



UNITED NATIONS
TRUSTEESHIP
COUNCIL



GENERAL
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[Handwritten signature]

PETITION FROM THE CHIEFS AND NOTABLES OF MERCA
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 22 September 1951 from the Chiefs and Notables of Merca 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 HONOURABLE REPRESENTATIVES OF THE
UNITED NATIONS TRUSTEESHIP COUNCIL

M E R C A

Merca, 22 September 1951

Protest by Chiefs of ethnic groups, Sherifs and Ulema of Merca.

We, the undersigned, Chiefs, Ulema and Elders of the Kabyles, who stand for customary and Islamic law, thank almighty God for having given us this opportunity to throw light on a number of matters which affect the general welfare of the populations we represent. In addressing ourselves to you, representatives of the United Nations Trusteeship Council, we are confident that you will grant our requests and do everything in your power to help the peoples aspiring to independence and progress.

Since November 1949, when the General Assembly of the United Nations voted for Italian administration of this territory, on condition that Italy applied and respected the democratic principles of the United Nations, we Chiefs have been confident and hopeful that the Italian Administration would fulfil the undertaking it had entered into before the Trusteeship Council to respect democratic principles. But to our great sorrow Italy, and in particular the Italian Administration, has preferred to act otherwise.

(a) HUMILIATING TREATMENT OF CHIEFS AND ULEMA

The Sheikhs, Ulema, Elders, Notables and other influential or competent persons in the legal, economic or other fields from among the twelve ethnic groups of the Kabyles residing in the inhabited centre of Merca have no say in the decisions of the Administering Authority. Instead, a band of undesirables recruited and paid by the Administration impose decisions on their fellow Kabyles by methods of intimidation, threatening the population with grave consequences if the decisions are not carried out. We, the Sheikhs, Ulema and Elders, thus have no say in the matter and are obliged to give our assent for fear of reprisals.

/(b) EDUCATION

(b) EDUCATION AND CULTURE

It is the Trusteeship Council's duty to make sure that democratic principles are applied to promote and encourage the moral advancement and the progressive development towards independence of all who aspire to these basic objectives. We have noticed that before all else the pupils in the existing elementary schools of Merca are obliged to learn Italian. As the population of Merca in general and the Somalis in particular had unanimously requested that Arabic should be adopted as the principal subject of study in the schools, we feel that our unanimous request has been refused, although that request had been favourably received by the Advisory Council, which acts as an intermediary between the people and the Administration. The teaching of that language given to Somalis consists of conversation rather than study, the purpose being to withhold from the Somalis the degree of development needed to fit them for self-government and independence.

(c) MUNICIPAL AND RESIDENCY COUNCILS

As Chiefs we feel obliged to point out that spurious and illegal Chiefs were called upon to act as the people's representatives on the Councils when the latter were established. These so-called chiefs do not live in Merca but come from districts twenty to fifty kilometres distant; they are illiterate and they have no legal experience whatever. We beg to ask for some explanation of these matters, which affect the well-being and improvement of our country.

(d) ECONOMIC OF THE COUNTRY

The great-majority of the inhabitants engage in trade. Ever since the Administration was set up it had been thought that facilities would be granted for commercial development, but such hopes have proved illusory for the inhabitants of Merca, the only persons deriving benefit being those likely to fall in with the wishes of the Administration. Many persons have had to cease trading with other countries owing to the difficulties they have experienced in obtaining the import and export licences requested by them.

/(e) TRIBUNALS

(e) TRIBUNALS AND CHARYA COURTS

In this district there are no district tribunals nor district Sharia courts. A so-called tribunal meets from time to time for a period of fifteen days and is presided over by a visiting judge from Mogadishu, the same being true of the Sharia courts and the Cadis. It is often noticed that the public entitled to be present in court is intimidated by the soldiers patrolling the hall wherein is held the court which is not worthy to be called a court. We therefore doubt whether, from a constitutional angle, it is/worthy place for the preparation and the development of the future Somali State.

In conclusion, we hope that the above statements will be given serious consideration and will lead to an improvement in the fortunes of our country and the general well-being of the peoples we represent.

(signatures)

REPRESENTATIVES OF THE ETHNIC GROUPS OF MERCA

- 1) SHERIF AHMED ABDALLA, ASHERAF AL AHDALI
- 2) SHERIF MOULANA BIN ABUBAKAR ASHERAF
- 3) SHERIF ABDURAHMAN AHMED ASHERAF
- 4) SCERIF ABDURAHMAN TAHIR

CHIEFS, ELDERS AND ULEMA OF MERCA

- 1) HAGI ISMAIL
 - 2) SUFFI MOHAMED MAHAD
 - 3) HAGI ABDURAHMAN
 - 4) NUR BARRCW
 - 5) SCEIK GIAMAL
 - 6) ABBAKAR SCEK HASSAN
 - 7) IMANKI OSMAN
 - 8) SHERIF ALI MUTUNA SHERIF ALI
 - 9) ABI MOHAMUD
 - 10) HAGI MOHAMED OMAR
 - 11) OSMAN ALI
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