

UNITED NATIONS

TRUSTEESHIP
COUNCIL

29 FEB 1952

INTD H



GENERAL

T/PET.11/148
5 November 1951

ENGLISH

ORIGINAL: ITALIAN

PETITION FROM SCERIF ABUBAKAR
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

Note by the Secretary-General: In accordance with rule 84 and supplementary rules F and L of the rules of procedure for the Trusteeship Council, the Secretary-General has the honour to transmit to the members of the Trusteeship Council, to the Government of Italy as the Administering Authority of the Trust Territory of Somaliland, and to the Governments of Colombia, Egypt and the Philippines as members of the Advisory Council for the Trust Territory of Somaliland, a communication dated 3 October 1951 from Scerif Abubakar concerning the Trust Territory of Somaliland under Italian administration.

This communication was transmitted to the Secretary-General by the United Nations Visiting Mission to Trust Territories in East Africa.

To:

The United Nations Visiting Mission

Mogadiscio

I, the undersigned Scerif Nur Scerif Abubakar Scerif Mohamed-Asceraf, born and living in Merca, beg to appeal to the fair judgment of the United Nations concerning the following:

About 25 August 1950, Mr. Del Bufalo, farmer and holder of a concessio in the district of Genale, killed my son Scerif Mohammed Nur, aged 24, by running into him with his car in the garage where my son was working on his own truck. In spite of the fact that many persons had warned him about my son's presence in the garage, Mr. Del Bufalo -- a fascist of the old colonial type, with a bullying nature -- drove his car at full speed into the garage. In short, he committed this serious crime inhumanly and violently, knowing full well that his fellow-countrymen in charge of security and justice would not punish him, which was indeed the case. He was not even placed under arrest by the Italian Police. Even worse, the judge who heard the case in January 1951 in the Court House of Mogadiscio fully acquitted Del Bufalo, without giving the slightest consideration to all the proofs which clearly and fully confirmed the culpability of the defendant. Moreover, the judge stated that his sentence was final and that Mr. Del Bufalo could as a generous gesture, pay the family of the deceased the small sum of 1,500 shillings. Should we refuse this sum we would lose any right to compensation for damages. I did not feel I could accept that sum, for -- as even the AFIS knows -- Moslem Law establishes a Diah (compensation for murder) of 100 camels, that is to say no less than S/20,000-.

Later I was compelled to employ an Italian lawyer, Mr. Bona, to defend our interests and to obtain the full compensation we are entitled to. Of course there was considerable expenditure. Up to now no results have been achieved.

Oppressed and ill-treated as I am by the AFIS, my only hope of obtaining justice is in Almighty God and the United Nations. You can well imagine how serious a case it would have been had the murdered man been an

/Italian,

Italian, killed by a Somali. In such a case the defendant would have received no less than a life sentence.

With profound respect,

The oppressed claimant

Scherif Nur Scerif Abubaker-Asceraf

Mogadiscio, 3 October 1951
