

D. THE QUESTION OF ERITREA<sup>65</sup>

On 2 December 1950 the General Assembly adopted resolution 390 A (V), recommending that the former Italian colony of Eritrea should be an autonomous unit, federated with Ethiopia under the sovereignty of the Ethiopian Crown. In 1952 the General Assembly's resolution was finally implemented.

## 1. Report of the United Nations Commissioner in Eritrea

The United Nations Commissioner submitted, to the seventh session of the Assembly, his final report (A/2188) dated 17 October 1952, covering the whole of his mission. This report supplemented the progress report submitted to the General Assembly at its sixth session (A/1959 and Add.1).<sup>66</sup>

Describing the general developments subsequent to the drafting of the progress report, the United Nations Commissioner stated that in November and December 1951 he held discussions in Geneva with a panel of legal consultants formed at his request to formulate opinions on certain general principles and legal questions which had arisen in the course of his work. These questions concerned the various problems of international and constitutional law raised by the Assembly resolution, such as the legal obligations of Members of the United Nations arising from the resolution, the delimitation of the duties of the Commissioner, the application of the resolution after the entry into force of the Federal Act and the Eritrean Constitution, the legal interpretation of the sovereignty of the Ethiopian Crown, the provisions of the Federal Act concerning human rights, and the question whether the Constitution could include provisions safeguarding institutions, traditions, religions and languages of the inhabitants of Eritrea.

In January and February 1952, the Commissioner met with a second panel of legal consultants with whose collaboration he prepared a provisional draft Constitution. This draft, the report stated, became the main subject of consultations held in March and April with the Administering Authorities and the Ethiopian Court. These consultations, the report stated, resulted in the drafting of a text, dated 22 April 1952, which was acceptable to the parties concerned.

Meanwhile, the Administering Authority, in consultation with the Commissioner, made arrangements for and convoked a Representative Assem-

bly of Eritreans chosen by the people. The elections were carried out in two stages, with delegates first being elected to electoral colleges, according to customary methods, and then the members of the Assembly being selected by those colleges by secret ballot. In the towns of Asmara and Massawa only, direct elections were held in a single stage, by secret ballot. The elections to the Representative Assembly, the first ever held in Eritrea, took place on 25 and 26 March 1952. The results were as follows:

Unionist and Liberal Unionist parties	32
Democratic and Independent Front (Moslem League and other parties of the Front)	18
Moslem League of the Western Province	14
National Party	1
Independent Moslem League	1
Total	66

In addition, a representative from the Democratic Front and a member of the Moslem League of the Western Province were elected by second ballot (indirect election) on 12 May 1952, thus amending the foregoing figures to 19 for the Democratic Front and 15 for the Moslem League of the Western Province. Christian and Moslem representatives were equal in number.

On 28 April the Representative Assembly convened for the first time. Opening statements were delivered by the Chief Administrator, the United Nations Commissioner and the Representative of the Emperor of Ethiopia.

On 3 May the Commissioner presented the draft Constitution to the Assembly, stressing the importance of equal respect for the two fundamental principles of the General Assembly resolution: Eritrean autonomy and the sovereignty of the Ethiopian Crown. The Representative Assembly considered the draft Constitution during 40 meetings between 12 May and 10 July 1952. On 14 May it unanimously adopted article 1 concerning the adoption and ratification of the Federal Act, which consisted of paragraphs 1 to 7 inclusive of the General Assembly's resolution 390 A (V). During the next two months, each article of the draft Constitution, explained personally by the Commissioner, was considered.

Giving a detailed analysis of the discussions in the Representative Assembly, the report stated that problems relating to the Assembly itself (such

<sup>65</sup> For previous consideration see Y.U.N., 1948-49, pp. 256-79, Y.U.N., 1950, pp. 363-70 and Y.U.N., 1951, pp. 277-85.

<sup>66</sup> For summary of the report see Y.U.N., 1951, pp. 277-79.