

UNITED NATIONS

TRUSTEESHIP
COUNCIL



LIMITED

T/COM.2/L.6
23 September 1952

ORIGINAL: ENGLISH

COMMUNICATION FROM THE SHARIFF IS-HAK ARAB COMMUNITY,
ARUSHA BRANCH CONCERNING TANGANYIKA

Note by the Secretary-General: In accordance with rule 24 and supplementary rule F of the rules of procedure for the Trusteeship Council, the Secretary-General has the honour to transmit to the members of the Trusteeship Council and to the Government of Italy as the Administering Authority for the Trust Territory of Somaliland, a communication dated 25 August 1952 from the Shariff Is-Hak Arab Community, Arusha Branch, concerning the Trust Territory of Tanganyika.

C O P Y

SHARIFF IS-HAK ARAB COMMUNITY
Kenya Uganda & Tanganyika
ARUSHA BRANCH
Head Office, Nairobi

P.O. BOX 231

ARUSHA 25 August 1952
Tanganyika Territory

The Assistant Secretary General,
Department of Trusteeship and Information
from Non-Self-Governing Territories,
United Nations,
NEW YORK.

Sir,

We have the honour to acknowledge with thanks the receipt of your letter No. TRI 130/5/06 dated 15 April 1952, with all the enclosures as stated.

2. Before we say anything we beg to thank you heartily for the trouble you have taken in discussing the matter.

3. With reference to Summary of 4th Meeting T/C.2/SR.4 26/3/52 page 4, we should like to add to what Mr. CARGO says, that we are not satisfied by the Government of Tanganyika's adoption of Ordinance N. 39 of 1949 which tends to classify us as non-natives in the paper but practically we are not so regarded. The government regards us as natives. You can prove from the last paragraph of the letter attached received from Acting Chief Secretary. It is just like when a mother tells a crying child that the moon is the child's but naturally the moon will never belong to the child. In the same manner we are being classifying in the paper as non-natives but are not practically treated so.

4. One thing which we do not understand is that - What will the government loose if we be granted the Asian Right? That would only improve our position which is extremely very poor. Mr. MATHESON also wonders whether our community is a large one. To say the truth our community is a very large one. Only refused its original right. It is

/not in

not in Tanganyika only but in all East African territories. Wherever you find us we are the last people to suffer the consequences.

5. People have gone away from our country B. Somaliland because of the hardships supported by British peoples coming to our country. British people have been in our country for 72 years now. Before their coming there was already an Empire by Egyptians who had contemplated many ways of improving our country in every possible way. Since the coming of Europeans to our country no step has been taken as to the wellbeing of either the country or the inhabitants. No railways have been built, no schools, no factories or anything of development. Without wealth no country can progress and so our country has been left undeveloped to date and due to this neglect we gone to E.A. countries where we are also not given our right. This looks like an indirect punishment - or what can we say?

6. Really Ordinance No. 39 could remove our fear. The trouble is that it classify us to an origin to which we do not belong. Just look at the last paragraph of a letter received from the Acting Chief Secretary attached herewith and you will see what it is intended to mean to us!

7. If the government says that we are classified as non-natives why then are we not given the privileges of non-natives? We are only categorised in the paper but naturally we are not. Perhaps the idea of the government is to give us troubles until our race is finished. If this is the case we may kindly please be returned to the empire which was ruling us before the coming of European to our country. This empire could have done alot to development of our country and people. It has been impossible to us to open any schools or hospitals or any other thing of advancement due to the poverty of our country. We cannot even communicate with our brothers at home easily.

8. So now, if we are refused the Asian right we shall remain in the E.A. Territories regarded as "natives" whereas we are not. It is only because it is impossible to explain every one thing in the paper -

/otherwise

otherwise you should have realised our troubles and grant our request. If the government regards us as non-natives why are we not paying the Non-Native Tax as other people (European and Indians and Arabs). Again, when a war breaks out our people join at once but even in the war we are regarded as natives. So we cannot see how the government says that we are regarded as non-natives.

9. We therefore, most humbly beg you to re-consider our case. We hope that you will realise the hardships we are suffering from.

We have the honour to be,

Sir,

Your obedient servants,

FOR AND ON BEHALF OF

(Sharif Elmi

(Stamp) : (House No. 29 (sgd.) SHARIF ELMI
(Arusha

SHARIFF IS-HAK ARAB COMMUNITY,
ARUSHA BRANCH, P.O. BOX 231,
A R U S H A

(sgd.) MOHAMED ALI

Received at United Nations Headquarters on 8 September 1952

/C O P Y

C O P Y

15269

THE SECRETARIAT,
DAR ES SALAAMTANGANYIKA
Telegraphic Address:-
"Chiefsec", Dar es Salaam
No. 12876/II/65

23 May 1951

Sir,

I am directed to refer to your letter of the 4th August 1950 on the subject of the status of Isakias and to express regret for the delay in replying thereto.

2. Representations on the same subject have been received from the Isakia Association of Tanganyika, and a copy of the reply setting out the position is attached.

3. In view of Government's decision it is not considered that any official announcement on the status of Isakias is called for.

(4. The reason that Isakias are not required to pay the Non-Native Education)
(Tax is that Arabs and Somalies are specifically excluded from the definition) ??
(on non-native for the purposes of that Ordinance.)

I am, Sir,
Your obedient servant,

(sgd.) P.F. Campbell

ACTING CHIEF SECRETARY TO THE GOVERNMENT

Mr. Shariff Elimi Duale,
The Shariff Isakia Community,
P.O. Box 231,
ARUSHA,
NORTHERN PROVINCE.

/C O P Y

C O P Y

THE SECRETARIAT
DAR ES SALAAM

12876/62

18 May 1951

Gentlemen,

I am directed to express regret for the delay in replying to your letter No. I.1/3815 of the 20th November 1950, petitioning on behalf of the Ishaakia Association of Tanganyika in regard to their status. As the decision of this Government on the points raised in your letter might have repercussions outside Tanganyika, it was considered desirable to consult the Government of Kenya. This has been the reason for the delay.

2. The legal position is that as a result of the High Court decision in 1926, Ishaakias born in Aden are not "natives" in Tanganyika; and the exclusion in 1949 of Somalis from the definition of "native" in the Interpretation and General Clauses Ordinance (Cap.1) has made it clear that Ishaakias from Somaliland are not natives under the law of Tanganyika, except under certain ordinances in which "native" is differently defined.

3. In so far as it is material, this Government regards Ishaakias born in Somaliland as Somalis and is not convinced by your arguments to the contrary. It is understood that the Government of Kenya is of the same opinion.

I am,
Gentlemen,
Your obedient servant,

ACTING CHIEF SECRETARY TO THE GOVERNMENT.

Messrs. Morrison & Dobb,
P.O. Box 473,
DAR ES SALAAM.
