

UNITED NATIONS
TRUSTEESHIP
COUNCIL

DOCUMENTS
INDEX UNIT

MASTER

20 MAY 1952



GENERAL

T/PET.11/258
21 April 1952

ORIGINAL: ENGLISH

PETITION FROM MR. MAHAMED NUR MAHAMED CONCERNING
SOMALILAND UNDER ITALIAN ADMINISTRATION

Note by the Secretary-General: In accordance with rule 85 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 16 February 1952 from Mr. Mahamed Nur Mahamed concerning the Trust Territory of Somaliland under Italian administration.

This communication was transmitted to the Secretary-General by the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration.

52-4775

/Translated
T/PET.11/258

Translated from Italian

Mogadiscio, 16 February 1952.

To: The Secretariat of the United Nations Advisory Council,
Mogadiscio.

Copy to: The SYL Head Office, Mogadiscio

Subject: Protest against unlawful imprisonment by order of the
Commissario of the Lower Juba Province.

I, the undersigned Mahamed Nur Mahamed, of Somali nationality, at present residing at Mogadiscio in the Scuraran quarter, herewith submit the following statement to the Advisory Council for its information and for the purpose of protesting against what happened to me, recently, at Kismayu.

In this statement I shall try to explain many interesting facts of which the Secretariat had better be informed; by doing this I do not claim any praise for what I shall objectively relate hereunder.

My fellow-students had asked me to speak to the Economic Commission touring Somaliland and due to visit Kismayu on 23-September 1951, about the problem of schools in general and the local school in particular; so I did, and on that occasion I mentioned the fact that all the school equipment had been collected at random just two days before the Commission's arrival and that the school-teacher himself had been put into office only three days earlier, while until then the local priest had acted as teacher. Although I was speaking the truth I knew I was running the risk of being imprisoned, nevertheless, because I had been entrusted with that task by my fellow-students, I stated the facts as they were.

On 25 September I was again asked by the notables of the village and by the political parties to relate those facts also to the second Trusteeship Commission that had arrived on that day. Although we had mentioned all faults of the Administration as well as its merits, and again because I had been asked to translate these facts by the political parties and by the elders, I did not

/omit anything

omit anything personal. I pointed out to the President of the Commission the fact that the Resident had admitted into the room where we were being interviewed, some men paid by the Administration in order that these could, at a later date, inform the authorities of all we had said to the Commission.

The President, being thus informed of the presence in the room of strangers and seeing that the other men did not want to utter a word, took it upon himself to free the room of the persons who had sneaked in on behalf of the Administration. After having explained, according to our wish, all problems concerning the village, I said I felt sure that as soon as the Commission had left, I would be imprisoned by the Administration for the following reasons:

1. For having reported to the Economic Commission on 23 September and for having quarrelled on the following evening with the new school-teacher, who on that occasion had provoked us by insulting the Somali people in a public meeting, for which reason the quarrel had a certain sequence well known to all students and to the population, of which I shall speak on a later occasion.
2. For having driven the paid men out of the room where we were being interviewed by the Commission and for having spoken in detail about everything concerning the adherence to the Trusteeship Agreement by the Italian Administration.

The President asked me whether I thought I would be imprisoned immediately or on the morning of their departure. I answered that I thought I would be imprisoned upon their departure from Kismayu and that was exactly what happened. Not even 12 hours after the conference had taken place, i.e. on the morning of the 26th, while the Commission was proceeding to Gobwen to take the aircraft, I was escorted by armed policemen who arrogantly ordered me to follow them and immediately put me into prison.

I was left in prison for 66 days without being brought to trial, and not knowing even the charge of which I was accused. Not sufficing the fact that I had been put into prison, I was also to suffer special treatment, being closely watched through control checks every ten minutes; not being strictly forbidden to smoke or to have visitors; the cell that had been reserved for me had no window and no bedstead, and there was no ventilation at all; I was given a petrol tin for the necessities of the body.

/After 66 days,

After 66 days, to my great consternation, I was brought before a fictitious tribunal, presided by a chancery official. The official defence was carried out by personnel of the Administration and the jury consisted of Italians; moreover, several Italians from outside had appeared in the court and continuously went to whisper into the ears of the President what they thought of me and what they wished I should be sentenced. The trial last less than five minutes, after which I was again sent back to prison and the next day i.e. on 29 November 1951 I was sentenced to four months imprisonment. As the judge had not wanted to prolong the trial and had taken sides with the jury, they had all been in agreement as to the sentence before it was pronounced. When I said I liked to know the charge I had been sentenced for and who was the adverse party, not having been able to discover any presumable opponent in the room, the judge reacted violently and in public ordered me to shut up, explaining to me that in court it is not for the accused person to lay down the rules that equally apply to everyone. The judge also said in public that I was an atheist not believing in God or any customary rules (as to my religion, I am a Moslem and I think I had better point out that it was not the judge's job to offend my religion); only because I continued to insist I was, after the debate had been closed, faced with my opponent who turned out to be the school-teacher. I cannot say how surprised I was, considering the offence and provocation I had suffered in the quarrel of 24 November, at the end of which the complainant had kicked me in the chest; yet I then had been so stupid as not to protest personally against his having offended the students as a whole and particularly the Somali population. I had, instead, taken it easy, because I had a very high regard for his position as a teacher and also because I had not wanted to create chaos amongst the students for this incident.

I even admit that quarrels and fights may happen amongst men but never was such an impudence reached as to create a similar tragedy, which shows that for the Italian Administration all means are good enough for frightening and subjugating the Somali population and, particularly, the followers of the Somali Youth League.

I feel that when I was sentenced I had the right to know who my opponent was, but I never thought that the judge himself could have the task of defending him. When, eventually, I was sentenced to four months detention, I was ushered

in by the police N.C.O. and after a few words I was handed a paper of compulsory deportation, bearing serial number 39, though nobody had asked me about my place of residence, profession and place of birth.

When I pointed out I was born in Kismayu, the police N.C.O. answered that I had to leave the village immediately; not satisfied with what I had heard from the police N.C.O., I went to the Commissario, Dr. Wagner, to whom I explained my position; the latter, instead of giving me an answer as is customary between gentlemen, used angry language, little suitable for persons possessed of a public spirit; he even made me understand that the Italian Administration could not care less for the Advisory Council and the United Nations Institutions having every right even to apply injustices against the population of this Territory.

I did not fail to point out to the Commissario that the declaration written on the deportation paper had not been made by myself but had been filled in by the Police and that I had stated in court that I was born at Kismayu and not at Galkayu. The Commissario replied in an elusive manner and said that my departure was compulsory and that a prorogation to enable me to gather my belongings could not be granted; immediately after having left the office of the Commissario, I was called by the Police and informed that only 7 days had been granted which they said would be sufficient for me, although I had explained that I had important personal affairs to settle in Afmadu as well as at Margherita and Gelib. All my explanations were in vain and the Somali Inspector was instructed that, should I still be in the village after the 7 days had elapsed, I was immediately to be re-arrested; these orders not being sufficient, I was also followed by plain-clothes policemen who frightened me in the streets and also indoors. When only 5 days had passed, I was again called by the Police and ordered to take a seat in a lorry that was about to leave. As this last period after my release from prison had been a continuous torture and I could no longer feel at peace in my own house owing to the continuous police searches and also because I wanted to enjoy some freedom, I decided that it was best to leave my home village.

Finally I beg the Secretariat to enquire thoroughly into the facts I have explained, taking well into consideration the sense of impartiality with which I have abstained from any personal judgment and not to forget the moral and material

/harm

harm I have suffered because it is impossible to speak the truth in front of a Mission of Enquiry, in this Territory under Italian Administration.

I add that I retain the right to claim the privileges of a free citizen in a free world, and I hope that the Secretariat may interfere for the continuous grievances to which many Somalis are exposed and will be exposed.

I also add that I am prepared to give verbally any further explanations which the Secretariat should require, at any time.

Thanking you sincerely,...

(signed) illegible.

Received by the United Nations Advisory Council in Mogadiscio on 28 February 1952.
