amend sub-paragraph (d) to read: "the eligibility of men and women to vote or to be elected", and make it sub-paragraph (a) of the same question.

2. *Question 91:* Amend the first sentence to read: "Explain in general terms the status of women in the Territory. In particular, state whether women are deprived of any essential human rights and whether any customs exist in the Territory which violate the physical integrity and moral dignity of women. If so, state what measures, if any, have been taken during the year under review to promote the progressive abolition of such customs". Give the rest of question 91 the number 94-a and insert it between questions 94 and 95.

3. *Question 93:* Amend to read: "State whether women are entitled to hold public office (including organs of government) and to exercise all public functions established by law and custom, on equal terms with men".

4. *Add the following new question between questions 93 and 94:* "State whether women have the right to work on an equal footing with men and whether provision of adequate facilities and opportunities for vocational training and guidance, if any, is assured for women on an equal footing with men. If not, state what measures have been taken during the year under review to ensure to women such rights on equal terms with men".

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<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations</i>
E/2237	Deprivation of women of certain essential human rights: resolution adopted by the Economic and Social Council on 28 May 1952		See <i>Official Records of the Economic and Social Council, Fourteenth Session, Supplement No. 1</i> , resolution 445 C (XIV)
T/1010	Questionnaire as approved by the Trusteeship Council at its 414th meeting, eleventh session, on 6 June 1952		<i>Official Records of the Trusteeship Council, Eleventh Session, Special Supplement</i>
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T/L.275	Revision of the Provisional Questionnaire: resolution adopted by the Trusteeship Council at its 414th meeting, on 6 June 1952		See resolution 463 (XI) <sup>1</sup>

<sup>1</sup> See *Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 1*.







Agenda item 9: Report of the Committee on Rural Economic Development of the Trust Territories

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DOCUMENT T/1004

Second progress report of the Committee on Rural Economic Development of the Trust Territories

[Original text: English]  
[2 June 1952]

1. The first progress report of the Committee (T/926), giving an account of its preliminary work, was submitted to the Council at its ninth session. In this second report the Committee gives a further account of the progress it has achieved in its study on the rural economic development of the Trust Territories in accordance with its terms of reference as defined in Trusteeship Council resolution 305 (VIII), pursuant to resolution 438 (V) of the General Assembly.

2. At its eighth meeting on 16 April 1952, Mr. Enrique de Marchena (Dominican Republic), was elected Chairman in the place of Prince Wan Waithayakon (Thailand). As of this date the Committee has held a total of eleven meetings.

3. In compiling the necessary documentation for its study, the Committee addressed three separate requests for information to the Administering Authorities. The first two requests, referred to in detail in the Committee's first progress report, were for information on land legislation, land tenure, land categories and their distribution and land alienation. The third request to the Administering Authorities was for further information on land tenure and alienation and for information on land utilization, including estimates of unused land, by categories; agricultural methods and practices; use of pastoral grazing and forest lands; productivity of land; land utilization policies; and agricultural credit facilities. The documentation requested by the Committee from the Administering Authorities is almost complete and is listed in section A of the annex to this paper.

4. In order to assemble the information thus obtained in comparable form for each Trust Territory, and to provide material for the factual sections of its final report, the Committee requested the Secretariat to prepare memoranda on (a) the land legislation in each Trust Territory, and (b) the distribution of population

and categories of land in each Territory, the amount of land in each category held by indigenous and non-indigenous inhabitants and the form of tenure under which such land is held. The memoranda requested of the Secretariat have been completed with the exception of the summary of land legislation in Somaliland; the preparation of this paper has been postponed, pending the receipt of copies of the legal texts from the Italian Government. This documentation is listed in sections B and C of the annex to this paper.

5. The next task of the Committee is to analyse further the information before it and to present it in a report with such conclusions and recommendations as may emerge from the analysis.

6. In this connexion, the Council adopted a further resolution 421 (X), on rural economic development, pursuant to General Assembly resolution 561 (VI) which noted "the complex and exacting technical nature of the study in question". The Council's resolution authorized the Committee "to consider the contribution which the specialized agencies, particularly the Food and Agriculture Organization of the United Nations and the International Labour Organisation, and other experts as necessary, might make to its work and to invite them, where appropriate, to contribute to or participate in its study on the rural economic development of the Trust Territories".

7. The Committee considered this resolution at its eighth and ninth meetings on 16 and 23 April 1952. At the latter meeting, representatives of FAO, ILO, UNESCO and WHO participated in the discussion and made statements to the Committee concerning studies and other projects undertaken by each specialized agency relevant to the work of the Committee. The Committee considered how each of the specialized agencies might contribute most usefully to its work. It felt that, at the present stage of its work, FAO

might assist it more directly than could the other agencies. The Committee requested the Secretary-General, therefore, in the light of General Assembly resolution 561 (VI) and Trusteeship Council resolution 421 (X), to invite that organization to make available an official familiar with problems of land tenure, land alienation and land utilization, to assist in the preparation of the Committee's report on rural economic development. At the same time the Secretary-General was asked to invite ILO, UNESCO and WHO to consider the type and manner of assistance which each might give to the Committee in connexion with its study.

In reply to the invitation, FAO has sent to New York an official from its Rome headquarters for a period of two months in order to assist the Committee in its work.

A memorandum (T/AC.36/L.52) has been received from UNESCO, in response to the invitation of the Committee, in which it is stated that the help which UNESCO can offer to the Committee is related to three aspects of the Organization's programme: (1) fundamental education, which is connected with rural development in general; (2) research into problems of arid zones; and (3) the study of problems arising as a result of the impact of modern technology on communities in process of industrialization.

The ILO has stated that it was studying the draft outline of the report of the Committee with a view to seeing on what points and in what manner assistance could best be rendered.

The present stage of consultation and co-operation with the specialized agencies finds the Committee considerably reinforced in its task.

8. The Committee has considered the framework for its final report, and at its tenth meeting approved in principle a draft outline (T/AC.36/L.46 and Corr. 1). This outline consists of an introduction and three parts. Part I will contain an analysis of the general problems and features of rural economic development and will consist of three sections: (A) Land tenure, (B) Relation of land tenure to land use, and (C) Land utilization. Part II will have eleven sections, and contain a detailed description of conditions in respect to land, land utilization and alienation of land in each of the Trust Territories. Part III will contain conclusions of the Committee as to general objectives and principles to be followed in connexion with land tenure, land alienation and land utilization together with any conclusions and recommendations on specific Territories which it may consider necessary.

The Committee agreed that the expert from FAO would be invited to prepare, as his first task, together with the Secretariat, a draft of part I of the report of the Committee. It was understood that he would be free to make suggestions to the Committee as to modifications in the framework of this part of the report.

The Committee has also approved an outline (T/AC.36/L.54) for each section of part II of its report.

The Committee also agreed that, when it had considered drafts of parts I and II, it would review part III, if necessary, and, in particular, would consider whether observations and conclusions pertaining

to specific Territories should be included after each section of part II.

9. The Committee has been informed that, owing to the large number of meetings scheduled for the Trusteeship Council, its main committees, and for other organs of the United Nations during June and July, it will be impossible for it to meet a sufficient number of times during the next few months to complete a substantial part of its final report. In these circumstances the Committee has no alternative but to submit a further progress report to the Council. Nevertheless, it expresses the hope that it may be possible to report further progress in its work before the end of the eleventh session.

## ANNEX

Following are the documents and working papers on the subject of rural economic development available as of this date:

### A. *Information supplied by the Administering Authorities in response to the Committee's request*

#### (i) *Land tenure*

- (a) United States of America: Trust Territory of the Pacific Islands (T/AC.36/L.9);
- (b) United Kingdom: Tanganyika, Cameroons, Togoland (T/AC.36/L.10; T/AC.36/L.22);
- (c) Italy: Somaliland (T/AC.36/L.14);
- (d) Belgium: Ruanda-Urundi (T/AC.36/L.18);
- (e) Australia: New Guinea (T/AC.36/L.19);
- (f) Australia: Nauru (T/AC.36/L.20);
- (g) France: Cameroons and Togoland (T/AC.36/L.23).

#### (ii) *Land alienation, land and population distribution*

- (a) United Kingdom: Tanganyika, Cameroons, Togoland (T/AC.36/L.10; T/AC.36/L.22);
- (b) Italy: Somaliland (T/AC.36/L.25);
- (c) Australia: New Guinea (T/AC.36/L.26);
- (d) Australia: Nauru (T/AC.36/L.27);
- (e) United States of America: Trust Territory of the Pacific Islands (T/AC.36/L.28 and Add.1);
- (f) New Zealand: Western Samoa (T/AC.36/L.32 and Corr.1);
- (g) France: Cameroons (T/AC.36/L.40);
- (h) France: Togoland (T/AC.36/L.41);
- (i) Belgium: Ruanda-Urundi (T/AC.36/L.47).

#### (iii) *Land utilization*

- (a) United States of America: Trust Territory of the Pacific Islands (T/AC.36/L.33);
- (b) United Kingdom: Tanganyika, Cameroons, Togoland (T/AC.36/L.10; T/AC.36/L.35);
- (c) France: Togoland (T/AC.36/L.38);
- (d) France: Cameroons (T/AC.36/L.39);
- (e) Belgium: Ruanda-Urundi (T/AC.36/L.45);
- (f) Italy: Somaliland (T/AC.36/L.50);

- (g) Australia: Nauru (T/AC.36/L.55);  
(h) Australia: New Guinea (T/AC.36/L.56).
- B. *Working papers on "Summaries of land legislation"*
- (i) Land legislation of Nauru (T/AC.36/L.1 and Corr.1);
  - (ii) Land legislation of the Trust Territory of the Pacific Islands (T/AC.36/L.2);
  - (iii) Land legislation of the Cameroons under British administration (T/AC.36/L.3);
  - (iv) Land legislation of New Guinea (T/AC.36/L.4; T/AC.36/L.24);
  - (v) Land legislation of Ruanda-Urundi (T/AC.36/L.5);
  - (vi) Land legislation of Togoland and Cameroons under French administration (T/AC.36/L.6);
  - (vii) Land legislation of Western Samoa (T/AC.36/L.7);
  - (viii) Land legislation of Togoland under British administration (T/AC.36/L.11 and Corr.1);
  - (xi) Land legislation of Tanganyika (T/AC.36/L.12).
- C. *Working papers on "Population, land categories and tenure"*
- (i) Tanganyika (T/AC.36/L.17 and Corr.1);
  - (ii) Nauru (T/AC.36/L.21 and Add.1);
  - (iii) Cameroons under British administration (T/AC.36/L.29);
- (iv) Togoland under British administration (T/AC.36/L.30);
  - (v) New Guinea (T/AC.36/L.31);
  - (vi) Western Samoa (T/AC.36/L.34 and Corr.1);
  - (vii) Trust Territory of the Pacific Islands (T/AC.36/L.36);
  - (viii) Somaliland (T/AC.36/L.42);
  - (ix) Cameroons under French administration (T/AC.36/L.48);
  - (x) Ruanda-Urundi (T/AC.36/L.49);
  - (xi) Togoland under French administration (T/AC.36/L.51).
- D. *Similar and related studies concerning land and rural economic development undertaken by the Secretary-General and the specialized agencies*
- Information under this heading has appeared as documents T/AC.36/L.8 and Add.1; T/AC.36/L.15; T/AC.36/L.43.
- E. *Resolutions of other organs relating to the work of the Committee*
- T/AC.36/L.37.
- F. *Suggested and draft outlines for report on rural economic development*
- Information under this heading has appeared as documents T/AC.36/L.13; T/AC.36/L.44; T/AC.36/L.46 and Corr.1; T/AC.36/L.54.

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**Agenda item 10: Administrative unions affecting Trust Territories: reports of the Standing Committee on Administrative Unions**

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**DOCUMENT T/969 and Corr.1**

**Report of the Standing Committee on Administrative Unions on New Guinea**

[Original text: English]  
[11 March 1952]

1. In the course of its 9th, 10th and 11th meetings, on 5 and 10 March 1952, the Standing Committee examined the various aspects of New Guinea's participation in the administrative union of Papua-New Guinea. It studied the various papers (T/C.1/L.15, T/C.1/L.16 and T/C.1/L.17) submitted to the Standing Committee and examined the relevant parts of the annual report on the administration of the Territory for the year 1950-51. At its 10th meeting, on 10 March 1951, the Standing Committee heard the special representative of Australia, who furnished further information at the invitation of the Committee. At its 11th meeting on 10 March 1952, the Committee adopted unanimously the present report.

2. The Standing Committee notes that, pursuant to the powers conferred upon the Administrator by sections 39 and 40 of the *Papua and New Guinea Act, 1949*,

(a) The *Legislative Council Ordinance* (No. 28 of 1951) of the Territory of Papua and New Guinea was notified in the Commonwealth Gazette on 13 September 1951, and

(b) The *Legislative Council Regulations* (Regulations No. 19 of 1951) were notified in the Gazette on 18 October 1951. This Ordinance and these regulations provide for the conduct of the election of the three non-official elected members.

The Annual Report for 1950-51 states that the Legislative Council was formally inaugurated on 26 November 1951.

3. The special representative of Australia stated that in the establishment of the Legislative Council, sections 35 to 53 of the *Papua and New Guinea Act, 1949*, had been fully implemented in accordance with section 36 (1), namely:

"The Legislative Council shall consist of twenty-nine members, namely:

"(a) The Administrator;

"(b) Sixteen officers of the Territory (who shall be known as official members);

"(c) Three non-official members possessing such qualifications as are provided by Ordinance and elected, as provided by Ordinance, by electors of the Territory;

"(d) Three non-official members representing the interests of the Christian missions in the Territory;

"(e) Three non-official native members; and

"(f) Three other non-official members".

The Standing Committee noted that of the twelve non-official members, eight represented the Territory of New Guinea and four the Territory of Papua; in particular, it noted that:

(a) Of the three non-official members elected in accordance with the *Legislative Council Ordinance* (No. 28 of 1951) two represent the electorates in the Trust Territory and one the electorate in the Territory of Papua;

(b) Of the three non-official members representing the interest of the Christian missions two reside in the Trust Territory and one in the Territory of Papua;

(c) Of the three non-official native members two reside in the Trust Territory and one in the Territory of Papua;

(d) Of the three other non-official members two reside in the Trust Territory and one in the Territory of Papua.

With regard to section 36 (4) of the Act, providing that the Administrator shall exercise his powers of nomination to ensure that not less than five non-official members are residents of the Territory of New Guinea, the Standing Committee notes that eight residents of New Guinea are members of the Legislative Council.

4. The Standing Committee welcomes the formal establishment of the Legislative Council and observes that in view of the short time which has elapsed since the inauguration of the Legislative Council it can as yet not form an opinion concerning the operation of the Council and it cannot as yet evaluate to what extent a joint Legislative Council for the two territories of Papua and New Guinea operates in the best interest of the Trust Territory. In this connexion the Standing Committee observes that it has not received any comments from the Administering Authority concerning the recommendation made during the fifth session of the Council, namely, that the Administering Authority should (a) study the possibility of increasing the number of indigenous members of the joint legislature; (b) study the possibility of establishing a separate legislature for the Trust Territory; and (c) give increasingly greater participation in the Legislative Council to the indigenous inhabitants, leading to the eventual establishment of an indigenous majority in the Legislative Council. It further notes that it has not received any comments regarding the recommendation made during the ninth session of the Trusteeship Council urging the Administering Authority to take early steps to give greater participation in the Legislative Council to the indigenous inhabitants in accordance with the recommendation made by the Trusteeship Council at its fifth session.

5. The Standing Committee expresses the hope that the Administering Authority will make available to the Committee any minutes which, in accordance with section 45 of the *Papua and New Guinea Act, 1949*, the Legislative Council is caused to keep of its meetings, as well as any ordinance which, in accordance with section 48 of the Act, the Legislative Council may make.

6. The Standing Committee having previously decided (T/916, paragraph 5) to keep the operation of the *Native Labour Ordinance, 1950*, under review, notes that, according to the annual report on the administration of the Territory of New Guinea, an increasing number of indigenous inhabitants from the Central Highlands District are seeking employment and that 5,363 workers from the District are employed in the Territory of New Guinea and 1,784 in the Territory of Papua. The Committee further notes that, according to the same annual report, the supply of labour in New Guinea is still not equal to the demand

and that a labour shortage of 2,100 is estimated for the year 1950-51.

In reply to an inquiry by the Committee concerning the removal of labour from the Trust Territory to Papua the special representative stated that this removal of labour from the Trust Territory of New Guinea to Papua was not in any way detrimental to the economic development of the Trust Territory. He explained that the labour shortage of New Guinea had progressively decreased and that it was expected that soon there would be no significant shortage. The special representative also stated that the workers from the Central Highlands, employed in Papua, were mainly engaged either on rubber plantations near Port Moresby or in areas where drilling for oil was in progress. The Committee is of the opinion that the operation of this Ordinance should be kept under review.

7. The Standing Committee, having stated in its second report (T/916, paragraph 7) that, having no further information on the implementation of the economic, social and educational programmes for the Territory of Papua and New Guinea, it is of the opinion that since these programmes are still in large part in the formulative stage there is at this time no information regarding the preservation of the separate interests of the Trust Territory and its inhabitants, it decided to keep these aspects under consideration, and hopes that full information will be forthcoming in the next annual report.

8. (a) With regard to the safeguards enumerated in sub-paragraph 7 (a) of Trusteeship Council resolution 293 (VII), the Standing Committee notes that the annual report on the administration of New Guinea for 1949-50 contains separate financial, statistical and other data relating to the Territory of New Guinea. It further notes, that with regard to the Committee's wish that future reports should indicate which of the classified posts in the Public Service of the Territory of Papua and New Guinea applied to the administration of the Trust Territory as expressed in document T/916, paragraph 8 (a), the annual report for 1950-51 shows the positions of the Public Service of Papua and New Guinea at 30 June 1951, partly as common to the Trust Territory of New Guinea, partly separately for the Trust Territory of New Guinea and for the Territory of Papua. The table showing the positions separately for the Trust Territory of New Guinea indicates which classified positions are held by staff members in the Trust Territory and their respective salaries are to be found in table 3 of the annual report (pages 93-96) showing the classified positions and salaries of the Public Service of Papua and New Guinea.

In this connexion the Standing Committee took note of a memorandum communicated to the Secretariat on 6 June 1951 by the alternate Australian representative on the Trusteeship Council stating that the practice to submit the data required will continue.

(b) With regard to the safeguard enumerated in sub-paragraph 7 (b) of Trusteeship Council resolution 293 (VII), the Standing Committee notes that no visiting mission has visited the Trust Territory during the year under review.

(c) (i) With regard to the safeguards enumerated in sub-paragraph 7 (c) of Trusteeship Council resolu-

tion 293 (VII), the Standing Committee notes that there exists no information which would suggest that the boundaries of the Territory have not been maintained. The Committee notes, however, that in an Ordinance to provide for the division of the Territory into Administrative Districts (No. 59 of 1951 of the Territory of Papua and New Guinea), section 3 states: "The Administrative Districts Ordinance 1922 of the Territory of New Guinea is repealed". Section 4 states: "(1) The Territory shall be divided into Districts. (2) The Administrator, by notice in the *Gazette*, may divide the Territory into Districts, declare their names and define their boundaries, and may from time to time alter the names and boundaries of the Districts".

(ii) In this connexion, the Standing Committee draws attention to the fact that section 11 of the *Papua and New Guinea Bill, 1948*, included the following provision:

"For the purposes of this Act or for any administrative purpose, the Governor-General may, by proclamation, define provinces within the Territory by such names and with such boundaries as are specified in the proclamation".

It further draws attention to the report of the Trusteeship Council covering its second and third sessions (T/603, page 17, section 2 (g)):

"The Council expresses concern lest the powers conferred on the Governor-General by section 11 of the legislation, of defining provinces in the combined territories, may allow provinces to be so defined as to include portions of both territories, which might result eventually in obliterating the territorial boundaries and rendering difficult the supervision by the Council of the Trust Territory".

It notes that section 11 of the 1948 Bill regarding the Governor-General's power to define provinces by proclamation was omitted in the 1949 Act.

(iii) With regard to the Administrative District Ordinance 59 of 1951, the special representative of Australia stated that:

a. The Administering Authority continue to administer the Trust Territory in accordance with section 8 of the *Papua and New Guinea Act, 1949-50*, which states:

"It is hereby declared to be the intention of the Parliament that the Territory of Papua and the Territory of New Guinea shall continue to be Territories under the authority of the Common-

wealth and the identity and status of the Territory of Papua as a Possession of the Crown and the identity and status of the Territory of New Guinea as a Trust Territory shall continue to be maintained".

b. [Administrative District] Ordinance 59 of 1951 had been promulgated in order to obtain uniformity in the system of designation of administrative divisions in the joint territory;

c. The Administration had not established and was not at present contemplating establishing any districts which would involve territorial sections of the Trust Territory of New Guinea and Papua;

d. Without prejudice to the legal implications, the Ordinance, being applicable to the Territory of Papua and New Guinea (as defined in section 5 of the Act of 1949, did not preclude the establishment of districts, involving both territories, if such establishment were thought administratively desirable.

(iv) The Standing Committee took note of these statements of the special representative, including the reasons for the promulgation of the Ordinance and took note of the statement that the Administering Authority is not now contemplating the establishment of districts which would stretch across the international boundary between Papua and the Trust Territory of New Guinea. It notes further that the Papua and New Guinea Act states that the identity and status of the Territory of New Guinea as a Trust Territory shall continue to be maintained. The Standing Committee is of the opinion that the implementation of Administrative District Ordinance, 1951, might create a situation which would make difficult the preservation of the separate identity and status of the Territory of New Guinea as a Trust Territory. The Standing Committee expresses the hope that the Administering Authority will promptly inform the Trusteeship Council should it contemplate the establishment of any districts which might involve the boundaries established in article 1 of the Trusteeship Agreement.

(d) With regard to sub-paragraph 7 (d) of Trusteeship Council resolution 293 (VII), the Standing Committee notes that, according to information contained in the annual report for 1950-51, internal revenue totalled £1,219,411, that a grant of £2,356,311 was made by the Administering Authority, and that the expenditure amounted to £3,575,721. Therefore, expenditure in the Territory for 1950-51 has not been less than the total amount of revenue derived from the Territory.

## DOCUMENT T/1011

### Report of the Standing Committee on Administrative Unions on Ruanda-Urundi

[Original text: English]  
[13 June 1952]

1. In the course of its thirteenth, fourteenth, fifteenth and eighteenth meetings, on 5, 6, 9 and 13 June 1952 respectively, the Standing Committee examined the various aspects of the administrative union affecting the Trust Territory of Ruanda-Urundi. It studied the memoranda (T/C.1/L.22 and T/C.1/L.26) submitted to the Standing Committee and examined relevant parts of the annual report on the administration of the Territory for the year 1951 and

of the report of the Second Visiting Mission to Ruanda-Urundi (T/948). At its fourteenth meeting, on 6 June 1952, the Standing Committee heard the representative of Belgium, who furnished further information at the invitation of the Committee. At its eighteenth meeting, on 13 June 1952, the present report was unanimously adopted.

2. The Standing Committee took note of the conclusions and recommendations adopted by the Trusteeship Council.



ship Council at its ninth session (A/1856, page 59), according to which the Administering Authority should consider the desirability of reviewing the legal form of the administrative arrangements between Ruanda-Urundi and the Belgian Congo with a view to bringing it more fully into accord with existing practices.

3. In that connexion, the Standing Committee took note of the statement of the representative of the Administering Authority to the effect that the advisability of taking legal action had been closely studied by his government and that it had been decided that no action was necessary, since the law governing the administrative union did not conflict with the existing administrative practices.

4. The Standing Committee, taking note of that statement by the representative of the Administering Authority, was of the opinion that the law of 21 August 1925 was not sufficiently precise with regard to provisions of the Trusteeship Agreement, and recommended that the Government of Belgium should give further consideration to bringing the law of 1925 into accord with present-day practices.

5. The Standing Committee noted that the Second Visiting Mission, in its report dated 27 December 1951 (T/948) under chapter 1 (c), had drawn attention to the situation arising from the existence of a common education system for the Trust Territory of Ruanda-Urundi and the Belgian Congo as set forth in the pamphlet, *Organisation de l'enseignement libre pour indigènes avec le concours des sociétés de missions chrétiennes*, issued by the Governor-General of the Belgian Congo in 1948.

6. With regard to that question, the representative of the Belgian Government explained to the Standing Committee that the pamphlet was devoted to a consideration of certain general technical issues and that the Ruanda-Urundi ten-year plan had taken into consideration the particular educational needs of the Territory. He also stated that the *Groupe scolaire d'Astrida* received a type of higher education different from anything existing in the Belgian Congo and that the courses at Astrida were carefully adapted to the particular requirements of the Trust Territory and more particularly to promoting the political education of the indigenous inhabitants.

7. The Standing Committee, taking note of this statement of the representative of the Administering Authority, expressed the hope that the Belgian Government would continue to apply to the Trust Territory educational measures specially and distinctively designed for the particular requirements of the Trust Territory.

8. (a) With respect to the safeguards enumerated in sub-paragraph 7 (a) of Trusteeship Council resolution 293 (VII), the Standing Committee noted that the annual reports on the administration of Ruanda-Urundi, including the report for the year 1951, contained separate financial, statistical and other data relating to the Trust Territory.

(b) With regard to the safeguards enumerated in sub-paragraph 7 (b) of Trusteeship Council resolution 293 (VII), the Standing Committee noted that neither the Committee on Administrative Unions nor the Council had expressed any doubts concerning the willingness of the Belgian Government to facilitate the access of visiting missions to such information on the administrative union of Ruanda-Urundi with the Belgian Congo as might be necessary to enable them to report fully in the Trust Territory of Ruanda-Urundi. The Standing Committee noted in that connexion that the report on Ruanda-Urundi dated 27 December 1951 (T/948) of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, stated that a meeting with the Governor-General of the Belgian Congo had taken place on 23 July 1951 in Leopoldville, in the Belgian Congo, and that on 16 October 1951 the Mission had had an interview with the Minister for Colonies and officials of the Ministry in Brussels.

(c) With regard to the safeguards enumerated in sub-paragraph 7 (c) of Trusteeship Council resolution 293 (VII), the Standing Committee noted that there existed no information which would suggest that the boundaries of the Territory had not been maintained.

(d) With regard to the safeguards enumerated in sub-paragraph 7 (d) of Trusteeship Council resolution 293 (VIII), the Standing Committee noted that, according to the information contained in the annual reports for 1949, 1950 and 1951, the total revenue derived from the Trust Territory of Ruanda-Urundi amounted to:

1949 (estimates)	1950 (estimates)	1951 (estimates)
232,062,000 frs.	276,919,000 frs.	321,297,000 frs.

It noted further that the total ordinary expenditure on the administration, welfare and development of the Trust Territory amounted to:

1949 (estimates)	1950 (estimates)	1951 (estimates)
407,826,000 frs.	327,334,161.85 frs.	335,164,570.31 frs.

Therefore estimated expenditure on the administration, welfare and development of Ruanda-Urundi for the last three years was not less than the total amount of estimated public revenue derived from the Trust Territory.

## DOCUMENT T/1017 and Corr.1

### Report of the Standing Committee on Administrative Unions on Tanganyika

[Original text: English]  
[23 June 1952]

1. In the course of the thirteenth, fifteenth, sixteenth, seventeenth, nineteenth and twentieth meetings, on 5, 9, 11, 12, 20 and 23 June 1952 respectively, the Standing Committee examined the various aspects of the administrative union affecting the Trust Territory

of Tanganyika. It studied the memoranda<sup>1</sup> submitted to the Standing Committee and examined the relevant

<sup>1</sup> See documents T/C.1/L.18, T/C.1/L.19, T/C.1/L.20, T/C.1/L.23, T/C.1/L.25 and T/C.1/L.26.

part of the annual report on the administration of the Territory for the year 1951. At its sixteenth meeting, on 11 June 1952, the Standing Committee heard the representative of the United Kingdom and the special representative of the Administering Authority, who furnished further information at the invitation of the Committee. At its twentieth meeting, on 23 June 1952, the present report was unanimously adopted.

2. Without regard to the East Africa Central Legislative Assembly, the Standing Committee noted that the Trusteeship Council in the course of its ninth session adopted the following conclusions (A/1856, page 32):

(a) Notes with appreciation the statement of the Administering Authority that it will inform the Standing Committee in due course when decisions concerning the future status of the East African Central Legislative Assembly have been reached;

(b) Notes also that there have been no additions to the list of scheduled services with respect to which the East African Central Legislative Assembly may pass laws;

(c) Notes from the memorandum of the Administering Authority, dated 30 April 1951, that the Legislative Council of Tanganyika has adopted unanimously a motion proposing the continuation of the East African Central Legislative Assembly for a further period of four years;

(d) Notes further that this motion was adopted with the concurring vote of the African representatives on the Legislative Council and recalls that the African representatives on the Legislative Council of Tanganyika abstained from voting when, in 1947, the establishment of the East Africa Inter-Territorial Organization was discussed in the Legislative Council;

(e) Recalls in this connexion the statement of the special representative of the Administering Authority that proposals concerning the re-examination of the East Africa Inter-Territorial Organization in so far as the East African Central Legislative Assembly, its powers, functions and constitution are concerned, would be explained to the people, that their reaction would be tested, but not necessarily in a representative body covering the whole of the Territory, and that it was customary for consultation to take place at meetings between the government spokesman and the people in their own areas;

(f) Expresses the hope, with reference to the conclusion reached by the previous Committee on Administrative Unions that it was "of the opinion that a more explicit procedure for ascertaining public opinion and for the appropriate weighing of the opinion of the various sections of the population would seem to be desirable", that the Administering Authority will examine and weigh public opinion in the Territory before revising the provisions relating to the composition and functions of the East African Central Legislative Assembly.

3. The Standing Committee was informed by letter, dated 6 December 1951, (T/C.1/L.14), of the United Kingdom delegation that the East Africa (High Commission) (Amendment) Order in Council, 1951, had come into operation. According to the (Amendment) Order in Council, parts III and IV of the East Africa

High Commission Order in Council, 1947, shall continue in operation until 31 December 1955. According to the (Amendment) Order in Council, provision is made for the addition of an unofficial Arab member on the Assembly to be appointed by the High Commission. It should be noted, however, that an unofficial Arab member had been seated in the first East African Assembly from the beginning.

4. In this connexion, the Standing Committee took note of the statement of the special representative that all administrative officials had been instructed to take every opportunity to explain the question of the continuation of the East Africa Central Legislative Assembly to the African population whenever they met with chiefs, councils and people. They had done so without eliciting any unfavourable reaction. He felt bound to add, however, that it could not be expected that all the African population of Tanganyika could have a full understanding of the implications of what was known as administrative union—the closer association in certain technical fields of government of the East African territories. He recalled the fact that the African members of the Legislative Council had all voted positively in favour of the extension of the life of the Central Legislative Assembly.

5. The Standing Committee noted that petitions T/Pet.2/113, T/Pet.2/120, T/Pet.2/130, T/Pet.2/134 and T/Pet.2/149 have raised certain questions concerning the East Africa Inter-Territorial Organization, and have, *inter alia*, expressed the fear that it may lead to a fusion of Tanganyika with the other territories participating in the administrative union. In this connexion the Standing Committee took note of the observations of the Administering Authority (T/953/Add.2, pages 9 and 42; T/953/Add.4, pages 10, 22 and 40) on certain petitions and noted in particular that the Administering Authority has no intention of establishing any form of political association between Tanganyika and the adjacent territories which would have the effect of extinguishing the territory's status as a Trust Territory.

6. (a) The Standing Committee, noting the provisions of the East Africa (High Commission) (Amendment) Order in Council, 1951, continuing the operation of the East African Central Legislative Assembly until 31 December 1955, is of the opinion that this extension for a further period of four years may not be disadvantageous to the development of the Trust Territory.

(b) The Standing Committee,

(1) Noting that the African representatives on the Legislative Council of Tanganyika supported the motion proposing the continuation of the East African Central Legislative Assembly for a further period of four years,

(2) Noting the statement of the special representative that all administrative officials had been instructed to take every opportunity to explain the question of the continuation of the East African Central Legislative Assembly to the African population whenever they met with chiefs, councils and people, and that they had done so without eliciting any unfavourable reaction,

(3) Noting that a number of petitions have raised objections concerning the East Africa Inter-

Territorial Organization, is of the opinion that it is as yet not fully informed concerning the means taken by the Administering Authority to ascertain the freely expressed wishes of the people.

(c) In this connexion, the Standing Committee expresses the hope that the Administering Authority will take all possible steps to inform the people concerning the operations and implications of the administrative union and consult with them before any review of the present arrangements is undertaken, and requests the Administering Authority to furnish to the Standing Committee regularly detailed information on the actions taken in this respect.

7. The Standing Committee takes note of the statement of the special representative that there have been no addition to the list of scheduled services with respect to which the East African Central Legislative Assembly may pass laws.

8. With regard to the co-operation between the East Africa Inter-Territorial Organization and the Central African Council, the Standing Committee noted that the Trusteeship Council, at its ninth session, adopted a conclusion (A/1856, page 33) stating that it:

(a) Takes note of certain discussions in the East African Central Legislative Assembly;

(b) Notes also that a resolution for closer co-operation in the field of communications and defence was adopted;

(c) Notes, furthermore, that the African representatives in the East African Central Legislative Assembly had opposed this resolution;

(d) Takes note in this connexion of the statement of the representative of the Administering Authority that the Central African Council to whom this resolution was addressed had up to the present made no response and that, in these circumstances, the resolution remained inoperative and could have no effect on the question of the administrative union affecting Tanganyika.

9. The Standing Committee took note of two petitions (T/Pet.2/134 and T/Pet.2/137) which express apprehension concerning any co-ordination or federation between the East Africa Inter-Territorial Organization and Central Africa and which express the desire that Tanganyika remain a Trust Territory.

10. The Standing Committee takes note of the statement of the representative of the Administering Authority that this question had no relationship whatsoever to the operation of the administrative union affecting Tanganyika.

11. With regard to the effect of the East Africa Inter-Territorial Organization on social development, the Committee on Administrative Unions noted in its report in 1950 (A/1306, p. 212) that a very large number of inhabitants of Tanganyika will come directly or indirectly within the purview of the High Commission in respect of social matters and working conditions of the employees of the common services, provisions concerning the hygiene and security of their employment, social insurance, invalidity and old-age pension schemes, and unemployment insurance; all these and other questions will be influenced by the social policy of the High Commission in respect of its public servants in Tanganyika.

12. The Standing Committee noted that the petitions (T/Pet.2/120 and T/Pet.2/130) alleged, *inter alia*, that discrimination against inhabitants of Tanganyika exists in the matters of wages, positions and dismissals in the amalgamated services. In this connexion the Standing Committee took note of the observations of the Administering Authority on these petitions and noted, in particular, that while the Administering Authority regards some parts of the allegations in these petitions as unfounded, it states also that "express provision is made in these services for promotion from one group to the next on grounds of personal qualifications". As regards salary scales, the Administering Authority states that "there are differences between those obtaining in the High Commission services and those in the Tanganyika departmental services but in general the actual scales are not very dissimilar". The Administering Authority further states that "The position is that whereas in the Tanganyika departmental organization the service is on a non-racial basis, with salary scales varying according to the nature of the post and not on any racial considerations, the scales applicable to the High Commission services retain a racial element" (T/953/Add.4, page 11). In regard to dismissals, the Standing Committee notes the observation of the Administering Authority that "the only justification for this statement is that in the interests of greater efficiency certain redundant services, e.g., workshops, were closed or amalgamated... and that none of the employees affected had any difficulty in transferring to other employment" (T/953/Add.4, page 27).

13. The Standing Committee,

(a) Noting that the High Commission services retain a racial element in regard to salary scales,

(b) Recalling that the three territories forming the East Africa Inter-Territorial Organization have not only a different legal and constitutional status, but have also distinct Native institutions and customs, and diverse degrees of cultural development, and

(c) Noting the statement of the Administering Authority (T/953/Add.4, page 11) that the normal prospects of the African members of the High Commission services appear more limited than the prospects of those in the territorial departmental services, is of the opinion that the Administering Authority should urgently take all possible steps to remove those employment conditions prevailing for the inhabitants of Tanganyika in the services of the High Commission which differ from those in the government of Tanganyika.

14. With regard to the East Africa Industrial Council, the Standing Committee noted that the Trusteeship Council, in the course of its ninth session, adopted the following conclusions (A/1856, page 32):

(a) Is of the opinion, having considered the information on this subject, that continued care should be exercised in order that interterritorial and industrial planning does not prejudice the economic development of the Trust Territory and that the policies pursued in the licensing of new industries do not discourage economic initiative;

(b) Notes that, in connexion with the granting of a licence to Nyanza Textiles Industries Limited to establish a textile mill in Uganda, the Industrial Council

had made a Declaration prohibiting until 1954 the establishment in any of the East African territories, including Tanganyika, of cotton yarn or cotton piece goods industries. This declaration derived its authority as far as Tanganyika was concerned from an Ordinance (No. 72 of 1949) authorizing the Council by declarations of this character to protect new industry from uneconomic competition during the early stages of its development. Parallel Ordinances were enacted in the other two territories.

(c) Takes special note in this connexion of the statement of the representative of the Administering Authority that no applications for licences to establish a cotton spinning or weaving industry in Tanganyika had been received or were known to be pending at the time of the Declaration.

(d) Intends to examine with particular care the future operations of the East African Industrial Council under this legislation with a view to safeguarding the interests of the Trust Territory.

15. The Standing Committee also took note of the following observations of the 1951 Visiting Mission on the operation of the East African Industrial Council (T/946):

"One field in which the Tanganyika Government has surrendered some measure of its economic control over the Territory is that of industrial licensing...

"In its discussion with officials in Tanganyika, the Mission found no great enthusiasm for the industrial licensing system, although officials of the High Commission in Nairobi said that it was largely on the initiative of Tanganyika that the system had been introduced...

"In this connexion, the Mission recalls the opinion expressed by the Trusteeship Council at its ninth session that continued care should be exercised in order that interterritorial and industrial planning should not prejudice the economic development of the Trust Territory and that the policies pursued in the licensing of new industries should not discourage economic initiative".

16. The Standing Committee heard the statement of the special representative of the Administering Authority, to the effect that

(a) While the Industrial Council kept minutes he believed that they had not been printed. He would inquire whether the Industrial Council would be prepared to make them available;

(b) The application referred to in paragraphs 5 and 6 of document T/C.1/L.20, of Hill Brown Ltd. of London, the manufacture of blankets of waste cotton and ramie, had been approved and a licence granted. He did not know whether the second application—that of the Moshi Trading Co. for a *conditional* industrial licence—had been granted, but he was sure that it would be, provided that the applicants were prepared to agree to the specified conditions;

(c) The powers of the Industrial Council had not been extended to any manufactures other than those listed by the Administering Authority on 30 April 1951 (T/913, page 6) and it was not proposed to extend them;

(d) He drew attention to the Administering Authority's observations on the comments of the

Visiting Mission and in particular to the statement that the existing territorial legislation on the subject was not considered to be entirely satisfactory and that the draft of a new Ordinance was under consideration;

17. The Standing Committee recalls in this connexion the comments of the Administering Authority on the observations of the 1951 Visiting Mission on the subject of the East African Industrial Council (T/977) that "There is certainly no present intention of widening the scope of the system. At the same time the existing territorial legislation on this subject is not considered to be entirely satisfactory and the draft of a new Ordinance is under consideration."

18. (a) The Standing Committee, noting the statements of the Administering Authority regarding the operation of the East African Industrial Council and in particular the statement that existing territorial legislation on the subject was not considered to be entirely satisfactory and that the draft of a new ordinance was under consideration, is of the opinion that as long as sufficient information concerning the operation of the East African Industrial Council is not available the Standing Committee is unable to assess properly the activities of the Industrial Council. Therefore, the Standing Committee hopes that the minutes of the East African Industrial Council will be made available to the Standing Committee.

(b) The Standing Committee further notes that the general powers provided under article 3 of the ordinance establishing the East African Industrial Council have not so far been made operative and that the Council has, as far as the Standing Committee is aware, confined its activities to licensing only.

(c) The Standing Committee notes that one new licence for the manufacture of blankets of waste cotton and ramie has been granted to Hill Brown Ltd., but it has no information whether the application from the Moshi Trading Co. has or has not been granted.

(d) The Standing Committee expresses the hope that the Administering Authority in preparing the draft of a new ordinance for the East African Industrial Council will take all possible steps to ensure that the future economic interests of the Trust Territory are fully safeguarded, and that consideration will be given to adequate participation in the activities of the East African Industrial Council of suitably qualified representatives of the indigenous population of the Trust Territory.

19. Concerning the East African Transport System, the Standing Committee recalled the statement of the Committee on Administrative Unions in its 1950 Report to the effect that although unable to study the effects of the railway amalgamation in any detail, it was of the opinion that this question should be studied by the Council in connection with the examination of the annual reports.

20. In this connexion, the Standing Committee, having examined "a Summary of Reports of the Commissioner for Transport" (T/C.1/L.18) and "Summaries of the Proceedings of the East African Central Legislative Assembly" (T/C.1/L.19), heard additional statements of the special representative of the Administering Authority on the question of transport services (T/C.1/SR.16).

21. The Standing Committee recalls the observations of the 1951 Visiting Mission with regard to the functioning of the East African Railways and Harbour Administration that the amalgamation of the Tanganyika railways with the Kenya and Uganda railways had resulted in substantial advantages for Tanganyika (T/946).

22. The Standing Committee, having examined the problems of transport services in connexion with the observations of the Visiting Mission, expresses the hope that, with regard to the operations of the East African Railways and Harbour Administration, the Administering Authority will continue to take all steps to safeguard the economic interests of Tanganyika.

23. The Standing Committee took note of the Ordinance to amend the Customs Tariffs Ordinance (31 October 1951) according to which import duties on beer, spirits, cigarettes, tobacco, etc., were increased (Supplement No. 1 to the *Tanganyika Gazette*, Vol. XXXII, No. 66 of 28 December 1951).

24. In this connexion the Standing Committee took note of the statement of the special representative of the Administering Authority, according to which:

"Kenya had needed additional revenue and had decided that the best way to obtain that revenue was to increase certain import duties. The matter was discussed by the High Commission and later by the Financial Secretaries of the three East African territories. In the case of Tanganyika there was no urgent need for the additional revenue at that time but as a matter of policy it was decided—by both Tanganyika and Uganda—to fall into line and to enact the necessary legislation. The maintenance of uniform tariff schedules is highly desirable. Differences in import duties would be likely to result in considerable smuggling activities along the lengthy land frontiers which at the present stage of development cannot be closely controlled.

"Following normal procedure, and for obvious reasons, proposed changes in import duties are not made public before the introduction of the relevant legislation. With the exception of those who are members of the Executive Council the non-official members of the Tanganyika Legislative Council were therefore unaware of the proposed increases until the draft legislation was presented to them. Not being a member of the Legislative Council, the special representative made it clear that he could give more than a personal assessment of the considerations which led the unofficial members to oppose the measure. He thought there was no doubt, however, that on a point of principle they wished to make it clear that they were not prepared to follow the dictates of another territory or to pass legislation merely on the grounds that similar legislation had already been passed in another territory. Since Tanganyika did not immediately require the additional revenue, they felt that Kenya might have resorted to other measures to meet its needs rather than to take a step which involved action on the part of the other territories.

"On the other hand, the Government being aware of all considerations which had led Kenya to make its decision and decided that as a matter of policy similar action should be taken by Tanganyika, and

the necessary legislation was passed by the official majority. It was to be noted, however, that a time-limit of one year was placed on the operation of the Ordinance".

25. The Standing Committee, although realizing that customs arrangements are not within the competence of the East Africa Inter-Territorial Organization, is nevertheless of the opinion that customs arrangements are closely connected with the operations of the administrative union, and hopes that the Administering Authority will take all necessary precautions to ensure that the financial interests of the Trust Territory are in no way subordinated to the other territories participating in the administrative union and to ensure that the appropriate organs of Tanganyika are given full opportunity to express their views on all matter relating to customs arrangements.

26. (a) With regard to the safeguards enumerated in sub-paragraph 7 (a) of the Trusteeship Council's resolution 293 (VII), the Standing Committee notes that the annual reports on the administration of Tanganyika for 1948, 1949, 1950 and 1951 contain separate financial, statistical and other data relating to the Territory of Tanganyika. It should be noted, however, that some services under the East African High Commission, namely, the East African Posts and Telegraphs Department, and the East African Railways and Harbours Administration, are so closely integrated that it is impracticable to give separate financial figures for the Territory of Tanganyika alone.

(b) With regard to the safeguards enumerated in sub-paragraph 7 (b) of the Trusteeship Council's resolution 293 (VII), the Standing Committee

(i) Takes note of a statement of the representative of the United Kingdom according to which the Secretary of State for the Colonies would always be pleased to receive future visiting missions to Tanganyika if they should care to call on him in London and the Chairman or Administrator of the East African High Commission would be glad to receive visiting missions to Tanganyika should they be passing through Nairobi and care to call on him and make the acquaintance of the principal officers of the High Commission (A/1306, page 208).

(ii) Notes that in practice the Administering Authority has fully co-operated with the Trusteeship Council in that respect,

(iii) Notes that since the adoption of resolution 293 (VII) the second visiting mission visited Tanganyika in 1951, and that the Mission observed that the various officials of the Administering Authority offered their full co-operation in facilitating its work. (T/946).

(c) With regard to sub-paragraph 7 (c) of the Trusteeship Council's resolution 293 (VII) concerning the maintenance of boundaries, separate status, and identity, the Standing Committee notes that there exists no information which would suggest that the boundaries of the Territory have not been maintained.

(d) With regard to sub-paragraph 7 (d) of the Trusteeship Council's resolution 293 (VII) concerning expenditure, the Standing Committee notes that according to the information contained in the annual report for 1951 the total revenue including Colonial Development and Welfare grants accruing to the Trust Territory of Tanganyika amounted to:

1949 (actual)	1950 (actual)	1951 (actual)	1952 (estimated)	1949 (actual)	1950 (actual)	1951 (actual)	1952 (estimated)
£10,327,408	£13,323,763	£16,278,985	£19,484,247	£9,459,540	£13,560,957	£16,134,855	£19,383,872

and the total expenditure on the administration, welfare, and development of the Trust Territory amounted to:

Therefore expenditure on the administration, welfare and development of Tanganyika for the last three years will be not less than the total amount of public revenue derived from the Territory.

### DOCUMENT T/1020 and Corr.1

#### Report of the Standing Committee on Administrative Unions on Togoland under British administration

[Original text: English]  
[27 June 1952]

1. In the course of its 22nd, 23rd, 24th and 25th meetings, on 24, 26 and 27 June 1952, the Standing Committee examined the various aspects of the administrative union affecting the Trust Territory of Togoland under British administration. It studied the memoranda (T/C.1/L.23 and T/C.1/L.26) submitted to the Standing Committee and examined the relevant parts of the annual report on the administration of the Territory for the year 1951. At its 24th meeting, on 26 June 1952, the Standing Committee heard the representative of the United Kingdom of Great Britain and Northern Ireland and the special representative of the Administering Authority, who furnished further information at the invitation of the Committee. At its 25th meeting, on 27 June 1952, the present report was unanimously adopted.

2. The Standing Committee noted the following conclusions (A/1856, page 154) adopted by the Trusteeship Council at its ninth session:

(a) That on 29 December 1950 a new Constitution for the Gold Coast and the Trust Territory of Togoland under British administration was promulgated;

(b) That this new Constitution which is now fully operative established an Executive Council and a Legislative Assembly which give to the people of the Gold Coast and of the Trust Territory a large measure of self-government;

(c) That the Southern Section of Togoland under British administration has three representatives in the Legislative Assembly, namely, two representatives elected as rural members and one territorial member elected by the Southern Togoland Council;

(d) That two members of the Legislative Assembly have been elected by a single electoral college for both the Northern Territories of the Gold Coast and the northern part of Togoland who are Natives of and resident in the Northern Section of Togoland.

The Council, taking into consideration that the Gold Coast (Constitution), Order-in-Council, 1950, and Togoland under United Kingdom Trusteeship Order-in-Council, 1949, provides that no laws shall be applied to the Trust Territory which are repugnant to any provision of the terms of the Trusteeship Agreement, is of the opinion that, as far as the constitutional framework is concerned the interests of the inhabitants of the Trust Territory are adequately protected. The Council feels, however, that in view of the special status of the Trust Territory in international law, the practical implementation of the new arrangements should be kept under constant review by the Trusteeship Council.

3. The Standing Committee also noted the following conclusions and recommendation (A/1856, page 155) adopted by the Council at the same session:

The Council commends the Administering Authority on the promulgation of the new Gold Coast Constitution which it considers to be an important step toward full responsible government in the Trust Territory to which the Constitution has been applied; notes with satisfaction that this Constitution will give the inhabitants of the Territory the opportunity of acquiring higher political experience; notes with approval the safeguards retained in the new Constitution (a) that any Gold Coast law repugnant to any provision of the Trusteeship Agreement would be to the extent of that repugnancy void in the Territory, (b) that the Governor may use his reserve powers to make certain that there is no infringement of the Trusteeship obligations, and (c) that there will be representation of the Trust Territory in the Gold Coast Legislative Assembly; notes the assurance of the Administering Authority that it is not only preserving the status of the Trust Territory but also taking particular measures to ensure that full consideration will continue to be given to the interests of the inhabitants; expresses the hope that the Administering Authority will take all possible steps to ensure full recognition of Togoland's interests in policies and programmes developed by the Gold Coast Government and full participation of Togoland in all phases of Gold Coast progress.

4. The Standing Committee, having further examined the question of the present administrative, legislative and political arrangements between the Gold Coast and Togoland under British administration, has no comments to make at this time additional to those made in 1951, but will continue to keep these matters under review.

5. The Standing Committee realizes that it must reserve its final opinion concerning the effect of the new constitutional arrangements on Togoland under British administration until the Trusteeship Council has considered the Ewe and Togoland unification problem.

6. (a) With respect to the safeguards enumerated in sub-paragraph 7 (a) of Trusteeship Council resolution 293 (VII), concerning separate financial, statistical and other data, the Standing Committee notes that:

(i) The annual report on the administration of Togoland under British administration for 1951 provides estimates of the Territory's revenue and expenditure.



(ii) The annual report for 1951 contains a statement with respect to commerce and trade, according to which "it would be impossible without placing a cordon around the Territory to provide exact figures of the Territory's trade" and "such a cordon is of course unthinkable and would in any event be too high a price in interference in the movement of goods and people as well as in cost to pay for the production of trade figures." The Administering Authority states that "in response to a request from the Trusteeship Council, an attempt has been made to estimate the Territory's trade" and in so doing explains that "the figures provide no more than a very rough guide to the Territory's trade";

(iii) The Administering Authority has described in the annual report for 1951 the methods employed in the preparation of separate statistics of trade and commerce;

(iv) The special representative of the Administering Authority stated that, with experience, ways would be found of removing some of the vagueness which now existed and of improving the accuracy of the data given;

(v) In accordance with the undertaking of the Administering Authority given in 1951, separate statistics for purchases of cocoa from the Territory have been reported by the Cocoa Marketing Board, and separate statistics have been provided for purchases made in the Territory by the Agricultural Produce Marketing Board.

(b) With regard to sub-paragraph 7 (b) of Trusteeship Council resolution 293 (VII) concerning the access of visiting missions, the Standing Committee notes that the United Nations Visiting Mission to Trust Territories in West Africa, which visited the Territory of Togoland under British administration in 1949, spent

one day in Tamale, the capital of the Northern Territories of the Gold Coast, and three days in Accra, the capital of the Gold Coast, and that no visiting mission has entered Togoland under British administration during the year under review.

(c) With regard to sub-paragraph (c) of Trusteeship Council resolution 293 (VII), concerning the maintenance of boundaries, separate status, and identity, the Standing Committee notes that there exists no information which would suggest that the boundaries of the Trust Territory have not been maintained.

(d) With regard to sub-paragraph 7 (d) of Trusteeship Council resolution 293 (VII) concerning revenue and expenditure, the Standing Committee notes that:

(i) According to information contained in the annual reports, the estimates of total revenue derived from the Trust Territory, exclusive of £15,769, £33,350 and £12,632 for the years 1948-1949, 1949-1950 and 1950-1951 respectively, received from the Colonial Development and Welfare Fund amounted to:

1948-1949	1949-1950	1950-1951
£473,800	£779,621	£1,027,254

and the estimates of total expenditure on the administration, welfare and development of the Trust Territory amounted to:

1948-1949	1949-1950	1950-1951
£614,443	£799,735	£1,036,804

(ii) Therefore, estimates of total expenditure on the administration, welfare, and development of Togoland under British administration for the last three fiscal years were not less than the estimates of total public revenue derived from the Trust Territory.<sup>2</sup>

<sup>2</sup> For further explanation of these estimates, see paras. 227-241 of the Annual Report on Togoland under United Kingdom Trusteeship for the Year 1951.

## DOCUMENT T/1022 and Corr.1

### Report of the Standing Committee on Administrative Unions on the Cameroons under British administration

[Original text: English]  
[11 July 1952]

1. In the course of its 26th and 36th meetings, on 30 June and 10 July 1952, the Standing Committee examined the various aspects of the participation of the Cameroons under British administration in the administrative union with Nigeria. It studied the memorandum (T/C.1/L.26) submitted to the Standing Committee and examined the relevant parts of the annual report on the administration of the Territory for the year 1951. At its 36th meeting, on 10 July 1952, the Standing Committee heard the representative of the United Kingdom of Great Britain and Northern Ireland and the special representative of the Administering Authority, who furnished further information at the invitation of the Committee. At the same meeting the Standing Committee unanimously adopted the present report.

2. The Standing Committee notes the following conclusions (A/1856, page 103) adopted by the Trusteeship Council at its ninth session:

(a) Notes that a new Constitution for Nigeria and the Trust Territory has been promulgated;

(b) Further notes that the basis for the new Constitution was established after a Select Committee of the Nigeria Legislative Council had consulted the indigenous inhabitants including those of the various sections of the Trust Territory.

3. The Standing Committee also notes the following further recommendations (A/1856, page 104) adopted by the Council at the same session:

"The Council, considering that the establishment of the new Constitution for Nigeria and the Cameroons is a development of fundamental significance, and noting that it makes specific provision for representation of the Trust Territory in the Nigerian, Eastern House of Assembly, Eastern Council of Ministers, Northern House of Chiefs, Central House of Representatives and Central Council of Ministers, and also for the opportunity of representation in the Northern House of Assembly, expresses the hope that the Administering Authority will make every effort to explain to the inhabitants the procedures and significance of the elections in which they will



be entitled to participate and will take special precautions to ensure that the interests of the Trust Territory are not prejudiced nor submerged by those of Nigeria.

"The Council, noting that under the electoral system applying to the Cameroons, the Territory's representatives in the Nigerian Central House of Representatives are to be elected not by the representatives of the Southern Cameroons in the Nigerian Eastern House of Assembly alone but by the elected members as a whole, requests the Administering Authority to give careful consideration to the need for ensuring that the members of the Nigerian Central House of Representatives who represent the Territory truly reflect the wishes of the inhabitants".

4. With regard to the Council's recommendations cited in paragraph 3 above, the Administering Authority states in the report for 1951 (paragraph 773) that: the Public Relations Department, Administrative Officers and Native Administration staff, conducted a campaign throughout the Territory to familiarize the inhabitants with the novel procedure of the elections and to bring home the significance of the constitutional reform.

5. The Standing Committee notes that this new Constitution which is now fully operative gives to the people of the Trust Territory in association with the people of Nigeria a larger measure of self-government.

6. The Standing Committee further notes that the inhabitants of the Cameroons under British administration are represented in the various bodies as follows:

(a) In the Council of Ministers (consisting of the Governor, as president, 6 ex-officio members, and 12 Ministers) by a Minister without Portfolio;

(b) In the Eastern Regional Executive Council (consisting of the Lieutenant-Governor, as president, three ex-officio members, such other official members, not exceeding two, as may be appointed by the Lieutenant-Governor, and not less than 7 or more than 9 Regional Ministers) by one official and one unofficial member;

(c) In the Northern Regional Executive Council (consisting of the Lieutenant-Governor as president, three ex-officio members, such other official members, not exceeding two, as may be appointed by the Lieutenant-Governor, and such Regional Ministers as may be appointed) by no representative from the Trust Territory itself; but notes that the Walin Bornu is a member;

(d) In the Central House of Representatives (consisting of a president, 6 ex-officio members, 136 representative members, not more than 6 special members):

(i) By 6 members elected by the Eastern House of Assembly;

(ii) By no member elected by the Northern House of Chiefs from the Territory itself; but notes that Ahmadu, Lamido of Adamawa, is a member and is the Native Authority for large portions of the Northern Cameroons;

(iii) By two members elected from the Northern House of Assembly;

(e) In the Northern House of Assembly (consisting of a president, 4 official members, 90 elected members,

and not more than 10 special members appointed by the Lieutenant-Governor) by 3 representatives of the Trust Territory;

(f) In the Northern House of Chiefs (consisting of the Lieutenant-Governor, 3 official members, all first-class Chiefs, 37 other Chiefs, and an adviser on Moslem Law) by one representative of the Trust Territory;

(g) In the Eastern House of Assembly (consisting of the Lieutenant-Governor, 5 official members, 80 elected members, and not more than 3 special members appointed by the Lieutenant-Governor) by 13 representatives of the Trust Territory.

7. The Standing Committee notes the statement of the representative of the Administering Authority that clause 10 of the "Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of Nigeria", dated 27 November 1951 (Public Notice No. 234 of 1951) provides, *inter alia*, as follows:

"The Governor shall not, without having previously obtained Our Instructions through a Secretary of State, assent to any Bill within any of the following classes unless such Bill contains a clause suspending the operation thereof until the signification of Our pleasure thereon, that is to say:...

"(f) Any Bill the provisions of which appear to him to be inconsistent with obligations imposed upon Us by treaty or other international agreement, including the Trusteeship Agreement;"

8. Taking into consideration that the Royal Instructions of 27 November 1951 to the Governor of Nigeria provide, *inter alia*, that the Governor shall not assent to any bill the provisions of which appear to him to be inconsistent with obligations imposed upon Her Britannic Majesty by treaty or other international agreement including the Trusteeship Agreement, the Standing Committee is of the opinion that the existence of this part of these Instructions adequately protects the interests of the inhabitants of the Trust Territory in regard to the new Constitution. The Standing Committee feels, however, that in view of the special status of the Trust Territory in international law, the practical implementation of the new arrangements should be kept under constant review by the Trusteeship Council.

9. (a) With respect to the safeguards enumerated in sub-paragraph (a) of the Trusteeship Council resolution 293 (VII) concerning separate financial, statistical and other data, the Standing Committee notes that:

The annual report on the administration of the Trust Territory of the Cameroons under British administration for 1951 contains population estimates, details concerning government officials solely employed within the Trust Territory and their basic salaries, details concerning Native Authority staff employed wholly or partly in the Trust Territory, separate data with regard to justice and penal administration, estimates of revenue and expenditure from or incurred in respect of the Trust Territory, the estimated capital position of the Territory, revenue and expenditure of Native Authorities in the Trust Territory, imports and exports through Cameroon ports, and some data on production in the Trust Territory, labour, retail market prices, tax rates, health and education.

(b) With regard to sub-paragraph 7 (b) of Trusteeship Council resolution 293 (VII) concerning the access of visiting missions, the Standing Committee notes that:

The United Nations Visiting Mission to Trust Territories in West Africa, which visited the Territory of the Cameroons under British administration, visited Yola, Nigeria, on 7 November 1949; and Lagos, Nigeria, the seat of the government of the Cameroons under British administration, from 27 to 29 November 1949, and that no visiting mission went to the Territory in 1950 and 1951.

(c) With regard to sub-paragraph 7 (c) of Trusteeship Council resolution 293 (VII) concerning the maintenance of boundaries, separate status, and identity, the Standing Committee notes that there exists no information which would suggest that the boundaries of the Trust Territory have not been maintained.

(d) With regard to sub-paragraph 7 (d) of Trusteeship Council resolution 293 (VII) concerning revenue and expenditure, the Standing Committee notes that:

(i) According to information contained in the annual reports for 1950 and 1951, the total revenue attributable to the Trust Territory amounted to:

1946-1947	1947-1948	1948-1949	1949-1950	1950-1951 (estimate)
£240,870	£305,690	£518,510	£1,106,200	£1,202,600

and the total expenditure on the administration, welfare and development of the Trust Territory amounted to:

1946-1947	1947-1948	1948-1949	1949-1950	1950-1951 (estimate)
£471,450	£541,080	£646,910	£880,100	£997,900

(ii) It would thus appear that for the three years 1946-1947, 1947-1948 and 1948-1949 the total expenditure in the Territory was not less than the total revenue attributable to the Territory. It would also appear that a surplus of revenue, including grants under the Colonial Development and Welfare Act, over expenditure in the Trust Territory amounted to £226,100 in 1949-1950 and £204,700 in 1950-1951.

### Check list of documents

Document No.	Title	Page	Observations
A/1306	Report of the Trusteeship Council covering its first special session, its second special session, and its sixth and seventh sessions		<i>Official Records of the General Assembly, Fifth Session, Supplement No. 4</i>
T/953/Add.4	Petitions concerning Tanganyika: observations of the Administering Authority		Mimeographed document only.
T/969 and Corr.1	Report of the Standing Committee on Administrative Unions on New Guinea.....	1	
T/1011	Report of the Standing Committee on Administrative Unions on Ruanda-Urundi .....	3	
T/1017 and Corr.1	Report of the Standing Committee on Administrative Unions on Tanganyika .....	4	
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T/1022 and Corr.1	Report of the Standing Committee on Administrative Unions on the Cameroons under British administration.....	10	
T/1026 and Corr.1 and Add.1	Report of the Standing Committee on Administrative Unions to the Trusteeship Council		Adopted by the Trusteeship Council as its special report to the General Assembly on administrative unions. See <i>Official Records of the General Assembly, Seventh Session, Supplement No. 12</i>
T/1027	Report of the Standing Committee on Administrative Unions to the Trusteeship Council		Mimeographed document only.
T/AC.14/22 and Rev.1	Committee on Administrative Unions: statement by the French representative on relations between France and the Trust Territories in the French Union		<i>Ditto</i>
T/L.324	Union of Soviet Socialist Republics: proposal		Incorporated in the 454th meeting

TRUSTEESHIP  
COUNCILANNEXES  
ELEVENTH SESSION

## OFFICIAL RECORDS

NEW YORK, 1952

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## Agenda item 11: General procedure of the Trusteeship Council: report of the Committee on General Procedure

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## DOCUMENT T/1005

## Letter dated 28 May 1952 from the Director-General of the United Nations Educational, Scientific and Cultural Organization to the Secretary-General

[Original text: English]  
[2 June 1952]

I have the honour to refer to points 4 and 11 of the agenda of the eleventh session of the Trusteeship Council regarding the examination of annual reports from Trust Territories and the general procedure of the Council.

In the latter connexion I have been instructed by the Executive Board of UNESCO to draw the attention of the Council to the following comments and suggestions placed before it by a special Committee of its members which had met, in February 1952, to examine the draft of UNESCO's observations on the annual reports for the Trust Territories in the Pacific before their submission to the Trusteeship Council at its tenth session. These comments and suggestions, which were endorsed by the Executive Board, are as follows:

1. The Committee draws attention to the difficulties caused by the late receipt from the United Nations of the reports which are to be commented on by UNESCO. Little time is left for their study by the Director-General and even less for consideration by the Board or its Committees of the proposed comments. The Committee endorses the Director-General's proposal to ask Administering Authorities to provide UNESCO directly with copies of their reports, so eliminating some delay. But it also believes that UNESCO should

point out to the Trusteeship Council the difficulties experienced by UNESCO in making the comments requested by the Council, unless the necessary documents are received in due time.

2. It would be useful for the Secretariat, with the agreement of the Trusteeship Council, to enter into contact with the Administering Authorities, particularly to obtain information on obscure points in the reports. At present it is only possible to raise such points in UNESCO's written comments so that an answer may be given by the representatives of the Administering Authorities at the meeting of the Trusteeship Council. It would be preferable for UNESCO to be able to obtain the answers so that account could be taken of them, in the comments, either of the current year or of the following year.

3. In the same connexion the Committee considers that the value of UNESCO's comments would be greatly increased if UNESCO could examine on the spot the educational and social problems mentioned in the reports, should the Trusteeship Council consider it desirable.

I should be grateful if you would be so good as to cause these suggestions to be laid before the Trusteeship Council.

(Signed) Jaime TORRES BODET

## DOCUMENT T/L.265

## Report of the Committee on General Procedure

[Original text: English]  
[27 May 1952]

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## INTRODUCTION

1. The General Assembly by its resolution 432 (V) noted the increase in the volume of work and in the length of the sessions of the Trusteeship Council and recommended that the Council undertake a review of its general procedure and include the results of such review in the Council's report to the next regular session of the General Assembly.

2. In pursuance of this resolution the Trusteeship Council established at the 347th meeting (ninth session) a Committee on General Procedure consisting of the representatives of Iraq and the United States of America to draw up and present in the course of the ninth session a preliminary report on the methods of work, practices and procedures of the Council with a view to making recommendations for consideration by the Council at its tenth session.

3. The Trusteeship Council, having considered the preliminary report of the Committee (T/L.209/Rev.1) adopted resolution 346 (IX) by which it requested the Administering Authorities to give urgent consideration to the desire of the Council that the reports on the administration of all Trust Territories be considered in the shortest possible time after the close of each year reported on, and consequently that the reports on the Trust Territories in Africa be considered at its June sessions and those on the Trust Territories in the Pacific at its January sessions. By the same resolution the Council recommended that the Administering Authorities, pending the decision by the Council on this matter at its tenth session, make every effort to transmit to the Secretary-General not later than 15 December 1951 the reports on the Trust Territories in the Pacific for the year 1950-1951, and not later than 15 May 1952 the reports on the Trust Territories in Africa for the year 1951.

4. At the 387th meeting (tenth session) the Council decided to refer the question of general procedure back to its Committee on General Procedure and to enlarge the membership of the Committee from two to four members. At the 388th meeting the representatives of China and France were appointed as members of the Committee in addition to the representatives of Iraq and the United States of America appointed during the ninth session.

5. At the 411th meeting the Trusteeship Council decided to postpone the consideration of the question of general procedure to its eleventh session and to request the Committee to submit its report at that session.

6. At the first meeting of the enlarged Committee on General Procedure on 1 April 1952, Mr. Francis B. Sayre was elected chairman.

7. The Committee held seven meetings, on 1 April, and 5, 6, 12 and 26 May 1952 and approved at its seventh meeting the present report. The various topics dealt with by the Committee are included in sections I - XI of this report and the draft resolution proposed by the Committee appears in section XII.

## I. DISTRIBUTION OF THE WORK OF THE TRUSTEESHIP COUNCIL

8. An important question which the Committee had to consider was the division of the workload of the Council between the two sessions. As the greater part of the workload consists of the examination of annual reports and of the related examination of reports of visiting missions and of general questions raised in petitions, the main question to be decided is at which session annual reports will be examined.

9. The present rules of procedure would provide in effect that the reports on the African Territories and Western Samoa should be examined at the January session and those on the remaining Pacific Territories at the June session. These rules have, however, been virtually suspended since the third special session in November 1950 and since then the Council has requested the Administering Authorities of African Trust Territories to transmit their reports by 15 May and has examined those reports at the June session, while it has requested the Administering Authorities of Pacific Territories to transmit their reports by 15 December and has examined those reports at the January session. The Committee observes that the deadline for the transmission of reports has frequently not been met and that in many cases only a few advance copies of the reports have been available for distribution.

10. Particular difficulties have arisen in this respect during the June sessions. Because of the time required

for the reproduction of the report of the Council to the General Assembly, it is necessary that the session should end by 31 July, while past experience has indicated that a session involving the seven African Territories will last nearly eight weeks. As a result, the June session must be convened at the beginning of June, only two weeks or less after the receipt of the annual reports to be examined. The Committee was of the opinion that such a schedule gives too little time to delegations and to the Secretariat for the necessary preparatory work.

11. The Committee therefore devoted considerable thought to the problem of readjusting the Council's work programme so as to distribute the workload more evenly as between its January and June sessions. The Council's present practice of examining the reports of the African Territories in the June session and the Pacific Territories in the winter session results in the examination at the June session of seven or eight of the eleven Trust Territories in addition to other important business. It therefore seemed desirable to the Committee that (1) the June-July workload should be reduced, and (2) the most practicable way to do this would be to transfer the discussion by the Council of one or more of the annual reports on Trust Territories in Africa from the June to the January sessions. The majority of the Committee felt that of the various African Territories, those which could best be transferred to the January session would be the reports on the Cameroons under British administration and the Cameroons under French administration and that this idea was worthy of exploration. The Committee also considered that the examination of the annual report on Western Samoa should continue to be made in the January session. By this means the examination of annual reports in the June session could be reduced from seven to five Territories: Tanganyika, British Togoland, French Togoland, Ruanda-Urundi and Somaliland; and the examination of annual reports at the January session increased to six; the Trust Territory of the Pacific Islands, Nauru, New Guinea, Western Samoa, the Cameroons under British administration and the Cameroons under French administration. The Committee undertook to obtain informally the views of the British and French Governments, which would be directly concerned in such a transfer.

12. So far as arrangements for the coming eleventh session of the Council are concerned, the Committee was informed by the Administering Authorities directly concerned that transfer at this late date would cause administrative and other difficulties, particularly in view of the arrangements already completed in each case to send a special representative to attend the eleventh session.

13. In view of these opinions the Committee concluded that it was impracticable to make a specific recommendation with respect to the transfer of the consideration of African Territories during the eleventh session. So far as concerns the Council's future programme of work, the Committee recommends that discussion of one or more of the African Trust Territories should be transferred from the June to the January session and considers that the Trusteeship Council should decide which two African Trust Territories could best be transferred to the January session.

The Committee further recommends that the Council, after discussing this problem at the eleventh session with the assistance of all the Administering Authorities concerned should bring the necessary arrangements for such decision as it may reach into effect at the earliest possible time. The Committee further recommends that the examination of the report of Western Samoa should continue to be carried out at the January sessions of the Council.

## II. DATES FOR SUBMISSION OF ANNUAL REPORTS AND THEIR DISTRIBUTION

14. The Committee re-examined its previous proposals concerning the distribution of annual reports contained in paragraph 5 (a) of its preliminary report (T/L.209/Rev.1). The Committee noted also that by its resolution 346 (IX), the Trusteeship Council recommended as a temporary measure that the Administering Authorities should make every effort to transmit the reports on the Trust Territories in the Pacific by 15 December and those on the Trust Territories in Africa by 15 May.

15. The Committee continues to attach the greatest importance to the transmission of annual reports a sufficient time before the opening of the session at which they will be examined to permit adequate time for study of the reports by delegations, the Secretariat and the specialized agencies. The Committee considers that four weeks is the minimum desirable period.

16. The Committee considers that Administering Authorities may be in a position to undertake to transmit reports at an earlier date than otherwise if it is made clear that only a certain number of advance copies are required by the due dates, especially if it is borne in mind that these advance copies may be submitted in mimeographed form. The Committee considered that seventy-five advance copies would be needed to meet the requirements of delegations, the specialized agencies, and the various divisions of the Secretariat servicing the Council.<sup>1</sup>

17. The Committee noted that a satisfactory solution of the problem of distributing the Council's workload between its two annual sessions will assist to some extent in working out procedures for the submission of annual reports. In particular a rearrangement of the Council's workload such as outlined in section I of this report would normally enable the Council's June session to convene a week to ten days later than at present and thereby provide additional time for the study of annual reports. In addition, under such an arrangement the requirement for early submission would apply to eight rather than eleven of the annual reports.

<sup>1</sup> These copies would be distributed as follows:

Members of the Trusteeship Council.....	24
Additional reports required by Australia and the United States of America.....	8
Italy.....	2
Specialized agencies.....	11
Secretariat of the Trusteeship Department.....	18
Servicing the Trusteeship Council.....	12

TOTAL..... 75

However, since these figures were compiled, another delegation has asked for eight additional copies and the Committee brings this fact to the attention of the Council.

18. As pointed out previously, the Committee has not found it possible to make precise recommendations on the distribution of the work of the Council. In any event, however, the Committee considers that it would be undesirable to attempt to amend the rules of procedure to provide specific dates for the submission of annual reports since the practicability of any scheme will depend upon experience and other factors which cannot be foreseen and might well be subject to further change. Accordingly, the Committee recommends that rule 72 and rule 73 be submitted as follows:

*"Rule 72*

"1. The annual report of an Administering Authority prepared on the basis of the questionnaire formulated by the Trusteeship Council shall be submitted to the Secretary-General and considered by the Council in accordance with a schedule to be worked out by the Council.

"2. The Secretary-General shall transmit these reports without delay to members of the Trusteeship Council."

19. If the practice of submitting advance copies in mimeographed form is adopted, some slight revision will be required of rule 73, which now specifies that copies of each report shall be sent directly by the Administering Authority concerned to the members of the Council "at the same time" as the four hundred copies are furnished to the Secretary-General. The Committee would accordingly recommend that rule 73 be amended to read as follows:

*"Rule 73*

"The Administering Authority shall furnish to the Secretary-General four hundred copies of each report for a Trust Territory. Seventy-five advance copies of such a report shall be transmitted to the Secretary-General at least four weeks before the beginning of the session at which the report will be examined by the Council. Copies of each report shall be sent directly by the Administering Authority, as soon as possible, to the Members of the Trusteeship Council as a means of expediting the work of the Council."

### III. TIME-TABLE FOR THE SESSIONS OF THE TRUSTEESHIP COUNCIL AND ITS COMMITTEES

20. The Committee wishes to refer to the practice by which the Secretary-General, in consultation with the President, has circulated a tentative timetable in advance of the sessions of the Council. The Committee considers that this procedure has been of considerable help to delegations and to the Secretariat in planning their advance work and should be continued. The Committee considers that this is a desirable procedure and suggests that a timetable should normally be circulated with the provisional agenda proposing a programme of work for the Council and its committees.

### IV. PROCEDURE IN ROLL-CALL VOTING

21. Rule 39: In accordance with the present text of rule 39, the roll-call is taken in the English alphabetical order of the names of the members of the Trusteeship Council.

22. The General Assembly, however, has adopted a rule of procedure which provides for the roll-call

beginning with the member whose name is drawn by lot by the President.

23. The Committee recommends that a similar rule be adopted by the Trusteeship Council and that the present rule 39 be amended to read as follows:

*"Rule 39*

"The Trusteeship Council shall vote by show of hands except that, before a vote is taken, any representative of a member may request a roll-call, which shall then be taken in the English alphabetical order of the names of the members of the Trusteeship Council, beginning with the member of the Trusteeship Council whose name is drawn by lot by the President. The name of each member shall be called and the representative shall reply 'Yes', 'No' or 'Abstention'. The result of the voting shall be inserted in the record in the English alphabetical order of the names of the members."

### V. ELECTION BY SECRET BALLOT

24. The Committee noted that the present text of rule 41 might give rise to different interpretations. The Committee considers that the secret ballot should be mandatory only for the election of the President and the Vice-President of the Council, as already provided by rule 19. The methods of election to any other office or function to be established by the Council should be left, in conformity with the prevailing practice, to the discretion of the Council.

25. The Committee therefore recommends that rule 41 be amended as follows:

*"Rule 41*

"The election of the President and the Vice-President of the Trusteeship Council shall be taken by secret and separate ballot. The Council may decide that the election to any other office of function established by the Council shall also be taken by secret ballot."

26. The Council recommends also that the Trusteeship Council approve the following consequential amendment to rule 19:

*"Rule 19*

After the words "The Trusteeship Council", delete the words "by secret and separate ballot." The sentence would then read:

"The Trusteeship Council shall elect, at the beginning of its regular session in June,..."

### VI. SUMMARY RECORDS

27. The Committee gave consideration to the preparation of summary records for the Council and its Standing Committees. The Committee was of the opinion that the records should not be unduly condensed and should more fully reflect the Council's discussions in order to give an accurate and faithful account of its debates, particularly of the information supplied by special representatives in their opening statements and during subsequent stages of the examination of annual reports. Moreover, important questions addressed to special representatives had often been omitted. As a result, delegations had been obliged to submit lengthy corrections.

28. The Committee would point out that the summary records constitute the only official record of the Council's proceedings. They are studied by the general public, students and, in particular, by other Members of the United Nations who are interested in trusteeship affairs and who are concerned with the Council's work as members of the Fourth Committee of the General Assembly. Without adequate and comprehensive summary records misconceptions can easily arise with respect to both the work of the Council and the participation of individual delegations. As a result of these considerations the Committee was of the opinion that, in general, the summary records should more fully and accurately reflect the Council's discussions. In particular the Committee recommends that the summaries of the opening statements by special representatives and the closing statements made by members with respect to annual reports should not omit information or statements of viewpoint on matters relating to the Territories.

29. With respect to questions directed to special representatives, the Committee considers that the summary record should clearly indicate the nature and scope of such questions and indicate all relevant information in response to such questions.

30. The Committee requested the Secretariat to investigate the possibility of improving summary records along the lines indicated. The statement made by the Secretariat is annexed to the present report.

31. The Committee recommends that the Council should examine the question of the form of its records in the light of the above-mentioned considerations and of the statement of the Secretariat.

#### VII. PROCEDURE IN THE EXAMINATION OF ANNUAL REPORTS

32. The Committee re-examined the guiding principles which might improve the procedure in the examination of annual reports and which were formulated in the Committee's preliminary report (T/L.209/Rev.1, page 5).

33. In addition to these guiding principles which the Committee reaffirms in general, the Committee considers that the opening statement of the special representative contains valuable and up-to-date information on the conditions, policies and major events in the Trust Territory concerned. In view of the importance of this statement and its relevance to questions subsequently asked by members of the Council, the Committee considers that the Administering Authorities should, if possible, give the text of the statement to the Secretariat in advance of the first meeting of the Council at which the annual report concerned is examined for circulation as a written document of the Council.

34. In addition to the above, the Committee recommends that the Trusteeship Council be guided by the following principles in the examination of annual reports:

(i) That all members of the Council be urged to submit in writing questions on each annual report, especially such questions as may involve detailed factual or statistical information or those on which it may be necessary for the Administering Authorities to procure further information;

(ii) That in preparing in advance of each session a time-table for the session, the Secretary-General be requested to include time-limits for the submission of written questions on each annual report concerned, such time-limits to be set preferably at least one week in advance of the Council's examination of the report. The importance of a strict adherence to such a time-table is emphasized;

(iii) That each Administering Authority concerned be requested to answer the written questions either in writing, prior to the examination of the report concerned, or orally at the beginning of the examination by the Council of each of the principal sections of the report;

(iv) That the written questions and written answers be circulated as documents of the Council.

35. The Committee does not consider that it is necessary to incorporate these principles in the rules of procedure but would point out that the successful implementation of these principles depends to a large degree upon the promptness with which annual reports are submitted and the provision of adequate time for study of the reports.

#### VIII. DOCUMENTATION FOR DRAFTING COMMITTEES

36. The Committee attaches importance to the preparation of documentation for drafting committees and in particular to the working papers setting forth the observations expressed by individual members during the general discussion of conditions in particular Territories. It is on the basis of this document that the drafting committees considers and drafts the conclusions and recommendations to be presented to the Council. It therefore represents in some respects the most important paper before drafting committees. The Committee observes that over-selectiveness and over-summarizing should be avoided in order that these documents may faithfully reflect the debates in the Council and ensure the efficiency of the work of the drafting committees, and to that end the working paper should contain all the important conclusions and comments made by delegations during the Council's discussions. The Committee further suggests that each reference in the paper to an observation by a member should carry an appropriate citation to the verbatim record of the meeting at which the statement was made.

37. With respect to the individual observations which are not incorporated in draft conclusions and recommendations but which may be inserted by members in the Council's report, the Committee observes that it is necessary for delegations to review the draft conclusions and recommendations prepared by the drafting committee in order to determine which of their own observations are covered therein and which they desire to be inserted into the final report as their own observations on the subject. The Committee, therefore, urges that the Secretariat should continue to make every effort to circulate to Council members the draft conclusions and recommendations adopted by the drafting committee as soon as possible in order that members will have adequate time to determine which, if any, of their individual observations they desire to retain in the final report.



## IX. AMENDMENTS CONCERNING PETITIONS

## Rule 84

38. The Committee took into consideration the various changes in the rules of procedure of the Trusteeship Council concerning petitions which result from the approval by the Trusteeship Council at its tenth session of the report of the Committee on Examination of Petitions (T/L.243 and T/L.243/Corr.1), and the report of the Committee on Visiting Missions concerning the organization and functioning of visiting missions (T/L.249). The Committee recommends that the Council adopt the following amendments to the rules of procedure in order to bring them into conformity with the Council's decisions as requested by resolution 425 (X) adopted by the Council on 13 March 1952. Nevertheless, the French delegation, in reserving its position, suggested that the Trusteeship Council, prior to the adoption of rules as precise and detailed for insertion in the rules of procedure, should first have the benefit of the experience which the Committee on Petitions would itself acquire as to the new way in which it should conduct its business on the basis of the methods as defined in the documents referred to above.

*Rule 24*

39. Rule 24 concerns the distribution to be given to communications, other than petitions, received from Members and organs of the United Nations and other sources. In paragraph 8 of document T/L.243 it was agreed that the listing of communications under the second part of rule 24 was not an adequate procedure. Accordingly the Trusteeship Council decided pursuant to paragraph 10 of T/L.243, that "the other type of communications", (i.e., those which are not petitions), should be transmitted in full to members of the Council unless their length precludes this.

40. With respect to communications of exceptional length, the Committee considered that the Secretariat should be instructed to follow the procedure unanimously adopted by the Council at the sixth meeting of the fourth session with respect to lengthy petitions. This decision reads as follows:

"II. Lengthy petitions. Rule 85 shall apply, except that the Secretariat will first circulate a summary of the petition, the original petition being made available to the Trusteeship Council. The original petition, however, will be circulated if the President of the Trusteeship Council, during the recess of the Council, or the Council, if it is in session, so decides."

41. In view of the above considerations, the Committee recommends that the text of rule 24 be amended to read as follows:

*"Rule 24"*

"The Secretary-General shall transmit promptly to the members of the Trusteeship Council all communications which may be addressed to the Council from Members and organs of the United Nations and from specialized agencies. The Secretary-General shall also circulate promptly to the members of the Council communications from other sources except those which are manifestly inconsequential, if they relate to the activities of the Trusteeship Council. Such communications shall be transmitted in full, unless their length precludes this, in which case the procedure set forth in paragraph 3 of rule 85 shall apply."

42. The Committee noted that in paragraphs 12 and 13 of document T/L.243, certain considerations are set forth with respect to the handling of communications and petitions received by visiting missions. This matter is dealt with in section C of the report of the Committee on Visiting Missions (paragraphs 30, 31 and 32 of document T/L.249) where particular note is taken of the explanation made to the Council by the Chairman of the Committee on the Examination of Petitions at the 397th meeting of the Council to the effect that it will be for a visiting mission to decide which of the communications it receives are petitions which should be forwarded to the Trusteeship Council for examination by it in the manner prescribed, and which of them are communications intended for its own information, to be taken into account in writing its reports.

43. Accordingly the Committee recommends that a new paragraph 2 be added to the present text of rule 84 to read as follows:

*"Rule 84"*

"2. The visiting mission shall decide which of the communications it receives are intended for its own information and which of these are petitions to be transmitted to the Secretary-General, pursuant to paragraph 1 of this rule, to be dealt with in accordance with rules 85, 86 and 90."

*Rule 85*

44. The Committee notes that in paragraph 5, (c) and 7 of document T/L.243 which was approved by the Council, there are set forth certain general considerations with respect to the handling of petitions. As a result of these considerations the Trusteeship Council decided, pursuant to paragraph 9 of T/L.243, that all communications containing requests, complaints and grievances seeking action by the Council should continue to be handled in accordance with the established procedure for the examination of petitions. However, the Council felt that such of these as concern general problems to which the attention of the Council has already been called and on which it has taken decisions or made recommendations, as well as anonymous communications, should be circulated in the same manner as the communications referred to in paragraph 10 of T/L.243, (i.e., the communications dealt with in rule 24 above), pending examination by the Standing Committee on Petitions which would decide whether the established procedure provided for petitions should be applied to them. Thus the Council has, in effect, established a sub-category of petitions, (i.e., those dealing with general problems as defined above). In order to make this distinction, the Committee considers that the Secretariat should establish a new document series (perhaps T/Pet. Gen./ followed by the territorial numerical symbol) in addition to the present T/Pet. and T/Comm. series.

45. Furthermore, the Committee considered that it would be appropriate to include in the revision of this rule the decision taken by the Council at the fourth session (see suggested amendment to rule 24 above) with respect to lengthy petitions.

46. The Committee recommends therefore that rule 85 concerning the circulation of petitions by the

Secretary-General should be amended to read as follows:

*"Rule 85*

"1. The Secretary General shall circulate promptly to the members of the Trusteeship Council all written petitions received by him which contain requests, complaints and grievances seeking action by the Trusteeship Council.

"2. Petitions concerning general problems to which the attention of the Trusteeship Council has already been called and on which the Council has taken decisions or has made recommendations, as well as anonymous communications, shall be circulated by the Secretary-General in the manner provided for in rule 24.

"3. In the case of lengthy petitions, the Secretary-General will first circulate a summary of the petition, the original petition being made available to the Trusteeship Council. The original petition, however, will be circulated if the President of the Trusteeship Council, during the recess of the Council, or the Council, if it is in session, so decides.

"4. The Secretary-General shall not circulate petitions which are manifestly inconsequential, a list of which, with a summary of their contents, shall be communicated to the members of the Trusteeship Council.

"5. With respect to petitions relating to a strategic area, the functions of the Trusteeship Council shall be governed by Article 83 of the Charter and the terms of the relevant Trusteeship Agreement."

*Rule 86*

47. Consequent upon the changes suggested above, the Committee considered it necessary to amend rule 86 concerning the submission of written observations on petitions by Administering Authorities. It will be recalled in this connexion that the Council at its ninth session adopted resolution 347 (IX) which amended paragraph 2 of rule 86 as follows:

"The Administering Authority concerned shall, whenever possible, transmit to the Secretary-General in writing, not less than fourteen days before the opening of the session at which the petitions will be examined, its observations on these petitions for circulation to the members of the Trusteeship Council."

48. The original intent of this provision was to ensure that written observations should be available for study at least two weeks before the *Ad Hoc* Committee on Petitions would begin its examination. With the adoption of the new procedure establishing a Standing Committee empowered to meet between sessions this provision would appear to be no longer useful.

49. Furthermore, operative paragraph 2 of resolution 347 (IX) reads as follow:

"Requests the Administering Authorities concerned to transmit, whenever possible, the written observations mentioned in rule 86, paragraph 2, not later than two months after the receipt of the petitions by them."

50. The Committee considered that it would be appropriate therefore to incorporate the above request in rule 86 in lieu of the fourteen-day provision.

51. In this connexion, however, the Committee notes that under the new procedures approved by the Council the determination of the two-month period for the submission of written observations will not depend on the date of receipt as envisaged in the Council's resolution. The relevant dates for this purpose will be the date upon which a petition is circulated pursuant to rule 85 (1), or, in the case of general petitions and communications circulated pursuant to rule 24, the date upon which the Standing Committee or the Council decides, in any given case, to apply the established procedure for petitions to such documents, (see paragraphs 9 and 10 of document T/L.243 and paragraph 3 of rule 90, below).

52. With respect to paragraph 3 of the present rule 86, the Committee notes that the provisions of sub-paragraphs (a) and (b), establishing the date of receipt of petitions for the purpose of placing them upon the agenda pursuant to paragraph 1 of this rule, technically do not cover the cases in which visiting missions transmit copies of petitions to the local authority as provided for in rule 84. The Committee therefore suggests that a new sub-paragraph (b) be inserted in paragraph 3 to cover this case and that the present sub-paragraph (b) be renumbered as (c).

53. In view of the various considerations outlined above, the Committee recommends that rule 86 should read as follows:

*"Rule 86*

"1. Written petitions will normally be placed on the agenda of a regular session provided that they shall have been received by the Administering Authority concerned either directly or through the Secretary-General at least two months before the date of the next following regular session.

"2. The date of receipt of a petition shall be considered as being:

"(a) In respect of a petition which is presented through the Administering Authority, the date on which the petition is received by the competent local authority in the Territory or the metropolitan Government of the Administering Authority, as the case may be; and

"(b) In respect of a petition received by a visiting mission the date on which the copy of the petition is communicated to the local authority in accordance with rule 84;

"(c) In respect of a petition not presented through the Administering Authority, the date on which the petition is received by the Administering Authority through the Secretary-General. The Administering Authority concerned shall immediately notify the Secretary-General of the date of receipt of all such petitions.

"3. In cases where the Administering Authority may be prepared to consider a written petition at shorter notice than is prescribed by the foregoing rules, or where, in exceptional cases, as a matter of urgency, it may be so decided by the Trusteeship Council in consultation with the Administering Authority concerned, such written petition may be

placed on the agenda of a regular session notwithstanding that it has been presented after the due date, or it may be placed on the agenda of a special session.

"4. The Administering Authority concerned shall, whenever possible, submit written observations on the petitions referred to in rule 85 (1) within two months after the date of circulation. In the case of other petitions and communications upon which a decision is taken pursuant to rule 90, paragraph (3), to apply the established procedures concerning petitions, the Administering Authority concerned, whenever possible, shall submit written observations within two months of the date of such decision."

#### *Rule 90*

54. Rule 90 in the present rules of procedure deals with the functions of the *Ad Hoc* Committee on Petitions. In view of the decision of the Trusteeship Council to establish a Standing Committee on Petitions with the various functions outlined in section B of document T/L.243, the Committee considered it appropriate to revise rule 90 to enumerate the functions of the Standing Committee. The Committee noted that the Council has indicated (paragraph 17 of document T/L.243), that latitude should be given to the Standing Committee to work out its own programme of work between sessions. The language in paragraph 5 of the proposed revised rule dealing with the intrasessional work of the Standing Committee has therefore been left permissive.

55. The Committee recommends that the Council adopt the following new text of rule 90 which derives from paragraphs 9, 10, 16, 17 and 18 of document T/L.243 as approved by the Trusteeship Council:

#### *"Rule 90*

"1. The Trusteeship Council shall establish a Standing Committee on Petitions of six members to undertake a preliminary examination of all written petitions. The Council shall appoint at the end of each regular session three members administering Trust Territories and three members having no administering responsibilities to serve on the Standing Committee on Petitions until the close of the following regular session.

"2. The Standing Committee on Petitions shall meet during sessions of the Council and, whenever it considers necessary, between sessions, normally approximately one month before each regular session of the Council.

"3. The Standing Committee on Petitions shall decide which, if any, of the petitions referred to in paragraph 2 of rule 85 and the communications circulated pursuant to rule 24 shall have the established procedure concerning petitions applied to them. However, the Trusteeship Council may review the decision of the Standing Committee and decide that any of the petitions referred to in paragraph 2 of rule 85 and any of the communications circulated pursuant to rule 24 shall have the established procedure concerning petitions applied to them.

"4. The Standing Committee on Petitions meeting between sessions may conduct, in consultation with the representative of the Administering Authority concerned, a preliminary examination of those

petitions on which written observations by the Administering Authority are available, or which have been received by the Administering Authority at least two months previous to the opening of the next regular session of the Trusteeship Council. In particular it may formulate any questions to be submitted to the Administering Authority, or to the special representative, and may instruct the Secretariat to carry out studies or undertake such preparatory work as the Standing Committee may deem necessary. The Standing Committee on Petitions shall complete, whenever possible, its preliminary examination of petitions which the Administering Authority has agreed to have examined without the presence of a special representative.

"5. The Standing Committee shall make a report to the Trusteeship Council on each petition to which the established procedure on petitions has been applied, together with its recommendations as to the action to be taken by the Trusteeship Council in each case. The Standing Committee shall also make such recommendations as it deems necessary concerning the consideration by the Council of the petitions referred to in paragraph 2 of rule 85 and the communications circulated pursuant to rule 24.

"6. The Standing Committee on Petitions shall submit recommendations to the Trusteeship Council specifying petitions in respect of which special information on the action taken on the recommendations of the Trusteeship Council by the Administering Authority concerned is not required."

#### X. INCLUSION OF THE RULES CONCERNING THE TRUST TERRITORY OF SOMALILAND IN THE RULES OF PROCEDURE

56. The Committee considered the question of integrating in the Council's rules of procedure the supplementary rules of procedure adopted at the eighth session, relating to the participation in the sessions of the Trusteeship Council, of Italy as the Administering Authority for the Trust Territory of Somaliland. In view of the temporary character of these provisions, the Committee considered that a complete integration was not desirable. It recommends, however, that the Council should include the supplementary rules, as a group, in a final section of the complete rules of procedure.

#### XI. DEFINITE DATES FOR THE REGULAR SESSIONS

57. The Secretariat drew the attention of the Committee to General Assembly resolution 534 (VI) by which the Secretary-General was requested, after consultation with the principal organs and the specialized agencies of the United Nations concerned, to prepare an annual conference pattern for submission to the next regular session of the General Assembly.

58. The Committee considered this resolution and decided that it did not require any amendment in the Council's rules of procedure.

#### XII. DRAFT RESOLUTION PROPOSED BY THE COMMITTEE

59. The Committee submits the following draft resolution for the approval of the Trusteeship Council:

*The Trusteeship Council,*

*Having considered further General Assembly resolution 432 (V),*

*Recalling* the establishment of its Committee on General Procedure at its 347th meeting (ninth session),

*Recalling* its resolution 346 (IX) of 30 July 1951 on the general procedure for the Trusteeship Council,

*Recalling* its decision at its 387th meeting (tenth session) to refer the question of general procedure back to its Committee on General Procedure and to enlarge the membership from two to four,

*Recalling* its resolution 425 (X) of 13 March 1952 on the procedure for the examination of petitions,

*Having considered* the Report of the Committee on General Procedure (document T/L.265),

*Decides*

1. To approve the Report of the Committee and
2. To adopt the amendments to the rules of procedure proposed therein.

## ANNEX

### STATEMENT BY THE SECRETARIAT ON THE SUMMARY RECORDS OF THE TRUSTEESHIP COUNCIL

60. The Secretariat wishes to refer to the observations on the summary records of the Trusteeship Council which were made at the previous meeting of the Committee and which are referred to in the draft report of the Committee.

61. The Secretariat wishes to point out that the records of the Council are produced by the services concerned in accordance with the same policy as those of other principal organs and that in view of the rigid time schedule the summary records are well drafted.

62. Since that meeting, the Secretariat has given further consideration to the question of the records of the Council. The officials of the services concerned stated that the opinions expressed in the Committee would be brought to the attention of the personnel drafting the records and that every effort would be made to make the records as precise as possible. They pointed out, however, the great difficulty in summa-

ri-izing within a reasonable space the very detailed information elicited during the examination of annual reports, even when, as often in the past the records of such meetings had been made longer than usual. There was no prospect, in view of present staffing conditions and the heavy programmes of meetings, of expanding to an appreciable extent the present average length of the records of meetings of the Council, which is about 20 pages of English text in the mimeographed document.

63. It is the opinion of the Secretariat that in view of the fact that mimeographed verbatim records exist for meetings at which detailed information is supplied, summary records of the present length do, in fact, meet the essential needs of the Council. Where the record as drafted seems inaccurate or incomplete to the delegation concerned, the time available for delegations to correct them has been increased to three working days after the appearance of the provisional record in both languages. Moreover, if the statements of special representatives are submitted in writing and the procedure for written questions and answers more amply applied, much of the information will be published *in extenso* in the annexes to the Official Records.

64. If, however, the Committee is of the opinion that the records of the Council should be more extensive, it will be necessary to make a detailed study of the financial implications. In such a case, it is the opinion of the Secretariat that the possibility of dispensing with summary records for meetings at which annual reports are examined (that is to say for meetings of which mimeographed verbatim records are already issued) would be worth considering. While the cost of printing such records would be greater than printing more extensive summaries, it is likely that it would be offset by savings arising from the complete suppression of summaries of such meetings. Records of meetings at which procedural matters were discussed or reports or draft resolutions were considered would of course still have to be reproduced in summary form.

## DOCUMENT T/L.270

### United Kingdom of Great Britain and Northern Ireland: amendment to the Report of the Committee on General Procedure (T/L.265)

[Original text: English]  
[4 June 1952]

#### Paragraph 53

1. Rule 86, paragraph 4, first sentence — replace "circulation" by "receipt".

#### Paragraph 55

2. Rule 90, paragraph 1, first sentence — delete "written".

3. Rule 90, paragraph 4, first sentence — replace the end of the sentence, from "two months previous", by "to the date of the meeting of the Committee at which the examination is to be conducted".

## DOCUMENT T/L.271

### United Kingdom of Great Britain and Northern Ireland: amendment to the draft resolution submitted by the Committee on General Procedure (T/L.265)

[Original text: English]  
[4 June 1952]

1. To operative paragraph 2, add the following:  
"provisionally and to reconsider them in the light of experience at the twelfth regular session of the Council."
2. Add a new operative paragraph, as follows:

"3. Invites the Standing Committee on Petitions to report to the Council at its twelfth regular session on the effectiveness of the new rules of procedure affecting the handling of petitions which have been provisionally approved by this resolution."

## DOCUMENT T/L.274

## United Kingdom of Great Britain and Northern Ireland: proposals for the examination of annual reports

[Original text: English]  
[9 June 1952]

1. The following has been expressed in Trusteeship Council discussions:

(a) Administering Authorities should have at least six months in which to prepare their reports for circulation to the Council (as allowed by rule 72 (I));

(b) Members of the Council and the specialized agencies should have adequate time, say a minimum of two months, to scrutinize the reports and prepare instructions for their delegations or representatives.

2. These conflicting desiderata are incompatible with the existing procedure of the Trusteeship Council and also with the proposal submitted by the Committee on General Procedure.

3. A scheme which satisfies these conditions can only be devised if the Council and the General Assembly are prepared to consider reports considerably longer after the period to which they relate. This difficulty is, to some extent, covered by the fact that special representatives will be able to advise the Council on more recent developments.

4. Such a scheme must also provide for a balance between the workloads of the two sessions of the Council.

5. The following grouping of Territories would seem best to satisfy all requirements. The terms winter and summer sessions should be understood as relating to the Northern hemisphere:

Winter session: Togoland under British administration, Togoland under French administration, Cameroons under British administration, Cameroons under French administration, Tanganyika, Ruanda-Urundi.

Summer session: Trust Territory of the Pacific Islands, Western Samoa, New Guinea, Nauru, Somaliland under Italian administration.

6. This grouping would be applied as follows for the discussion of annual reports in the Council:

Winter session, 1953: Report on Western Samoa for 1951.

Summer session, 1953: Reports on the Trust Territory of the Pacific Islands; New Guinea and Nauru for 1951-1952; Western Samoa and Somaliland under Italian administration for 1952.

Winter session, 1954: Reports on Togoland under British administration; Togoland under French administration; Cameroons under British administration; Cameroons under French administration; Tanganyika and Ruanda-Urundi for 1952.

7. Under this arrangement all conditions are satisfied for all Territories except Western Samoa and Somaliland under Italian administration. It would seem desirable, particularly in the case of Somaliland, to provide if possible for an early examination of annual reports in view of the ten-year provision in the Trusteeship Agreement. Special arrangements would have to apply to these two Territories whereby the report on the preceding calendar year was submitted by 15 May for examination in the second half of the summer session some six weeks later. These somewhat severe conditions are at present tolerated in the case of seven Territories, including Somaliland, and the reduction of their application to two Territories would appear at least to be an advance.

8. Under the above proposals the only amendment required to existing rule 72 would be to add at the end of rule 72, paragraph 2, the words "unless the Administering Authority concerned shall agree to the earlier examination of a report". New rule 73, as proposed by the Committee on General Procedure, would have to be reconsidered if the above proposals are accepted by the Council.

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Agenda item 12: Report of the Committee on Participation of the Indigenous Inhabitants of the Trust Territories in the Work of the Trusteeship Council

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DOCUMENT T/L.317

Report of the Committee on Participation of the Indigenous Inhabitants of the Trust Territories in the Work of the Trusteeship Council

[Original text: English]  
[22 July 1952]

I. INTRODUCTION

1. By its resolution 554 (VI), adopted on 18 January 1952, the General Assembly invited the Trusteeship Council to examine the possibility of associating the inhabitants of the Trust Territories more closely in its work and to report the results of its examination of this problem to the General Assembly at its seventh regular session.

2. After some preliminary consideration of the question at its 389th and 408th meetings (tenth session), the Trusteeship Council decided (resolution 426 (X)) at its 408th meeting, on 26 March 1952, to establish a committee composed of six members to examine the question in the light of the General Assembly's resolution, the observations made by members of the Council during the discussion of the matter, and in the light of comments which the Administering Authorities might care to make.

3. At its 409th meeting, on 27 March 1952, the Council decided that the Committee should be composed of the representatives of El Salvador, France, Iraq, Thailand, the United Kingdom of Great Britain and Northern Ireland and the United States of America. At its 414th meeting, on 6 June 1952, the Council appointed the representative of the Dominican Republic to replace the representative of Iraq who had resigned.

4. The Committee on Participation of the Indigenous Inhabitants of the Trust Territories in the Work of the Trusteeship Council held three meetings, on 13 June, 7 July and 15 July 1952. At its first meeting, it elected Mr. M. Rafael Urquía (El Salvador) as its Chairman.

II. PROPOSALS BEFORE THE COMMITTEE

5. In a statement made to the Committee at its first meeting, which was reproduced as document T/AC.45/L.2 and forms annex B to this report, the representative of the Dominican Republic, Mr. Salazar, put forward certain suggestions as a basis for discussion. In a statement made to the Committee at the same meeting, which was reproduced as document T/AC.45/L.1 and forms annex A to this report, the Chairman, in his capacity as the representative of El Salvador, recapitulated the history of General Assembly resolution 554 (VI), traversed the discussion which attended its passage in the Fourth Committee and the discussion which it evoked in the Trusteeship Council, and offered some preliminary views of his own as to how the resolution might be implemented.

6. In the light of the discussion at the first meeting, two draft resolutions were presented to the Committee at its second meeting. The first, presented by the Chairman in his capacity as the representative of El Salvador, read as follows:

*The Trusteeship Council,*

*Having considered* General Assembly resolution 554 (VI) of 18 January 1952, in which the Council is invited to examine the possibility of associating the inhabitants of the Trust Territories more closely in its work and to report the results of its examination to the General Assembly at its seventh regular session,

*Considering* that, for the purpose of promoting the progress of the indigenous inhabitants towards a position similar to that of the inhabitants of the States Members of the United Nations, the indigenous inhabitants should be associated gradually in the work of the Council,

*Decides* to report to the General Assembly at its seventh regular session its view that, for the time being, participation in the work of the Council useful to the indigenous inhabitants of the Trust Territories could be brought about if the Council selected in good time an indigenous person from each Territory to participate, with the right to speak but without the right to vote, in the examination and discussion of the annual report of the Administering Authority, though not in discussions directed to specific conclusions concerning the particular Territory; or, should his attendance before the Council be impossible, to transmit in writing whatever observations he might wish to make on the said report; and that this selection of indigenous persons should be made by the Council in the light of information from Administering Authorities, the Visiting Missions, other subsidiary bodies of the United Nations sent to the Territories, indigenous political, economic, social and cultural organization or any other reliable source.

The second resolution, presented by the representative of Thailand, is reproduced in paragraph 15 below.

7. The Committee took note also of the draft resolution (T/L.239) which had been presented to the Trusteeship Council during its tenth session by the representative of the USSR.

### III. CONSIDERATION OF THE VARIOUS PROPOSALS

8. The Committee unanimously rejected the draft resolution of the USSR (T/L.239) on the grounds that: (1) by asserting a right on the part of the indigenous inhabitants to participate in the Council's deliberations, it went beyond the terms of General Assembly resolution 554 (VI); (2) it had been exhaustively discussed in the Council and had been found unacceptable to a majority of the members; and (3) its meaning was not sufficiently clear.

9. It will be observed from annex B to this report that there was no essential difference between the views propounded by the representatives of the Dominican Republic and of El Salvador as to the manner in which the resolution of the General Assembly might be implemented at the present stage. Briefly, the proposal was that a representative of each Trust Territory should be selected by careful means to appear in person before the Trusteeship Council and to participate, without vote, in the Council's examination and discussion of the annual report of the Administering Authority — though not in discussions directed to specific conclusions concerning the Territory. Alternatively, should circumstances preclude the personal attendance of such a representative, he should be permitted to transmit to the Council in writing his observations on the annual report of the Administering Authority.

10. The progressive nature of the proposal must, however, be emphasized. The last paragraph of the preamble to the above-mentioned resolution of the General Assembly read:

*"Considering that the direct association of the indigenous inhabitants of the Trust Territories in the work of the United Nations and of the specialized agencies is an effective measure of promoting the progress of the indigenous inhabitants of those Territories towards a position of equality with Member States of the United Nations,"*

The second paragraph of the preamble to the Salvadoran draft resolution read:

*"Considering that, for the purpose of promoting the progress of the indigenous inhabitants towards a position similar to that of the inhabitants of the States Members of the United Nations, the indigenous inhabitants should be associated gradually in the work of the Council,"* and the opening words of the operative paragraph were:

*"Decides to report to the General Assembly at its seventh regular session its view that, for the time being, participation in the work of the Council useful to the indigenous inhabitants of the Trust Territories could be brought about if..."*

The concrete proposal in the Salvadoran draft was put forward, therefore, as the first step in a series of progressive stages through which participation by the indigenous inhabitants in the Council's work would become fuller and fuller. Its supporters were open to conviction that the time was not yet ripe for taking the step which they proposed, and they would have given careful consideration to any other proposal which would have partaken of the nature of the first in a series of progressive steps towards full participation of the indigenous inhabitants in the Council's work.

11. The Salvadoran draft resolution, however, was not acceptable to a majority of the members of the Committee. The majority contended that, since the representatives from the Trust Territories who would be invited to the Council in pursuance of the draft resolution would not come there as representatives of the Administering Authorities, they would come there as representatives of the Trust Territories. That being so, two difficulties arose. In the first place, it would be impossible to select one indigenous inhabitant representative of all the people of a Trust Territory. Secondly, the presence of such representatives at the Council table could only be justified by attributing to them the status of associate members of the Council, which would be contrary to Article 86 of the Charter of the United Nations where the composition of the Council was precisely defined. The majority rejected the contention that the representatives of Trust Territories would not come to the Trusteeship Council as associate members; such representatives would not be there to represent the governments of the Trust Territories — since that was already the function of the Administering Authorities — and, therefore, so argued the majority, whatever such representatives might be called, they would in fact take on the character of associate members. The majority rejected the suggestion that such representatives of the indigenous inhabitants would partake of the nature of the counterparts of the special representatives of the Administering Authorities since the latter, as members of the Administering Authorities delegations, were subject to their directions, while the former would not be.

12. The majority of the Committee, however, advanced an objection to the Salvadoran proposal which, in their view, was even graver than the two objections discussed in the preceding paragraph. They contended that the simultaneous presence in the Council of a representative of the Administering Authority and of a representative of the people of a Trust Territory would imply a dual representation in the Council of the

Trust Territory, which could only lead to serious conflicts and to an atmosphere in which the work of the Council would be severely handicapped. The exponents of this view reinforced their attitude by pointing to the fact that the authority responsible for the well-being of the peoples of a Trust Territory was the authority to whom the Territory had been entrusted by the General Assembly, viz., the Administering Authority, and that it would be impossible for the Administering Authorities to execute their tasks if opposition forces were arrayed before them in the Council.

13. The Chairman, in his capacity as the representative of El Salvador, maintained the point of view which he had expressed already in his statement of 13 June (T/AC.45/L.1). According to this point of view it would not be necessary, if the Salvadoran proposal were adopted, to regard the indigenous inhabitants as representatives of the Territories, nor to give them the status of associate members of the Council. Thus dual representation would not occur, because the indigenous inhabitants selected by the Council itself would only contribute, with their personal knowledge of the Territories, of their problems and aspirations, to the better carrying out of the work of the Council; and, participating thus in its work, they would in turn acquire new knowledge which they could pass on to many other indigenous inhabitants, and which would prepare them and the others, more and more, in the sense referred to in the resolution of the General Assembly — that is, in the sense of acquiring a status similar to that of the inhabitants of the Member States of the Organization.

#### IV. CONCLUSIONS AND RECOMMENDATIONS

14. Since, for the foregoing reasons, it was unacceptable to a majority of the Committee that the indigenous inhabitants of Trust Territories should participate in the work of the Trusteeship Council in an independent capacity, the draft resolution of the representative of El Salvador was not put to the vote. It remained for the Committee to consider how far their participation could be ensured while preserving unity of representation of the Trust Territory by the Administering Authority. Here, the only possibility would be for indigenous inhabitants to be included in the delegations of the Administering Authorities. But, since it is a sovereign right of each Member State to decide upon the composition of its delegations to organs of the United Nations, the Trusteeship Council could do no more than invite the Administering Authorities to consider the adoption of such a course — a consideration which was recognized in the draft resolution of the representative of Thailand.

15. The Committee therefore decided, by four votes in favour, one against and one abstention, to recommend the adoption by the Trusteeship Council of the following draft resolution:

##### *The Trusteeship Council,*

*Having considered* General Assembly resolution 554 (VI), of 18 January 1952, inviting the Trusteeship Council to examine the possibility of associating the inhabitants of the Trust Territories more closely in its work,

*Considering* Article 76 of the Charter of the United Nations defining the essential objectives of the Trusteeship System,

*Considering* Article 86 of the Charter of the United Nations fixing the composition of the Trusteeship Council,

*Recognizing* that each Member of the United Nations has the unrestricted right to determine the composition of its delegations,

*Considering* that it is desirable that the indigenous inhabitants of the Trust Territories be given every opportunity to develop their preparation in public affairs,

*Is of the opinion* that the objective sought by General Assembly resolution 554 (VI) could best be realized by the inclusion, where practicable and appropriate, of indigenous inhabitants of the Trust Territories in the respective delegations nominated to the Trusteeship Council by the Administering Authorities,

*Expresses the hope* that the Administering Authorities will find it appropriate to associate suitably qualified indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council as part of their delegations or in any other manner which they deem desirable.

#### ANNEX A

STATEMENT TO THE COMMITTEE BY MR. MIGUEL RAFAEL URQUIA, REPRESENTATIVE OF EL SALVADOR

New York, 13 June 1952

The delegation of El Salvador has carefully examined General Assembly resolution 554 (VI) of 18 January 1952 and the record of the discussions in the Fourth Committee of the General Assembly at its sixth session on the joint draft resolution submitted by Cuba, Ecuador, Egypt and India on "Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council". The joint draft resolution, modified by an amendment proposed by Denmark and Norway, was approved in Committee by 33 votes to 4, with 4 abstentions and was subsequently adopted by a large majority as General Assembly resolution 554 (VI).

In the resolution the General Assembly considers, *inter alia*, that the direct association of the indigenous inhabitants of the Trust Territories in the work of the United Nations and of the specialized agencies is an effective means of promoting the progress of the indigenous inhabitants of those Territories towards a position of equality with Member States of the United Nations and invites the Trusteeship Council to examine the possibility of associating the inhabitants of the Trust Territories more closely in its work and to report the results of its examination of this problem to the General Assembly at its seventh regular session.

We have also studied with particular attention the draft resolutions on the subject submitted to the Trusteeship Council by the delegations of the Soviet Union and Iraq and the views expressed by most of the members of the Council at the meetings held on 3 and 26 March 1952.

As my fellow representatives will no doubt recall, it was the delegation of El Salvador which proposed at the second meeting the establishment of a committee of six members to study the possibility of associating the inhabitants of the Trust Territories more closely in the Council's work and to report on its studies to the eleventh session of the Council. The study was to be made in the light of General Assembly resolution 554 (VI), the observations made by members of the Council during the discussion of the matter in the Council and any observations which the Administering Authorities might wish to make. This final paragraph was added on the proposal of Prince Wan Waithayakon, who was then the representative of Thailand on the Council.

We are all in duty bound to give our most careful consideration to the question raised by the General Assembly in resolution 554 (VI) because it concerns a delicate and far-reaching problem, so much so that Mr. Pignon, the representative of France on the Council, whose experience and ability we all admire, told us at the meeting of 26 March that in his view the resolution was the most important of the many adopted at the sixth session of the General Assembly.

If we refer to the records of the Fourth Committee — the source from which this material is taken — we find that at the meeting held on 4 January 1952 Mr. Pérez Cisneros, the representative of Cuba, in explaining the background of the joint draft resolution submitted by Cuba, Ecuador, Egypt and India, referred in the first place to the explicit provisions of Article 76 b of the Charter and to the Trusteeship Council's rules of procedure which allow the Administering Authorities to appoint special representatives who can participate in the discussions of the Council without the right to vote. He thought that it was unfair to grant that privilege to one side only and that it was only reasonable that the Council should be informed of the opinion of the peoples administered as well as of the administrators. The procedure would have the additional advantage of preparing the indigenous populations to assume their responsibilities at the international level.

The representative of Cuba said that it would not be the first time that the principle of the participation of associate members had been recognized in the United Nations. To support that statement, he mentioned the constitutions of the Economic Commissions for Latin America and for Asia and the Far East in which provision was made for the participation of Non-Self-Governing Territories as associate members. He also mentioned the constitutions of the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and others, which contained similar provisions.

The Cuban representative said that, if the principle of participation of associate members in the work of the Trusteeship Council was accepted, three questions would arise: the legal status of the associate members, the conditions under which the associate members would be able to take part in the discussions, and what bodies in the Trust Territories would be able to send representatives as associate members and how many they would be allowed to send. With regard to the first point, he felt that associate members should have the same legal status as the special representatives and

should be regarded as their counterpart; with regard to the second point, he thought that they should be allowed to speak during the examination of the annual reports on their own Territories, except during discussions leading to specific conclusions regarding those Territories, as in the case of the special representatives; with regard to the third point, he felt that one representative from each Territory would be enough. The representative would be appointed by an electoral college or other similar body, such as the African members of the Legislative Council in Tanganyika, the *conseils de pays* or the *conseils de chefferie* in Ruanda-Urundi etc.

Mr. Mani, the representative of India, one of the sponsors of the joint draft resolution, expressed similar views at the meeting held on 4 January.

Having summarized the views of the sponsors of the draft resolution, I should like also to recapitulate the objections raised at the meeting of the Fourth Committee on 4 January by two representatives of the Administering Authorities, Mr. Ryckmans of Belgium and Sir Alan Burns of the United Kingdom.

Mr. Ryckmans said that there was a very great difference between the regional economic commissions, WHO, UNESCO etc., in which the associate members represented territories as persons in international public law, and the Trusteeship Council, in which the associate members would be representatives of the peoples of the Territories and not of their governments; the result would be the presence of a representative of the people of a country side by side with the country's governmental representative.

Sir Alan Burns, for his part, said that the Administering Authorities, in accounting to the Council for their actions, were entitled to enlist the help of special representatives who, as and when the Territories developed, might be chosen from among the indigenous inhabitants or might call upon them for assistance; obviously, however, that was not the kind of assistance provided for in the joint draft resolution which was intended rather to associate in the work of the Council persons holding opinions which differed from those of the Administering Authorities.

The inhabitants of the Trust Territories were, he said, already able to express their views when they were at variance with those of the Administering Authorities by means of the right to petition and of the visiting missions which carried out investigations in the Territories and consulted the populations with regard to their position and prospects.

Finally, he referred to practical difficulties such as the choice of the representatives of the indigenous peoples in Territories like Tanganyika where a population of 7 million was made up of a great number of races and tribes.

It is important to note that, in spite of the objections I have mentioned, and others raised by the representatives of France and of Australia, the joint draft resolution, with a minor amendment proposed by Denmark and Norway, was adopted in the Fourth Committee by 33 votes to 4, with 4 abstentions.

It is a matter of interest to me to note that of the 33 votes in favour, 9 were cast by Latin-American countries, Cuba, Ecuador, El Salvador, Mexico, Uruguay, Argentina, Bolivia, Brazil and Chile.

The representative of Guatemala was unable to take part in the vote, but expressed complete agreement with the resolution which was adopted.

Mr. Sayre, the United States representative who was until recently the representative of the United States on this Council, said that his delegation had voted for the resolution, because it expressed the wish that the inhabitants of the Trust Territories should be more closely associated in the work of the Trusteeship Council and at the same time did not restrict the Council's right to seek any practical means of attaining that objective. The United States vote, he said, should not be interpreted as signifying that the United States was committed to the support of any particular form or method of associating the indigenous inhabitants in the work of the Council.

During the discussion of the item on the "participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council" at the meeting of 3 March and in the course of the examination of a draft resolution introduced by the USSR representative, some speakers expressed views favourable to the acceptance of the purposes underlying General Assembly resolution 554 (VI) but others put forward and defended points of view entirely opposed to those of the majority of the Members of the General Assembly.

The representative of France, Mr. Pignon, whose statement that the resolution before the Trusteeship Council seemed to him the most important of all the resolutions adopted by the General Assembly at its sixth session I have already quoted, considered that the provisions of the resolution were incompatible with the terms of the Charter; he said that the methods to be used to achieve the purposes of the Trusteeship System had been specified since the Charter itself clearly defined in Chapters XII and XIII the composition and competence of the organs responsible for supervising the operation of the Trusteeship System and the means which they should use to carry out that task. The powers of a principal organ of the United Nations such as the Council could be modified only in accordance with the procedure prescribed in Article 108 of the Charter.

The French representative felt that there was no basis for the analogy drawn by the Cuban representative, Mr. Pérez Cisneros, in Paris, between the special representatives of the Administering Authorities and the associate members; he also rejected as unjustified the comparison which Mr. Pérez Cisneros had tried to establish between the practice of the specialized agencies or the regional economic commissions and that of a political organ such as the Trusteeship Council.

Mr. Pignon, after referring to various other considerations which had been mentioned in the Fourth Committee, said that the provisions of resolution 554 (VI) were in fact the result of a misunderstanding of one of the most important principles of public and international law; peoples or territories could not have any representation other than that which was exercised by the authorities constitutionally vested with that power. He added that there had been a mistaken idea of the nature and duties of the Council; the Council was regarded by some as a tribunal which dealt with disputes between the Administering Authorities and

the peoples administered, and handed down judgments after hearing each of the parties involved. That idea, he said, was contrary to the letter and spirit of the Charter, under which the Council was a political organ and not a tribunal.

As may be seen in the record of the meeting held on 3 March, Mr. Forsyth, the Australian representative, who is now Vice-President of the Council, also made a number of points against the General Assembly resolution.

He said that the composition, functions, voting and procedure of the Trusteeship Council were laid down in Chapter XIII of the Charter, which made no provision for the direct participation of the indigenous inhabitants in the work of the Council.

He pointed out that the Administering Authorities exercised their authority under the Trusteeship Agreements; their rights and duties were defined in two international instruments, the Charter and the Trusteeship Agreement relating to the Territory under their administration, and neither of those instruments imposed any obligation on the Administering Authorities to secure the participation of the populations they administered in the Council's work, apart from the association arising out of the provisions concerning visits and petitions.

He also noted that the Council's rules of procedure contained no provisions imposing such an obligation on the Administering Authorities.

I have considered it necessary to summarize the main arguments for and against General Assembly resolution 554 (VI) which have been brought forward in the Fourth Committee in Paris and here in the Council, because it is obvious that we must weigh these arguments carefully since the proposal of the delegation of El Salvador, which resulted in the establishment of this special committee, provides, as you no doubt remember, that the possibility of associating the inhabitants of the Territories more closely in the work of the Council is to be studied in the light of the General Assembly resolution, the observations made by various representatives when the question was discussed in the Council and any observations that may be made by the Administering Authorities, which include the Governments of Australia, Belgium, France, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

In Paris the representative of El Salvador voted for the joint draft resolution and my delegation hopes that this Committee and the Council will do its utmost to find a formula which, without impairing the rights of the Administering Authorities or failing to respect the Charter and the Trusteeship Agreements, will, by securing the direct collaboration of the indigenous inhabitants of the Trust Territories, contribute to the objective of promoting the political, economic, social and educational advancement of those inhabitants, and their progressive development towards self-government or independence, on which the General Assembly resolution was based and which is one of the fundamental objectives of the International Trusteeship System.

My delegation considers that both the sponsors and supporters of the resolution, and its opponents—I

am referring of course to the most vehement on both sides — have unnecessarily taken up extreme and apparently irreconcilable positions, when in reality this is a matter in which it is possible to reach a compromise which will be of benefit to the indigenous inhabitants and to the Administering Authorities, as well as to the United Nations, under whose authority the Trusteeship System has been set up and is maintained.

In our opinion, it is possible for members of the indigenous population of each Territory to collaborate with the Council in the examination of the annual reports of the Administering Authorities, without placing them on the same footing as the special representatives of the Administering Authorities, without considering the Trust Territories or indigenous inhabitants who many co-operate in the Council's work as associate members of the Council, and what is even more important, without granting those indigenous inhabitants the status of representative of the Territories or of sections of the population of those Territories.

Persons chosen by the Trusteeship Council from among the leading members of the indigenous population of each Territory would be of great assistance in examining the annual reports and would at the same time acquire knowledge and experience which they could pass on to their contemporaries and which would prepare them to exercise important functions thus helping to achieve the purpose of the General Assembly resolution of promoting the progress of the indigenous inhabitants of the Trust Territories towards a position of equality with the peoples of States Member of the United Nations.

It would be necessary to discard from the argument of the Cuban representative, Mr. Pérez Cisneros, the points which so alarmed the representatives of the Administrative Authorities — the participation of indigenous inhabitants as associate members, the granting to the indigenous inhabitants of an international status identical with that of the special representatives, as the counterpart of the latter, and the appointment of the indigenous representatives by electoral colleges or by some other method which would necessarily mean that they would have a representative character.

However, it would be impossible to set aside the incontestable point that, as the Authority administering a Territory is able to make itself heard in the Council through a special representative with adequate knowledge of the matters dealt with in the report so, the indigenous inhabitants, as the persons being administered, ought to be able to express their opinions in the Council when a report in which they are the parties chiefly interested is being examined.

The argument of the French representative, based on public and international law, that peoples or territories cannot have any representation other than that exercised by the authorities constitutionally vested with that power cannot be used against the participation of the indigenous inhabitants in the form and spirit suggested by my delegation; the argument is not valid, first, because we refrain from conferring representative status on those indigenous inhabitants who may attend the Council, and second, because even if they are regarded as representatives of their respective indigenous populations, we should have only one

representation, and that the best qualified, since in the case of the examination of the annual report on the administration of a Trust Territory submitted by an Administering Authority, it can hardly be said that it — in such an examination — legitimately represents the Trust Territory and the interests of its inhabitants. The submission of the report is an act of the Administering Authority and not an act executed in representation of the Territory administered; it is an act justifying its conduct as the Power responsible for the administration conferred upon it by the United Nations.

In this connexion, I should like to remind my colleagues that under the principal law of a great many countries, when a person acting as guardian gives an account of his stewardship, although he is normally the legal representative of his ward, he ceases to be so in this special case, and the court either appoints a special representative for the ward to defend his interests, or the Public Legal Department acts as his representative.

Thus, even supposing that the indigenous inhabitants came to the Council to represent the peoples to whom they belong — which is of course not the case under our proposal — there would be no need for the Belgian representative, Mr. Ryckmans, to be alarmed, because although the representative of the indigenous population of a Territory and the representative of the Government of that Territory would be here at the same time, the latter would not be representing the population but only the Government, and so the legal difficulty mentioned by the Belgian representative in Paris would not arise.

It will have been seen already that our method of approaching the problem of the participation of the indigenous inhabitants in the work of the Trusteeship Council, eliminates many of the objections raised against the Assembly resolution, and we can also state, without further explanation, that it also eliminates the practical difficulty pointed out by Sir Alan Burns and other representatives, namely, that it would be very difficult to arrange for the election of indigenous representatives in thickly populated Territories with many different tribes, such as Tanganyika, since it would be the Trusteeship Council which would select the indigenous inhabitants to participate in the work of the Council.

It remains to be seen whether, despite the method suggested by my delegation, the legal arguments raised by Mr. Pignon and Mr. Forsyth can be accepted as valid arguments against the Assembly resolution.

It is true that the Charter, as the French representative said, lays down the methods to be followed in order to achieve the purposes of the International Trusteeship System; but it is also true that this provision is drafted in such general terms that it does not prevent either the Assembly or the Council from using methods which will help them to carry out their duties. This being so, it cannot be argued, as Mr. Pignon sought to do, that by allowing the indigenous inhabitants to co-operate with the Council in the examination of the reports, the powers of the Council would be amended by a procedure other than that provided for in Article 108 of the Charter, for the simple reason



that these powers would remain the same, since they would not have been amended in any way, and there would therefore be no legal basis for the argument that the provisions of the Assembly resolution are incompatible with the terms of the Charter.

In order to admit the indigenous inhabitants to direct participation in the Council during the examination of the annual reports, to act simply as collaborators, with the right to speak, of course, but without the right to vote, and with the right to participate in all discussions save those directed to specific conclusions concerning their respective Territories, in which the special representatives are not allowed to participate either (rule 75 of the Council's rules of procedure), in order, then, to admit them to such participation, there is no need to regard the Trusteeship Council as a kind of tribunal called upon to settle disputes between the Administering Authorities and the peoples administered, after hearing the representatives of both parties, which in the opinion of the French delegation, is a mistaken conception of the nature and mission of the Council, which is a political organ and not a tribunal.

Moreover, the Council itself and its subsidiary organs often hear indigenous inhabitants who have sent petitions and the representatives of the Administering Authorities, and take decisions based on the written or verbal evidence of both parties, without giving grounds for the view that this practice is improper because the Council is thus regarded as a tribunal and not as a political organ.

Mr. Forsyth is right when he says that there is no provision in the Charter, in the Trusteeship Agreements, or in the rules of procedure of the Council, which provides for or requires the direct participation of the indigenous inhabitants in the work of the Council; however, it is also undeniable that participation on the lines suggested by the delegation of El Salvador not only does not conflict with the Charter and the instruments mentioned, but is in perfect harmony with the Trusteeship System generally. As Sir Alan Burns wisely pointed out, the inhabitants of the Trust Territories are enabled to express their views, where these differ from those of the Administering Authorities, through the right of petition and the Visiting Missions which investigate conditions in the Territories themselves and consult the inhabitants on their position and future prospects. If this opportunity to state their views exists without being explicitly laid down in the Charter, there is no reason of principle against giving the indigenous inhabitants an opportunity of taking part in the work of the Council during the examination of the annual reports, in a way which would associate them more directly with the Council's work, in accordance with the aim of the General Assembly as stated in its resolution of 18 January 1952.

It is well to recall once more, in connexion with the legal arguments advanced by many of my colleagues who are opposed to the Assembly's resolution, that a jurist of the stature of Mr. Sayre, who is also the representative of one of the Administering Authorities, found no insuperable obstacle in the way of supporting this resolution and indeed said on the contrary that

it expressed the Assembly's wish that the inhabitants of the Trust Territories should be more closely associated in the work of the Council, without restricting the Council's right to seek any practical means of attaining that objective.

Before concluding this long statement, I should like to say that my delegation does not regard either the Soviet draft resolution or the Iraqi draft resolution as acceptable.

According to the first, the Council would declare that the populations of the Trust Territories have the right, in the name of their social, cultural and educational organizations and of their representative organs of self-government, if such exist in the Trust Territories, to send their representatives to participate without vote in the consideration by the Council of the Administering Authorities' annual reports and any other questions relating to the Territories. We consider that this statement is not sufficiently clear and, in any case, it seems to us to be outside the competence of the Council; it would give rise, not without justification, to many of the objections made in the Fourth Committee and in the Council itself against the Assembly resolution.

As regards the draft resolution submitted by the Iraqi representative, Mr. Khalidy, now President of the Council, under which the Administering Authorities would be recommended to associate, on their own initiative or at the request of the Council, members of indigenous organizations, of political, economic, social or cultural character with the work of the Council, either as part of their delegations or in any other form which they might deem desirable, my delegation feels that a resolution in these terms would not contribute to the achievement of the purposes proposed by the General Assembly, since the indigenous inhabitants would be incorporated in the Administering Authorities delegations or appointed by them to take part in the Council's work; they would thus be in a position which would not allow them to exercise the necessary and indispensable freedom of action which the Assembly had in mind when it adopted resolution 554 (VI).

It is clear from what I have said on behalf of my delegation, not as Chairman of this Committee, that we propose that the indigenous inhabitants should participate in the work of the Council quite separately from the delegations of the Governments which administer the Trust Territories, and that there are many points of agreement between our position with regard to this problem and the position adopted by the delegation of the Dominican Republic.

Without for the time being making any concrete proposal, I shall sum up my delegation's views by stating that it seems to us to be perfectly possible to allow the indigenous inhabitants to participate in the work of the Council, by the suitable selection of persons outstanding among the indigenous population in each Territory, for their capacity and other personal qualities. The selection would be made by the Trusteeship Council itself, which would take into account information from the Administering Authority, the Visiting Missions, any subsidiary organs of the United Nations attached to such Terri-



tories, indigenous, political, economic, social or cultural organizations, and any other reliable source.

An indigenous person appointed in this way for each Trust Territory would be entitled to take part, with the right to speak but without the right to vote, in the examination and discussion of the Administering Authority's annual report, except in discussions directed towards specific conclusions concerning the Territory in question.

## ANNEX B

### DOMINICAN REPUBLIC: SUGGESTED BASIS FOR DISCUSSION

1. As a matter of principle it has been recognized by the General Assembly that "the direct association of the indigenous inhabitants of the Trust Territories in the work of the United Nations and of the specialized agencies is an effective measure of promoting the progress of the indigenous inhabitants of those Territories towards a position of equality with Member States of the United Nations".

2. On the other hand, the Trusteeship Council has been invited to "examine the possibility of associating the inhabitants of the Trust Territories more closely in its work and to report the results of its examination of this problem to the General Assembly at its seventh regular session".

3. Consequently, the participation of the indigenous inhabitants in the work of the Council, in particular, could not be secured if, as the Iraqi proposal suggests, they were included in the delegations of the Administering Authorities. Because of its essential nature, such participation would not be effective if the indigenous inhabitants were acting as representatives of Member States and were thus subject to instructions from above. Only as direct representatives of the people of a Trust Territory could they really help to achieve the basic aims of the Trusteeship System.

4. If this is accepted, it must be agreed that such participation by the indigenous inhabitants of the

Trust Territories should be recognized as a function exercised in fulfilment of an international obligation emanating from the United Nations. In this way, the participation of the indigenous inhabitants would be a financial charge on the United Nations and as such would have to be submitted to the consideration of the appropriate agencies.

5. Thus, if such participation is to be surrounded by the necessary safeguards, in order to ensure that the General Assembly's purpose in adopting resolution 554 (VI) on 18 January 1952, referred to above, is fulfilled, the selection of the participants would have to be based, solely and exclusively, on the truest possible representation of the most important sectors of public opinion in the Territory concerned.

(a) To this end, the choice will in all cases have to be made by the Trusteeship Council;

(b) For this purpose, the Trusteeship Council will consult the Administering Authority of each Territory, in order to obtain detailed information regarding the persons who may be chosen and the various sectors into which public opinion in the Territory is divided;

(c) Similarly, it will be necessary to make instructions to formulate specific recommendations on the matters referred to in the preceding paragraph, a permanent feature of the terms of reference of the Visiting Missions.

6. As a matter of basic importance, it would be necessary to determine the character and extent of the participation of the representatives who are chosen. In this respect, the only possible interpretation would seem to be that such participation should be limited to the submission of observations and comments of a general character (political, social, economic and educational) on the Territory in question; inversely, the representatives would not be entitled to intervene in the presentation of petitions or to take part in their consideration, save as might be decided by the Trusteeship Council in special cases.

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Agenda item 13: Educational advancement in Trust Territories (General Assembly resolution 557 (VI)): report by the Secretary-General

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DOCUMENT T/1024

Report by the Secretary-General

[Original text : English]  
[15 July 1952]

1. The Secretary-General, in accordance with the arrangements set forth in document T/974, has the honour to submit the following report concerning offers of fellowships, scholarships and internships for inhabitants of Trust Territories, made in pursuance of General Assembly resolution 557 (VI).

2. Two offers have been communicated to the Secretary-General, one from the Government of the Federal People's Republic of Yugoslavia, and one from the Government of India.

3. In addition, in a note dated 4 June 1952, the Norwegian Permanent Delegation to the United Nations has informed the Secretary-General that the Government of Norway is at present studying the invitation of the General Assembly. Also, in a note dated 2 July 1952, the Minister of External Relations in Uruguay has informed the Secretary-General to the effect that, while the Government of Uruguay views with considerable sympathy the principles which gave rise to General Assembly resolution 557 (VI), the lack of provision in its budget to meet the expenditure which would be entailed precludes it for the time being from participating actively in the implementation of the project.

4. (i) The offer by the Government of the Federal People's Republic of Yugoslavia was communicated to the Secretary-General by the Permanent Representative of the Federal People's Republic of Yugoslavia to the United Nations in notes dated 11 April 1952 and 17 June 1952. These communications were transmitted to the Administering Authorities of Trust Territories on, respectively, 25 April and 25 June, 1952.

(ii) The Yugoslav Government offers five fellowships and five scholarships to students from Trust Territories.

(iii) The scholarships can be used for regular studies of medicine, pharmacy, physics, chemistry, and arts at the Universities of Belgrade, Zagreb and Ljubljana. In addition, geology and mining can be studied at the University of Belgrade.

(iv) The fellowships are offered for specialized training in social medicine, hygiene, forestry, housing, mining and ferrous metallurgy. They will be granted to persons with university or technical school training. They will cover the period of time required for a programme of special training which is normally six months to one year.

(v) There is no set date for the arrival in Yugoslavia of candidates for the prospective fellowships, as their studies are not subject to fixed terms. The students who will receive scholarships, however, should report to the university of their choice (Belgrade, Zagreb or Ljubljana) in mid-September.

(vi) The Yugoslav Government will pay candidates' travel expenses, both ways from Cairo, Alexandria or Casablanca to Belgrade, Zagreb and Ljubljana. Being unable to bear the travel expenses of candidates from more distant places, the Yugoslav Government feels compelled to limit its offer to candidates from Trust Territories in Africa.

5. In a note dated 16 May 1952, the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations requested that information be obtained as to the language, or languages, of instruction which would be used at the institutions in Yugoslavia where the fellowships and scholarships were offered. This inquiry was communicated by the Secretary-General to the Permanent Representative of the Federal People's Republic of Yugoslavia to the United Nations in a note dated 21 May 1952.

6. (i) The offer by the Government of India was communicated to the Secretary-General by the Permanent Representative of India to the United Nations in a note dated 16 June 1952. This communication was transmitted to the Administering Authorities of Trust Territories on 23 June 1952.

(ii) The Government of India offers four scholarships, one to be allotted to an African from Tanganyika and a second to an African from Ruanda-Urundi. The Government of India would prefer to award one of the remaining two scholarships to a student from Somaliland under Italian administration and, if this is accepted, one scholarship will be available for allocation to any other Trust Territory.

(iii) The terms and conditions of the scholarships offered by the Government of India for students from Trust Territories will be the same as those under the Government of India Cultural Scholarships Scheme intended for students from other countries in Asia and Africa. The Government of India pay a scholarship of Rs. 200/- per month plus capitation, tuition and examination fees for each scholar, while the passage charges (both ways) of the scholar are *not* payable

by the Government of India and are met by the students themselves. All fees, other than those mentioned above, and other travelling expenses in India for sightseeing, etc., will have to be met by the scholar from within his stipend, which is considered adequate for his subsistence and to meet such other incidental charges.

7. In a note dated 30 June 1952, the Permanent Representative of India to the United Nations informed the Secretary-General that the Government of India had received from the Joint Togoland Congress an application for the grant, to a deserving student from Togoland, of one of the scholarships offered by the Government of India, and that the application had been transmitted to the Government of the Gold Coast for consideration. The Permanent Representative asked that the matter be brought to the attention of the Administering Authority, and by a note dated 8 July 1952 the Secretary-General transmitted the correspondence to the Secretary of State for Foreign Affairs in the United Kingdom of Great Britain and Northern Ireland, intimating that he would be obliged if he might be informed of the action which it was proposed to take in the matter.

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Agenda item 14: Social advancement in Trust Territories (General Assembly resolution 323 (IV)):  
reports of the International Labour Organisation on migrant labour and penal sanctions for  
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DOCUMENT T/984

Letter dated 3 April 1952 from the Assistant Director-General of the International Labour Office to the Secretary-General: migrant labour

[Original text: English]  
[5 May 1952]

*Note by the Secretariat:* The Assistant Director-General has indicated that the documents referred to in the fourth paragraph of his letter are being sent under separate cover. They will be transmitted to the Trusteeship Council when they have been received.

I have the honour to send you on behalf of the Director-General of the International Labour Office, for the information of the Trusteeship Council, a note dealing with the action taken by the ILO in relation to migrant labour in non-metropolitan, including Trust, Territories.

Reference has already been made to this subject in my letter [T/927] to you of 21 June 1951 which indicated the action already taken and envisaged by the ILO in the matter. The information now supplied is communicated in accordance with the undertaking given by the Director-General in the course of the sixth session of the Trusteeship Council and to meet the wishes expressed by the General Assembly of the United Nations in its resolution 323 (IV) of 15 November 1949 and by the Trusteeship Council in resolution 127 (VI).

The attached note gives certain details in regard to the work recently undertaken by the ILO on the subject and in particular indicates the nature of the conclusions and recommendations of the ILO Committee of Experts on Social Policy in Non-Metropolitan Territories, which met from 26 November to 8 December 1951.

Also enclosed are copies of (1) a report on the matter prepared by the Office for the Committee of Experts (CNT/2/III), together with supplementary

information supplied by Mr. M. Smuts, the South African member of the Committee, and by Mr. W. Gemmill, representative of the employers' group of the Governing Body at the Committee; (2) the report of the Committee of Experts relating to the migrant labour problem (G.B.118/3/1, 118th session). Attention is drawn to the indications given in the note and in the report of the Committee as to the views expressed by Mr. Smuts and Mr. Gemmill.

INTERNATIONAL LABOUR OFFICE. NOTE FOR THE TRUSTEESHIP COUNCIL IN REGARD TO MEASURES TAKEN BY THE ILO TO DEAL WITH THE PROBLEM OF MIGRANT LABOUR IN NON-METROPOLITAN TERRITORIES

To meet the desire expressed by the General Assembly of the United Nations in its resolution 323 (IV) of 15 November 1949 in regard to social progress in Trust Territories and by the Trusteeship Council in resolution 127 (VI), the International Labour Office informed the Secretary-General of the United Nations, by letter of 21 June 1951 (T/927), of the measures taken by the ILO in relation to the problem of migrant labour in non-metropolitan territories. A note attached to that letter indicated that the Director-General of the ILO had already given assurance to the Trusteeship Council that the Office was continuing to study this question, that it

proposed to follow up those studies by on-the-spot consultations and investigations with the co-operation of some of the authorities concerned in Africa in the course of 1950 and to discuss the whole matter with the ILO Committee of Experts on Social Policy in Non-Metropolitan Territories in the course of 1951. The note went on to say that three officials of the ILO had accordingly visited various territories in Africa in the summer of 1950 and had gathered a considerable amount of information on migrant labour. They had also laid a paper before, and had taken part in the discussions on the subject at, the Inter-African Labour Conference in Elisabethville, Belgian Congo, in July 1950.

The information gathered in Africa and the other studies undertaken by the Office enabled a detailed report on the problem to be prepared which was submitted to the Committee of Experts on Social Policy in Non-Metropolitan Territories, which met in Geneva from 26 November to 8 December 1951. Copy of that Office report (CNT/2/III) is attached to this note, together with further information in regard to the conditions in the Union of South Africa supplied to the Committee by Mr. M. Smuts, the South African expert, and a note on the migrant labour policy of the Witwatersrand Gold Mines presented by Mr. W. Gemmill, the representative of the employers' group of the Governing Body at the Committee.<sup>1</sup>

There is also attached the report of the Committee itself dealing with migrant labour, together with a series of conclusions, certain of which deal with the improvement of conditions of life of inhabitants in rural areas from which migrants come and others with the protection of migrant workers in the course of their journeys and during their periods of employment. The conclusions of the Committee on the former point (conditions of life in rural areas) have as their starting point the belief of the experts that the migrations of workers (particularly those of African workers) are largely caused by the unsatisfactory economic and social conditions prevailing in many of the rural areas and that measures designed to solve the problem of migration should start in the rural areas. Accordingly, the Committee adopted a series of conclusions which are set out in appendix I of the report calling on the governments concerned to intensify the efforts they are already making to improve social and economic conditions in these rural areas and, where necessary, to invite regional or international organizations, including the ILO, to co-operate in the study of the problems, in working out solutions and in their implementation by providing technical and financial assistance. The Committee then enumerated a series of points which should be given full consideration in connexion with any policies designed to raise the economic and social level of the rural communities from which the migrant workers come.

<sup>1</sup> Three members of the Governing Body attended the meetings of the Committee of Experts representing, respectively, the Government, employers' and workers' groups. They made it clear in the course of the discussions that they were not parties to nor had responsibility for the report and recommendations of the Committee either in respect of migrant labour or any of the other matters discussed by it.

The Committee, in addition, considered that further steps should be taken for the protection of migrant workers on their journeys and during their periods of employment. It accordingly adopted a series of conclusions with that end in view. These call for intensive and continuous regional, bilateral and unilateral consideration by governments of the problems of migrant workers with a view to appropriate regulation and adequate provision for migrant workers and their families, whether recruited in their own districts or otherwise engaged on contract, or presenting themselves voluntarily at the place of employment. The points to be covered should include measures to secure the welfare of workers on their journeys, medical examination before and after employment, satisfactory wages and conditions, welfare arrangements, provision for remittances to the worker's family, deferred pay and for the return of the worker to his home.

The Committee considered that the special question of migrations which are not subject or amenable to control should be dealt with unilaterally, bilaterally or regionally with a view to achieving a progressive limitation of such migrations but that meanwhile the workers concerned should, as far as practicable, receive protection similar to that afforded to other migrant workers. The general aim of policy should be that "workers should wherever practicable be established permanently in residence with their families at or near their places of employment, except where permanent employment is clearly against the interest of the worker and of his family, or of the economies of the territories concerned".

To achieve these aims the Committee considered that governments should consider the advisability of such measures as development of town planning and housing programmes, further steps for the fixing and protection of wages; the setting up of public employment service systems where appropriate; further development of vocational and technical training, including apprenticeship schemes and in-plant training; further provisions for the access of indigenous workers to skilled employment (on which the South African expert made certain reservations); full rights of association of indigenous workers and freedom for all legitimate trade union activities; further development of welfare measures for workers and their families; development of co-operative undertakings; initial measures of social security and measures to promote permanent settlement.

The Committee suggested that the Governing Body of the ILO should examine the possibility of submitting its conclusions in regard to the protection of migrant workers on their journeys and during their periods of employment (appendix II of the report) to a future session of the International Labour Conference with a view to the adoption of a recommendation on the subject. The report of the Committee of Experts was considered by the Governing Body at its 118th session, in March 1952, and the following decisions were taken: on the first point (improvement of conditions of life in rural areas—appendix I), to authorize the Director-General to communicate the texts of the conclusions to the governments of the member States concerned and to appropriate international organizations; on the second point (protection of migrant workers on their journeys and during

their periods of employment — appendix II), to agree that the matter should be brought again to its attention when it proceeds to consider the agenda of the thirty-seventh session of the International Labour Conference

(1954) and meanwhile to authorize the communication of the conclusions of the Committee to the governments of the member States concerned and to the Trusteeship Council.

### DOCUMENT T/985

**Letter dated 3 April 1952 from the Assistant Director-General of the International Labour Office to the Secretary-General: penal sanctions for breach of contract by indigenous inhabitants**

[Original text: English]  
[5 May 1952]

I have the honour to refer to my letter [T/927] of 21 June 1951 with which was transmitted to you a note dealing with the situation at that time in relation to the request contained in Trusteeship Council resolution 127 (VI) for the expert advice of the International Labour Organisation on the problem of penal sanctions for breach of labour contracts by indigenous inhabitants.

I have now pleasure in sending you a further note on the steps taken in the matter by the International Labour Office since that date, together with the report of the ILO Committee of Experts on Social Policy in Non-Metropolitan Territories, relating to penal sanctions, which is referred to in the note.

#### INTERNATIONAL LABOUR OFFICE. RELATIONS WITH THE TRUSTEESHIP COUNCIL IN REGARD TO PENAL SANCTIONS FOR BREACH OF LABOUR CONTRACTS BY INDIGENOUS INHABITANTS

By letter addressed to the Secretary-General of the United Nations on 21 June 1951, (T/927) the ILO informed him of the measures taken to meet the desire expressed by the General Assembly of the United Nations, in its resolution 323 (IV) of 15 November 1949, in regard to social progress in Trust Territories and by the Trusteeship Council in its resolution 127 (VI). These two resolutions underlined the interest which the United Nations attach to the solution, among others, of the problem of penal sanctions for breach of labour contracts by indigenous inhabitants and the latter resolution requested the expert advice of the International Labour Organisation on the problem.

The letter of 21 June referred to indicated that the Governing Body of the ILO, to which the Trusteeship Council's request had been submitted, had decided to approach States members of the organization concerned with the subject of the Penal Sanctions (Indigenous Workers) Convention (No. 65), of 1939, with a view to securing details of their current law and practice, together with indications of the difficulties which prevent its fuller ratification. The note added that the replies received from member States indicated that while progress had been made in regard to certain territories and that there were possibilities of further ratifications, there were still problems to be solved in this connexion. The Governing Body therefore decided that a full statement of the position in regard not only to Trust Territories but to all territories concerned should be laid before the ILO Committee of Experts on Social Policy in Non-Metropolitan Territories for its expert advice.

The Committee of Experts met from 26 November to 8 December 1951 and, after fully reviewing the present position in law and practice in the countries concerned, made recommendations for further action, of which the following is a summary:

"(1) That the Governing Body should address to States members concerned a communication calling attention to the terms of the 1939 Convention and inviting countries which have not ratified it to give reconsideration to the possibility of doing so at an early date; directing attention to the advances which have been made in many territories since the 1939 Convention was adopted, to the evidence which they provide that the abolition of penal sanctions is now practicable and to the views of the Committee as to the wrongness of penal sanctions on moral grounds, their ineffectiveness in practice and the very cogent reasons which exist for their immediate and general abolition;

"(2) That the Governing Body should consider whether the 1939 Convention might be supplemented by a Recommendation providing for:

(a) The immediate abolition of sanctions of a penal nature in connexion with women workers and certain other categories and in respect of certain types of breaches of contract;

(b) The abolition of all penal sanctions not later than 31 December 1955;

(c) Periodic reports and statistics to the ILO as to the progress being made towards abolition of all penal sanctions."

A copy of the report of the Committee of Experts giving a summary of the present position in law and practice and setting out in detail the conclusions and recommendations of the Committee of Experts is attached<sup>2</sup> to this note.

The Governing Body, having considered the recommendations of the Committee of Experts at its 118th session (11-14 March 1952), authorized the Director-General to communicate to the governments of the member States concerned and to the Trusteeship Council the views of the Committee of Experts and its recommendations for further action. Moreover, the Governing Body agreed that the question of penal sanctions for breach of contracts of employment by indigenous workers should be brought again to its attention when it proceeds to consider the agenda of the 37th session of the International Labour Conference (1954).

<sup>2</sup> For the text of the Report of the Committee of Experts, see International Labour Office, G.B.118/3/1, 118th Session.

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Agenda item 15: Provision of information on the activities of the United Nations in Trust Territories (Trusteeship Council resolution 36 (III)): report by the Secretary-General

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DOCUMENT T/1028

Report by the Secretary-General

[Original text: English]  
[18 July 1952]

*Note:* The Secretary-General has the honour to transmit herewith to the members of the Trusteeship Council a report on the implementation of the provisions of Trusteeship Council resolution 36 (III), as required by that resolution.

I. DISPATCH OF MATERIAL

1. By resolution 36 (III) on the provision of information to the peoples of Trust Territories, the Council in the first place invited members responsible for the administration of Trust Territories to furnish the Secretary-General with the names and addresses of officials in Trust Territories to whom should be sent, for information, records of the activities of the Trusteeship Council and other suitable material concerning the United Nations.

2. In his first report (T/824) submitted on 29 January 1951 in accordance with this resolution, the Secretary-General notified the Council of information which had been received from the Governments of Australia, Belgium, France, New Zealand, the United Kingdom of Great Britain and Northern Ireland and the United States of America as to the arrangements which they had made for the receipt of such material. Since that date the Secretary-General has received from the Administering Authorities further lists of officials in Trust Territories to whom they requested the material to be sent.

3. The following table shows the number of copies of Official Records which are now sent to these addresses in the Trust Territories.

Territory	Addresses in	No.	Number of copies of Official Records
Somaliland under Italian administration..	Somaliland	45	45
Tanganyika .....	Tanganyika	11	150
Ruanda-Urundi .....	Ruanda-Urundi	36	38

Territory	Addresses in	No.	Number of copies of Official Records
Togoland under British administration..	Togoland	1	1
	Gold Coast	1	30
Togoland under French administration .....	Togoland	16	19
	Cameroons under British administration..	1	30
Cameroons under French administration .....	Nigeria	2	51
	Cameroons	24	25
Western Samoa.....	Western Samoa	1	30
New Guinea .....	New Guinea	43	43
	Papua	37	40
	Australia	1	1
Nauru .....	Nauru	5	6
Pacific Islands .....	Honolulu	1	50

4. The Official Records which are sent are the following:

Trusteeship Council: Official Records;  
Trusteeship Council: Reports to the General Assembly;  
General Assembly: Resolutions; printed fascicules of summary records of the Fourth Committee;  
"United Nations Bulletin": Reprints of reports on the work of the Trusteeship Council and the Fourth Committee.

Mimeographed documents are not considered as Official Records and are not included in the above.

## II. MEANS OF DISSEMINATION

(a) *General*

5. By resolution 36 (III) the Council also invited members responsible for the administration of Trust Territories to furnish the Secretary-General with suggestions as to the appropriate channels through which information concerning the aims and activities of the United Nations might be communicated to the general public, e.g., Press, radio, non-governmental organizations, trade unions and other public organizations, educational and religious institutions, teachers, missionaries etc.

6. No Administering Authority has formally made any specific suggestion to the Secretary-General in this respect. In his previous report, however, the Secretary-General drew attention to statements which had been submitted by the Administering Authorities as to information activities in the Trust Territories. He now draws attention to further information of this kind which has since been submitted by letter or is contained in the annual reports on the administration of the Trust Territories, and also to observations made by the Visiting Mission to Trust Territories in East Africa, 1951, in respect of the dissemination of information about the United Nations in those Territories as the result of the study requested of it by its terms of reference and in accordance with Council resolution 311 (VIII).

(b) *Somaliland under Italian administration*

7. By letter dated 20 April 1951 and addressed to the President of the United Nations Advisory Council, the Administrator of Somaliland under Italian administration stated that during the previous school year the Administering Authority had taken care to teach the principles of the United Nations, in conformity with the obligation proceeding from article 4 (c) of the Trusteeship Agreement, and taking into consideration the resolution (314 (XI)) adopted on 24 July 1950 by the Economic and Social Council. Teachers of the fifth elementary class had explained to their pupils how the United Nations was born, and how the principles on which the organization was based represented the most important step made by humanity towards fraternity among the peoples of the world. Teachers of the sixth elementary class had explained how the administration of Somaliland under trusteeship functioned, and emphasized the mediation work done by the United Nations in the immense field of political, social and economic relations among nations. In particular, the Universal Declaration of Human Rights had been read and commented upon.

8. As regards intermediate schools, teachers of history and geography, after the necessary preliminaries on the special political structure of the Territory and on the mission that the Italian Republic had accepted to carry out by virtue of the Trusteeship Agreement, had outlined the principles and aspects of the United Nations as well as the objects at which it aimed. Teachers had drawn the pupils' special attention to the following points: plans of associations among nations, indicated by history; federative experience of the United States of America; the world-wide character

of modern civilization, and the necessity of union among the various States; the League of Nations and President Wilson's work — its values and deficiencies; the new political demands after the Second World War; the United Nations, the Security Council and other organs; beneficial consequences of the United Nations work in Africa; Italian trusteeship administration in Africa; the Trusteeship Agreement; salient features in the functioning of the Agreement.

9. In the programme of studies of the School of Political Administration there was a course on rudiments of international law, in which, during the school year, the objectives and activities of the United Nations had been elucidated by the Egyptian representative on the Advisory Council.

10. The Administration had contacted the Advisory Council's secretariat in connexion with future action to be carried out in the whole Territory in order to give wider diffusion to knowledge of the United Nations principles. Arrangements had been made with persons at the head of the Social-Cultural Institute for the creation of a first "Information Centre", with booklets, posters and films of an educational character. All possible support would be given to the creation of similar centres in other localities of the Territory, beginning with those where the Social Cultural Institute intended to open new branches. In agreement with the Advisory Council's secretariat, there was under examination the drawing-up of a booklet, in Italian and Arabic especially suited to the mentality of elementary school pupils, in which it was proposed to follow the system of questions and answers, so that knowledge of the essential features of the United Nations might remain impressed upon their young minds for all time.

11. In its report on Somaliland (T/947), the Visiting Mission to Trust Territories in East Africa, 1951, stated that it had especially noted the extent to which the United Nations was known throughout the Territory. The number of copies of Official Records received printed in English had been sufficient, but the number of readers would naturally be greater if the records were published in Italian or Arabic. The Administration had requested, through the secretariat of the Advisory Committee 5,000 copies in Arabic and 5,000 in Italian of a Department of Public Information booklet entitled "United Nations, What It Is... What It Does... How It Works". The Mission noted that the first elementary text book prepared for use in the Territory and printed in Italian, contained a simple statement of the purpose of the United Nations. The Mission suggested that the United Nations Department of Public Information pay special attention to the matter of providing the Territory with an adequate supply of suitable information materials.

(c) *Tanganyika*

12. The annual report for the year 1951 on the administration of Tanganyika stated that records of the proceedings of the United Nations and literature and posters supplied by its Department of Public Information were distributed throughout the Territory to schools, missions, social welfare centres and libraries and also to centres of provincial administration,

where they were available for reference purposes to any interested persons.

13. The annual report also stated that the Administering Authority had taken full note of the resolution (556 (VI)) on the subject adopted by the General Assembly at its sixth session. Action had continued along the lines indicated in previous annual reports in conformity with Trusteeship Council resolution 36 (III). During the year under review the Administration had taken advantage of the opportunity when replying to a detailed questionnaire presented by the Visiting Mission, to offer suggestions for improving the distribution system and to furnish a list of what were considered in present circumstances to be the most useful items of information material. Stress had been laid on the value of pictorial matter and other visual aids and of material suitable for translation into Swahili, both for broadcasting purposes and for distribution to the vernacular Press. If the United Nations Department of Public Information was able to supply material in the quantity and the variety requested the problem of the dissemination of information would be greatly facilitated and a wider distribution of material would be possible.

14. In its report on Tanganyika (T/946) the Visiting Mission of 1951 stated that the number of copies of the Official Records which had so far been sent to Tanganyika had been found to be insufficient and it had been suggested by the Tanganyika Government that the number be increased and that there should be direct mailings of materials from United Nations to designated officials in the Territory, thus obviating unnecessary labour and delays in the Territory itself. The Mission considered that Official Records alone did not provide an adequate means for disseminating information about the United Nations to the majority of the African population of Tanganyika. Also, their value was decreased owing to the lapse of time before they were received. The report of the 1948 Mission to East Africa (T/218) had not been seen by some of the people who had talked to the Mission.

15. The Mission found posters prepared by the United Nations Department of Public Information in all middle and secondary schools it visited. It considered a small booklet about the United Nations and the Trusteeship System prepared by the Tanganyika Government for post-primary schools to be adequate and well written. It learned that pamphlets in Swahili for use in primary schools and for distribution to Native Authorities had also been prepared.

16. The Mission noted that the Dar-es-Salaam radio broadcasted United Nations programmes in Swahili. Press releases in English and in the vernacular were issued to the local Press.

17. The Mission added that the Administration considered that the material which had hitherto been made available by the United Nations Department of Public Information, with the exception of posters, had not been of a type suitable for classroom purposes or for the adult population. The Mission hoped that the United Nations Department of Public Information would be able to produce simple pamphlets suitable for translation into Swahili and for dissemination amongst wide sections of the Tanganyika population.

#### (d) Ruanda-Urundi

18. The annual report on the administration of Ruanda-Urundi for the year 1950 stated that the *Revue Pédagogique de l'Urundi*, written partly in French and partly in Kirundi, in its fourth issue of 15 October 1950, had published an article about the international position of Ruanda-Urundi, which presented a general study of the United Nations and also of the Trusteeship Council and its aims, as far as Ruanda-Urundi was concerned.

19. The annual report for the year 1951 stated that all the *Revue Pédagogiques* had published articles about the Mission sent in 1951 to Ruanda-Urundi by the Trusteeship Council recalling on that occasion the pamphlet published in 1950 on the international position of Ruanda-Urundi.

20. In its report on Ruanda-Urundi (T/948) the Visiting Mission of 1951 stated that it had gained the impression that the teaching in schools about the United Nations was not very effective, and it believed that inadequate distribution of basic information was mainly responsible for that fact. According to information furnished to the Mission, it appeared that the Administration did not receive adequate supplies of information and publicity materials issued by the United Nations. Besides measures designed to provide wider distribution of regular documents and information materials among the non-indigenous inhabitants and the more educated Africans there was a need for suitable material written in simple language that could be translated into vernacular languages in order to reach the much larger number of persons who could not read a European language.

#### (e) Togoland under British administration

21. The annual report on the administration of Togoland under British administration for the year 1950 stated that information about the United Nations continued to be included in the Civics Courses in schools and Teacher Training Colleges in the Territory.

22. The annual report for the year 1951 stated that United Nations material was received and distributed. In addition, factual information was also sent to the Gold Coast Press in the form of Press releases. During 1951, 61 Press releases dealing with Togoland and Togoland affairs had been sent to the Press, and 59 had been published.

23. The annual report stated further that the special representative for the Territory when in New York had held discussions with members of the branches of the United Nations Secretariat concerned with a view to improving and stepping up the distribution of United Nations publications in the Territory and the Gold Coast. It was hoped to bring in in 1952 the new arrangements agreed on and the Legislative Assembly was being invited to approve a vote for the purchase of suitable material for distribution where the United Nations Secretariat was unable to distribute it free of charge.

#### (f) Togoland under French administration

24. The annual report on the administration of Togoland under French administration for the year 1950 stated that dissemination of information on United Nations activities had been delayed owing to

the difficulty in securing a sufficient number of copies in French of United Nations material. However, during the year, some material had been delivered through the United Nations Educational, Scientific and Cultural Organization, which had immediately been distributed to all schools in the Territory. In every government school instruction on the United Nations and the Trusteeship Council was provided.

25. The annual report for the year 1951 stated that booklets containing information about the activities, the aims, the principles and the organization of the United Nations had been distributed in all educational establishments. Courses on these subjects had been given in all government schools. United Nations Day had been celebrated in all schools by lectures on the functioning of the United Nations and the Trusteeship Council.

(g) *Cameroons under British administration*

26. The annual report on the administration of the Cameroons under British administration for the year 1950 stated that arrangements were being made for distribution to schools of United Nations Bulletins and United Nations explanatory pamphlets.

27. The annual report for the year 1951 stated that the Administering Authority endeavoured to make the general purposes of the United Nations and the Trusteeship System well known in the Territory and had also given distribution, to schools and other associations, of such United Nations explanatory literature as had been made available. It had been suggested to the United Nations Secretariat that they should ask the advice of Education Officers in the Territory regarding the best places to set up United Nations Voluntary Education Centres. The right of petition was well known and freely exercised.

28. The Administering Authority would continue to disseminate within the Territory information concerning the purposes of the United Nations and the Trusteeship System. The Administering Authority would, as in 1949, co-operate fully with the Visiting Mission (of 1952) on its forthcoming visit to the Cameroons and would make every effort to ensure that the objects of the Mission were fully publicized throughout the Territory.

(h) *Cameroons under French administration*

29. The annual report on the administration of the Cameroons under French administration for the year 1951 stated that courses on the aims, principles, structure and activities of the United Nations had been given in all government schools of the Territory. The Administering Authority has sent the list of the official organs of the Territory and of private persons to which were to be addressed the records of the Trusteeship Council and appropriate information material about the United Nations. The Administering Authority had also made it known to the Trusteeship Council that courses on the United Nations and more particularly on the aims and functioning of the international Trusteeship System were given in the schools. Also, on different occasions, the Administering Authority had asked the United Nations to send appropriate information material which could be distributed in the schools of the Territory.

(i) *Western Samoa*

30. By letter dated 6 March 1952 the Minister for External Affairs of New Zealand stated that increasing attention had been given to teaching about the United Nations to children in the Island and Trust Territories under New Zealand administration.

31. By further communication of 13 June 1952, the Minister stated that Samoan children were taught about the United Nations, and the Trusteeship Council in particular, in all schools. Like any other section of the school curriculum these lessons were adapted to circumstances and to the age of pupils, being elementary in the village schools and more detailed in secondary schools and in the training colleges. Recent issues of the Samoan school journals which were prepared in the vernacular by the New Zealand Education Department contained a series of articles devoted to local, regional and international co-operation. Articles on the United Nations, flag-raising day and the South Pacific Conference had appeared and others on Trusteeship, the South Pacific Commission, WHO and FAO were in course of preparation. These journals were read by adults as well as children. Administration and mission schools received copies of United Nations publications whose supply had been arranged with the Secretary-General and use was made of these documents and of films and posters. United Nations Day was celebrated in the schools and the High Commissioner took this opportunity to speak to the children of its significance to their country.

32. Radio broadcasts to schools provided the education authorities with a particular means of disseminating information on the United Nations.

33. Broadcasts to the community frequently contained information about United Nations activities. It was the accepted practice that special representatives who had attended sessions of the Council during the examination of annual reports on Western Samoa should, on their return, speak of their experiences and of the Council's proceedings. At the same time the Council's suggestions and recommendations were translated into the Samoan language and widely distributed. The action taken by United Nations in Korea had also been treated in detail. Many questions on the Trusteeship Council and specialized agencies sent in by listeners were answered during information broadcasts.

34. United Nations information material was given normal distribution and posters were publicly displayed. The Samoa Bulletin, a weekly newspaper in the Samoan and English languages, from time to time featured articles about the United Nations and its specialized agencies.

35. The effectiveness of the documentary and other material available from United Nations sources depended on its relevance to conditions in Western Samoa. Since it was not specifically designed to this end, it was probably of less importance in informing Samoans about the United Nations than was the school and broadcast material adapted for dissemination by the authorities in the Territory. Both had their place, however, and the Administering Authority was fully aware of the need to keep the Samoans informed of current United Nations affairs and would maintain the

level of services already provided to the schools and the community.

(j) *Pacific Islands*

36. The annual report on the administration of the Trust Territory of the Pacific Islands for the year 1950-1951 stated that the study of the United Nations and its organization was included in all curricula under Social Studies and its presentation was being fully implemented. An extensive coverage of the subject was given at PITTS (Pacific Islands Teacher Training School) to all teacher candidates to equip them with the basic information for proper presentation in the elementary and intermediate schools. During the year, United Nations Volunteer Information Centres had been established at each intermediate school and at PITTS and the school principals designated as Directors of the Information Centres. Material concerning the United Nations was available at the Centres and from them was distributed to all schools and libraries.

III. GENERAL OBSERVATIONS

37. The foregoing data indicate that this preliminary stage in the development of adequate dissemination of information on the United Nations to the peoples of the Trust Territories has brought to light two particular deficiencies. Firstly, there has been an insufficient quantity of information material reaching the peoples of the Trust Territories; and, secondly the material which is supplied is often in a form not designed to satisfy the varying needs of populations or communities which differ in their present states of social and educational advancement.

38. In the case of Official Records and documents, the provision of a supply adequate to meet the needs determined and notified to the Secretary-General by the Administering Authorities does not appear to present particular difficulties. The Secretary-General wishes to emphasize that all of these documents, and all other information material are dispatched to the addresses supplied by the Administering Authorities and do not bear either reservations or recommendations as to their distribution.

39. In the case, however, of information material specially adapted to the educational and cultural circumstances of the various populations and communities within the Trust Territories, the Secretary-General is, on the one hand, invested with a measure of initiative and, on the other hand, confronted by certain limitations imposed by budgetary and other considerations.

40. It will be recalled that the General Assembly, during the first part of its first session in 1946, when adopting the recommendations of the Technical Advisory Committee on Information concerning the policies, functions and organization of the Department of Public Information resolved in paragraph 2 of those recommendations (resolution 13 (I), annex I) that:

"The activities of the Department of Public Information should be so organized and directed as to promote to the greatest possible extent an informed understanding of the work and purposes of the United Nations among the peoples of the world. To this end the Department should primarily assist and rely upon the co-operation of the established governmental and non-governmental agencies of information to provide the public with information about the United Nations. The Department of Public Information should not engage in "propaganda". It should on its own initiative engage in positive informational activities that will supplement the services of existing agencies of information to the extent that these are insufficient to realize the purpose set forth above."

In adopting paragraph 4 the General Assembly resolved that:

"Subject to the general authority of the principal organs of the United Nations, responsibility for the formulation and execution of information policy should be vested in the Secretary-General and under him in the Assistant Secretary-General in charge of the Department of Public Information."

In adopting paragraph 9 the General Assembly further resolved that:

"The Department should prepare and publish pamphlets and other publications on the aims and activities of the United Nations within the limits of the criteria set forth in recommendation 2."

41. In conformity with these decisions of the General Assembly, and having in mind the particular difficulties confronted in the Trust Territories or difficulties of communications, of diversity of vernaculars and of varying degrees of social and educational advancement, not only as between territories but within the territories themselves, the Department of Public Information has commenced the preparation of information material of a special nature. Financial and other barriers would always prevent the production of any Department of Public Information material in sufficient quantities to satisfy an individual distribution in Trust Territories, but it is hoped that there will always be sufficient copies of such material to enable an adequate distribution to be made to the Administration officials, the Educational and Religious Authorities, and other bodies or persons whose names had been furnished to the Secretary-General by the Administering Authorities.

42. In view of the foregoing recognizable differences and difficulties, the Department of Public Information material sent to Trust Territories, in the main, is obviously to be regarded as prototype material. This material is intended to present basic ideas to those responsible in the Territories for the dissemination of information concerning the United Nations and the Trusteeship System in the Territories, in order that the task of expanding, adapting or translating them for local understanding may be facilitated.

## DOCUMENT T/1028/Add.1

## Addendum

[Original text: English]  
[12 September 1952]

The following additional information concerning action taken by the Government of Australia to implement Trusteeship Council resolution 36 (III) of 15 July 1948 was communicated by the Acting Head of the Australian Mission to the United Nations.

"The following information refers to implementation in the Trust Territory of New Guinea:

"The giving of instruction on the United Nations in schools, mentioned in the report of 12 December 1949 continues. In addition, a special radio programme has been inaugurated by the Department of Education and the Australian Broadcasting Commission. It is proposed to broadcast one session every fortnight using recordings from the 'United Nations Stories', the 'United Nations Albums' and the 'Heroes of Peace' series, supplemented by special scripts provided by the United Nations Radio Division.

"To further the general interest in the United Nations, a branch of the Australian Division of the United Nations Association will shortly be established in Port Moresby, the administrative capital. This branch of the Association will collaborate with the Department of Education and the Australian Broadcasting Commission in the work of broadcasting information about the United Nations.

"Already scripts specially prepared in simple English, Pidgin and six Papuan vernaculars are being presented in the 'Native Peoples' Session' which is conducted by the Department of Education for one and one half hours daily, five days a week. In this connection it is noteworthy that recordings in Pidgin English sent by United Nations have proved particularly useful.

"The flow of educational films is also being maintained, and these, too, are proving interesting and stimulating.

"Finally, a wide range of printed matter on the United Nations is on prominent display at the Rabaul Public Library and is available to the reading public.

"The following information refers to implementation of resolution 36 [III] in the Trust Territory of Nauru:

"A great variety of material on United Nations is being regularly received and distributed over as wide a field as possible. Documentary films on United Nations activities are shown to all sections of the population per medium of the regular screenings of educational films sent from Australia. In addition, literature received at the meeting place of the indigenous peoples is on display and is available to all desiring access to it."

## Check list of documents

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T/1028/Add.1	Addendum .....	5	







UNITED NATIONS  
**TRUSTEESHIP  
COUNCIL**  
OFFICIAL RECORDS



*Agenda item 16*

**ANNEXES**  
ELEVENTH SESSION

271 NEW YORK, 1952

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**Agenda item 16: Adoption of the report of the Trusteeship Council to the General Assembly.**

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**Check list of documents**

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations</i>
T/L.307 and Corr.1 and Add.1 and 2	Draft report of the Council		These documents constitute part I, chapters I to V, inclusive, of the Council's report to the General Assembly at its seventh session
T/L.326	Dominican Republic and El Salvador: joint draft resolution		Same text as resolution 641 (XI). See <i>Official Records of the Trusteeship Council, Eleventh Session, Supplement No. 1</i>





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**Agenda item 1: Adoption of the agenda**

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**Check list of documents**

*Document No.*

*Title*

*Observations*

T/1035

Provisional agenda for the eleventh session (second part)

Adopted without change. See  
prefatory fascicule





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Agenda item 2: The Ewe and Togoland unification problem: special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952

CONTENTS

Document No.	Title	Page
T/L.332	United States of America: draft resolution .....	1
T/L.335	Union of Soviet Socialist Republics: amendment to the draft special report of the Trusteeship Council on the Ewe and Togoland unification problem (T/L.334) .....	2
	Check list of documents .....	2

DOCUMENT T/L.332

United States of America: draft resolution

[Original text: English]  
[24 November 1952]

The Trusteeship Council,

Recalling General Assembly resolution 555 (VI), which recommended, *inter alia*, that the Trusteeship Council arrange for the dispatch of either a special mission or its next periodic Visiting Mission to the two Trust Territories concerned to study thoroughly the Ewe and Togoland unification problem, including the functioning of the proposed Joint Council and submit to the Trusteeship Council a detailed report thereon, including specific recommendations, which shall take full account of the real wishes and interests of the peoples concerned,

Recalling further that resolution 555 (VI) requested the Trusteeship Council to submit to the General Assembly at its seventh regular session a special report covering all aspects of the problem,

Recalling its resolutions 424 (X) and 465 (XI) by which it decided to entrust the investigation of this problem to its next periodic visiting mission to the Trust Territories concerned, established the Visiting Mission's time-table, and requested it to submit a special report on the problem in time for consideration at a second part of its eleventh session,

Having taken note of the special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem (T/1034) submitted in accordance with its resolutions 424 (X) and 465 (XI),

1. Considers that this report represents an objective and detailed account of all aspects of the problem, and carefully sets forth the views of all sections of the population;

2. Notes the Mission's conclusion that with certain exceptions, especially the peoples of the Northern Section of Togoland under British administration, the

people of the Trust Territories desire in principle unification of the two Trust Territories, but that there is no one form of unification which would be acceptable to the majority of the inhabitants of the two Territories;

3. Notes the Mission's opinion that there is not at present in the two Territories wide enough support for any particular form of unification to warrant alteration of the existing administrative arrangements;

4. Notes the view of the Mission that in seeking a solution to the unification problem an enlightened and sound public opinion is highly necessary and the Mission's consequent emphasis on an accelerated educational approach to the problem, as well as on the need for stable development in the political, economic and social fields, requiring unremitting efforts on the part of both the Administering Authorities and the more advanced sections of the populations;

5. Notes with satisfaction that the view is widely held in the Territories that the Joint Council might be a valuable institution which could advise the Administering Authorities on matters of common concern to the two Trust Territories and could assist in harmonizing developments in the Territories;

6. Concurs with the opinion of the Mission that the terms of reference of the Joint Council should specifically provide that the Council is empowered to discuss all political, economic, social and educational matters of common concern to the two Trust Territories;

7. Invites the Administering Authorities to consult with each other and with the representatives of the peoples concerned with a view to bringing about possible modifications in the composition, functioning and powers of the Joint Council, necessary to realize its full potentialities;

8. *Notes* the Mission's conclusions that frontier difficulties are of secondary importance, that much has been done to eliminate or alleviate such difficulties, that there is scope for further action in this regard, as well as certain suggestions made by the Mission in this connexion;

9. *Considers* that, in so far as the political aspects of this frontier problem are concerned, the primary responsibility of the Administering Authorities is not so much the devising of a solution as the development of such democratic indigenous institutions in both Territories that the various peoples involved can choose their own political associations; also that the Administering Authorities have in the meanwhile the responsibility to provide opportunities for co-operation between groups having common ties, even when they are separated by political boundaries;

10. *Considers* that the indigenous leaders and the more advanced sections of the population can make an indispensable contribution to the effective realization of the popular will in this matter by devoting their best

efforts to creating the conditions requisite to its exercise;

11. *Commends* the report of the Visiting Mission, and especially its conclusions and recommendations, to the Administering Authorities and the inhabitants of the two Trust Territories concerned as a sound basis for working out political institutions that will permit the fullest self-expression of the various peoples involved within a framework of co-operation;

12. *Requests* the Administering Authorities to report fully to the Council in advance of the next session of the General Assembly on all steps taken by them pursuant to this report;

13. *Transmits* the Visiting Mission's report, along with this resolution, to the General Assembly, as representing not only an objective appraisal of the diverse aspects of this problem but also suggesting the soundest approach to its solution consonant with the present diversity of views of the inhabitants of the two Trust Territories concerned.

### DOCUMENT T/L.335

#### Union of Soviet Socialist Republics: amendment to the draft special report of the Trusteeship Council on the Ewe and Togoland unification problem (T/L.334)

[Original text: Russian]  
[2 December 1952]

Insert the following as paragraph 3:

3. During debate on the Visiting Mission's report the USSR representative objected to the conclusions of the report and observed that the statements and memo-

randa of the most influential parties of Togoland, and the 2,479 individual petitions received by the Mission, proved that the vast majority of the Ewe people demand the unification of the Territories of Togoland and independence for their people.

### Check list of documents

Document No.	Title	Page	Observations
T/1034	Special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem		This document will be printed at a later date if a decision to that effect is taken by the Trusteeship Council.
T/931	Joint Anglo-French memorandum to the Trusteeship Council regarding the Ewe and allied petitions		See <i>Official Records of the Trusteeship Council, Ninth Session, Annexes</i> , agenda item 12.
T/L.329	Note by the Secretariat		Mimeographed document only
<b>T/L.332</b>	<b>United States of America: draft resolution</b>	1	
T/L.334	Draft special report of the Trusteeship Council on the Ewe and Togoland unification problem		See <i>Official Records of the General Assembly, Seventh Session, Annexes</i> , agenda item 32, document A/2289, paras. 1 to 3.
<b>T/L.335</b>	<b>Union of Soviet Socialist Republics: amendment to the draft special report of the Trusteeship Council on the Ewe and Togoland unification problem (T/L.334)</b>	2	





Agenda item 3: Arrangements for a periodic visiting mission to Trust Territories in the Pacific during 1953

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T/1037	Memorandum prepared by the Secretariat.....	1
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DOCUMENT T/1037

Memorandum prepared by the Secretariat

[Original text: English]  
[18 November 1952]

GENERAL CONSIDERATIONS

1. In order that the necessary preparations for the visiting mission to the Trust Territories in the Pacific area may be put in hand in good time, it would appear desirable for the Council at the second part of the eleventh session to indicate its views on such matters as the composition of the visiting mission or missions, the approximate time and duration of the visits and the order in which the Trust Territories are to be visited.

2. At its session to be held in the summer months of 1953, the Council may be expected to examine the annual reports on the administration of the four Trust Territories in the Pacific. The Council may wish, particularly in view of the relatively lighter burden of work for the year as a whole, to have the reports of the visiting mission or missions for 1953 available for discussion at the same time. It may also consider that if no winter session is held in 1953, delegations may be better able than normally to spare members for the mission (or missions) if departure from Headquarters is fixed earlier rather than late in the year. In that event, it will be necessary to appoint the mission (or missions) and decide the terms of reference before the close of the eleventh session.

3. At its fifth session the General Assembly, by resolution 434 (V), recommended that the Council, in reviewing the organization of visiting missions, *inter alia*, take into account the advisability of reducing the number of Trust Territories to be visited by a single mission and of extending the duration of visits without diminishing their frequency. At its eighth session the Council appointed a Committee on Visiting Missions; in its report (T/L.126/Rev.1) the Committee proposed *inter alia* that in view of the distances to be covered in visiting the Trust Territories in the Pacific, if possible two separate missions consisting of four members each

should in future be sent to those Territories every three years. Subsequently, the Council decided (resolution 343 (IX)) that it would be guided by the principles set forth by General Assembly resolution 434 (V) and would take into account the observations and suggestions made by the Committee on Visiting Missions.

4. At its sixth session the General Assembly, in resolution 553 (VI), recommended that the Council should again review the matter, bearing in mind the financial implications, with a view to increasing the duration of visits and reducing the number of Territories visited by each mission, without diminishing the frequency of the visits. At its tenth session, the Council established a second Committee on Visiting Missions, which heard the views of Chairmen and members of previous missions. In its report to the Council (T/L.249) the Committee stated that whether one or two missions should be sent to any one of the Trust Territory areas (East and West Africa and the Pacific) on a given occasion must, in the Committee's opinion, be a matter for the Council to decide in the light of the circumstances prevailing at the time, and in the light of certain factors.

5. It will be recalled that it was a realization of the distances which must necessarily be covered by any mission to the Pacific area which prompted the proposal that there should be two separate missions to that area. If the Council should decide that it would be desirable to examine the reports of the 1953 visiting mission at its summer session in that year, and should further decide to send a single mission, its time of departure from New York must be early in 1953. The 1950 United Nations Visiting Mission to Trust Territories in the Pacific left New York on 5 April and returned on 26 July, an absence of 110 days. The reports were transmitted to the Council on 14 August. Assuming that arrangements for the twelfth session of

the Council would require the reports of the 1953 visiting mission to be ready by the middle of June, a single mission visiting all four Trust Territories, in order to spend a period away from Headquarters not shorter than that spent by the 1950 Mission, would need to leave New York not later than 9 February 1953.

6. If two missions were decided upon, geographical, administrative and travel considerations would suggest that one mission should visit the Trust Territories of the Pacific Islands and the other the Trust Territories of Western Samoa, New Guinea and Nauru.

#### DURATION OF VISITS

7. The Committee on Visiting Missions was of the opinion that the time to be spent in various Territories should be determined by the task that was set the Mission: in other words, that the time-table of one visiting mission need not necessarily be followed by the next mission. It may therefore be decided that the periods devoted by the 1950 Mission to each of the four Territories may be usefully adjusted in 1953 in the light of the earlier experience.<sup>1</sup>

8. During a total absence of 110 days, the 1950 Mission spent the following periods in the Territories:

Pacific Islands (including Hawaii and Guam).....	22 days
Nauru .....	5 days
New Guinea .....	34 days
Western Samoa .....	11 days
<b>TOTAL</b>	<b>72 days</b>

The balance of the 110 days was spent in travel and in visits to Australia and New Zealand. The Mission travelled from New York to San Francisco and, on return, from San Francisco to New York by train. Four days could be saved if this part of the journey were made by air, but the choice by the 1950 Mission of rail travel was influenced by the fact that in any event some 24,500 miles of air travel lay ahead of it. The Mission stayed in Australia and New Zealand from 14 June to 5 July, visiting the capitals of the two countries and working on its reports. Included in that time were essential rest periods. A few days might be cut from the time to be spent in Australia and New Zealand, although it is assumed that the Mission will find it desirable to confer with ministers and officials at both Canberra and Wellington.

9. Allowing for the reductions suggested above, and varying somewhat the proportion of the time which might be spent in each Territory, the following periods are suggested as a basis for discussion:

Pacific Islands .....	18 days
Nauru .....	6 days
New Guinea .....	36 days
Western Samoa .....	14 days
<b>TOTAL</b>	<b>74 days</b>

10. If two missions are sent, one might visit Nauru, New Guinea and Samoa in that order for a total of fifty-six days in the field, to which might be added twenty-five days for external travel. The other would, on the foregoing basis, spend twenty-two days in the Pacific Islands Territory and some ten days in travel,

#### ANNEX I

##### AIR TRAVEL OF THE UNITED NATIONS VISITING MISSION TO TRUST TERRITORIES IN THE PACIFIC, 1950

	Hours in the air	Miles
Los Angeles — Honolulu .....	11½	2,228
Honolulu — Wake Island .....	8½	2,004
Wake Island — Guam .....	6½	1,315
Guam — Rota .....	½	54
Rota — Tinian .....	½	56
Tinian — Saipan .....	½	14
Saipan — Yap .....	3	562
Yap — Koror .....	2	358
Koror — Angaur .....	¼	30
Angaur — Peliliu .....	¼	7
Peliliu — Koror .....	¼	23
Koror — Truk .....	9	1,086
Truk — Ponape .....	3	383
Ponape — Kwajalein .....	7	568
Kwajalein — Likiep .....	1	105
Likiep — Jaluit .....	1½	225
Jaluit — Majuro .....	½	117
Nauru — Honiara .....	5	783
Honiara — Rabaul .....	5	540
Rabaul — Buin .....	2¼	271
Buin — Sohano .....	1	111
Sohano — Kavieng .....	2½	290
Kavieng — Manus .....	1½	239
Manus — Wewak .....	1¾	227
Wewak — Angoram .....	½	45
Angoram — Wewak .....	½	45
Wewak — Maprik .....	½	30
Maprik — Wewak .....	½	30
Wewak — Madang .....	1½	165
Madang — Mt. Hagen .....	1	165
Mt. Hagen — Goroka .....	¾	60
Goroka — Bulolo .....	1	134
Lae — Port Moresby .....	1¼	215
Port Moresby — Brisbane .....	6	1,430
Brisbane — Sydney .....	2½	454
Sydney — Auckland .....	6½	1,245
Auckland — Wellington .....	2	250
Wellington — Auckland .....	2	250
Auckland — Norfolk Is. ....	4	572
Norfolk Is. — Fiji .....	6	885
Fiji — Samoa .....	5	675
Samoa — Tonga .....	3	465
Tonga — Fiji .....	3½	390
Fiji — Canton .....	6½	1,068
Canton — Honolulu .....	11	1,911
Honolulu — San Francisco .....	9	2,428
	<b>149¼</b>	<b>24,508</b>

#### ANNEX II

##### TENTATIVE TIME-TABLE COMMENCING 9 FEBRUARY 1953

Leave New York: Monday 9 Feb. 1953, train.  
 Arr. San Francisco or Los Angeles: 12 Feb.  
 Leave San Francisco or Los Angeles: 13 Feb., air.  
 Arr. Honolulu: 14 Feb.  
 Leave Honolulu: 17 Feb., air.  
 Arr. Guam: 18 Feb.

*Pacific Islands: 18 Feb. - 7 Mar.*

Leave Majuro: 7 Mar., air.  
 Arr. Nauru: Sat. 7 Mar.

*Nauru: 7 - 13 Mar.*

Leave Nauru: 13 Mar., air.  
 Arr. Rabaul: 13 Mar.

*New Guinea: 13 Mar. - 17 Apr.*

Leave Port Moresby: Fri. 17 Apr., air.  
 Arr. Sydney: 17 Apr.

<sup>1</sup> See annex II.

*Visit to Canberra*

Leave Sydney: Fri. 24 Apr., air.  
Arr. Auckland: 24 Apr.

*Visit to Wellington*

Leave Auckland: 30 Apr., air.  
Arr. Western Samoa: 30 Apr.

*Western Samoa: 30 Apr. - 14 May*

Leave Western Samoa: 14 May, air.  
Arr. Fiji: 14 May.  
Leave Fiji: 15 May, air.  
Arr. Honolulu: 15 May.  
Arr. New York: Wed. 20 May, train.

## TENTATIVE TIME-TABLE FOR TWO MISSIONS: 1953

## FIRST MISSION

Leave New York: 4 Mar., air.  
Arr. San Francisco or Los Angeles: 4 Mar.  
Leave San Francisco or Los Angeles: 5 Mar., air.  
Arr. Honolulu: 6 Mar.  
Leave Honolulu: 9 Mar., air.  
Arr. Guam: 10 Mar.

*Pacific Islands: 10 - 31 Mar.*

Arr. Guam: 1 Apr.  
Leave Guam: 2 Apr., air.  
Arr. Honolulu: 2 Apr.  
Leave Honolulu: 2 Apr., air.  
Arr. Los Angeles or San Francisco: 3 Apr.  
Leave Los Angeles or San Francisco: 4 Apr., air.  
Arr. New York: 4 Apr.  
Total: 32 days.

## SECOND MISSION

Leave New York: 1 Mar., train.  
Arr. San Francisco or Los Angeles: 4 Mar.  
Leave San Francisco or Los Angeles: 5 Mar., air.  
Arr. Honolulu: 6 Mar.  
Leave Honolulu: 6 Mar., air.  
Arr. Sydney: 8 Mar.  
Leave Sydney: 9 Mar., air.  
Arr. New Guinea: 10 Mar.  
Leave New Guinea: 10 Mar., air.  
Arr. Nauru: 11 Mar.

*Nauru: 11 - 15 Mar.*

Leave Nauru: 15 Mar., air.  
Arr. New Guinea: 15 Mar.

*New Guinea: 15 Mar. - 20 Apr.*

Leave New Guinea: 20 Apr., air.  
Arr. Sydney: 20 Apr.

*Sydney and Canberra: 20 - 25 Apr.*

Leave Sydney: 25 Apr., air.  
Arr. Auckland: 26 Apr.

*Auckland and Wellington: 26-30 Apr.*

Leave Auckland: 1 May, air.  
Arr. Western Samoa: 1 May.

*Western Samoa: 1 - 13 May*

Leave Western Samoa: 13 May, air.  
Arr. Fiji: 14 May.  
Leave Fiji: 14 May, air.  
Arr. New York: 20 May.

Total: 81 days.

*Time in Nauru, New Guinea and Western Samoa:* If one mission—74 days; if two missions—81 days.

*Time in the Pacific Islands:* If one mission—18 days; if two missions—21 days.

## DOCUMENT T/L.330

## Union of Soviet Socialist Republics: draft resolution

[Original text: Russian]  
[24 November 1952]

*The Trusteeship Council*

*Instructs* its visiting mission to Trust Territories in the Pacific to give particular attention to the following matters: verification on the spot of the degree of participation of the indigenous population of the Trust Territories in political life (self-government); fulfil-

ment by the Administering Authorities of the requirements of the Charter and the conditions of the Trusteeship Agreements in the economic and social fields; extent of appropriations for educational and other cultural needs, and for health needs; and investigation on the spot of specially important petitions relating to the condition of the indigenous population.

## DOCUMENT T/L.333

Draft report of the Trusteeship Council covering its eleventh session (second part),  
19 to 25 November 1952

[Original text: English]  
[26 November 1952]

## CHAPTER I. ORGANIZATION OF THE COUNCIL

*Sessions and meetings*

The Council and its subsidiary bodies held the following meetings during the period covered by the present report:

*Trusteeship Council*

Second part of the eleventh session (456th to 458th meetings), held at Headquarters, New York, 19 to 25 November 1952.

*Standing Committee on Petitions*

41st and 42nd meetings, held at Headquarters, New York, 24 July 1952 to 15 October 1952.

The Council noted that the schedule for the examination of annual reports which it had adopted at its 453rd meeting<sup>1</sup> entailed that there would be no annual reports to be examined until the June session of 1953. Accordingly, the Council decided at its 456th meeting

<sup>1</sup> See *Official Records of the General Assembly, Seventh Session, Supplement No. 4*, p. 23.

that it would not hold a session in January 1953 unless the matters referred to it by the General Assembly during the course of its seventh session should warrant the holding of such a session.

## CHAPTER II. VISITING MISSION TO TRUST TERRITORIES IN THE PACIFIC, 1953

At its 456th meeting, the Council began consideration of arrangements for sending a visiting mission or missions to the Trust Territories in the Pacific in 1953. It decided that one visiting mission should visit the Trust Territory of the Pacific Islands, Nauru, New Guinea and Western Samoa, and that it should leave Headquarters about the middle of February 1953 and return about the middle of May 1953 in order that its report could be presented in time to be considered at the summer 1953 session of the Council. It decided, moreover, that the mission should be composed of representatives of the Dominican Republic, France, Syria and the United Kingdom.

At its 456th, 457th and 458th meetings, the Council approved the nomination of the following persons as members of the Visiting Mission:

Mr. Enrique de Marchena (Dominican Republic);  
Mr. Léon Pignon (France);  
Mr. Najmuddin Rifai (Syria);  
Mr. W. A. C. Mathieson (United Kingdom).

At the 458th meeting Mr. de Marchena was elected Chairman of the Visiting Mission.

The Council adopted the terms of reference for the Visiting Mission at its 457th meeting. The Council directed the Mission to investigate and to report as

fully as possible on the steps taken in the four Trust Territories towards the realization of the objectives set forth in Article 76 b of the Charter, taking into account the terms of the General Assembly resolution 321 (IV) of 15 November 1949; to give attention, as might be appropriate in the light of discussions in the Trusteeship Council and the General Assembly and the resolutions adopted by them, to issues raised in connexion with the annual reports on the administration of the four Trust Territories, in petitions received by the Trusteeship Council relating to the four Trust Territories, in the reports of the first periodic visiting mission to the Trust Territories in the Pacific, and in the observations of the Administering Authorities on those reports; to accept and receive petitions without prejudice to its acting in accordance with the Council's rules of procedure and to investigate on the spot, in consultation with the local representatives of the Administering Authorities concerned, such of the petitions received as, in its opinion, should warrant special investigation; to examine, in consultation with the Administering Authorities, the measures taken and to be taken in respect of the provision of information about the United Nations to the peoples of the Trust Territories on the Council's resolution 36 (III) of 8 July 1948, and to undertake the duties enumerated in Council resolution 311 (VIII) of 7 February 1951 on the same question. Lastly, the Visiting Mission was requested to transmit to the Council not later than 10 June 1953 a report on each of the Trust Territories visited containing its findings with such observations, conclusions and recommendations as it might wish to make.

### Check list of documents

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations</i>
<b>T/1037</b>	<b>Memorandum prepared by the Secretariat.....</b>	<b>1</b>	
T/L.126/Rev.1	Revised report of the Committee on Visiting Missions		See <i>Official Records of the Trusteeship Council, Ninth Session, Annexes</i> , agenda item 9
<b>T/L.330</b>	<b>Union of Soviet Socialist Republics: draft resolution.....</b>	<b>3</b>	
T/L.331	Dominican Republic and Thailand: draft resolution		Adopted without change. See resolution 642 (XI) <sup>1</sup>
<b>T/L.333</b>	<b>Draft report of the Trusteeship Council covering its eleventh session (second part), 19 to 25 November 1952.....</b>	<b>3</b>	

<sup>1</sup> See *Official Records of the Trusteeship Council, Eleventh Session (Second Part). Supplement No. 1, Vol. II.*

UNITED NATIONS  
**TRUSTEESHIP  
COUNCIL**  
OFFICIAL RECORDS



*Agenda item 4*  
**ANNEXES**  
*(Second part)*  
**ELEVENTH SESSION**  
NEW YORK, 1952

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**Agenda item 4: Programme of future meetings of the Council (T/1025)**

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**Check list of documents**

<i>Document No.</i>	<i>Title</i>	<i>Observations</i>
A/2243	Report of the Secretary-General	See <i>Official Records of the General Assembly, Seventh Session, Annexes</i> , agenda item 26
A/L.114	Argentina, Belgium, Denmark and France: draft resolution	<i>Ibid.</i>
A/L.115	United Kingdom of Great Britain and Northern Ireland: amendment to the draft resolution submitted by Argentina, Belgium, Denmark and France (A/L.114)	Incorporated in the verbatim record of the 398th plenary meeting of the General Assembly, para. 51
E/2298-T/1025	Memorandum submitted by the Secretary-General to the Economic and Social Council and the Trusteeship Council	See <i>Official Records of the Economic and Social Council, Fourteenth Session, Annexes</i> , Agenda items 36 and 49