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COUNCIL



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PETITION FROM REPRESENTATIVES OF THE AVERGHEDIR-SAAD TRIBE
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

(Circulated in accordance with rule 85 and supplementary rules F and L
of the rules of procedure for the Trusteeship Council)

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

Mogadishu, December 30, 1953

To:

THE UNITED NATIONS ADVISORY COUNCIL
FOR THE TRUST TERRITORY OF SOMALILAND
M O G A D I S H U (Somaliland).

We the undersigned exponents of the Averghedir - Saad tribe, relying upon the unflinching support of the United Nations who distinguished itself from giving a hand of succour to the oppressed, have the honour to request the Advisory Council's prompt intervention in the case we now lay before you, so that the whole of our tribesmen amounting to 3000 persons would benefit from the justice you would do in the matter and which was denied to them by the Trusteeship Administration.

In 1938, His Excellency F.S. Caroselli - then Administrator of the Colony of Somaliland - by Governatorial Decree n. 16956 dated April 15, 1940, nominated chief of the Averghedir Saad tribe one HAGI MAHAMUD GUREH BARRE, in view of the fact that since the deposition of chief HERZI GUREI the tribe remained without a chief and in consideration of requests made in several documents by the elders of the tribe. The cause which led the then Governo della Scmalia to depose Herzi Gurei is well known and could be gathered from the copies of petitions which we enclose herein.

Since 1938, therefore, this HERZI GUREI kept away from matters concerning directly or indirectly to the tribe of Averghedir Saad. Chief HAGI MAHAMUD GUREH took up his office on 27/11/1938 but gave it up on 12/3/1941 when he transferred himself to the interior. The vacancy was taken up on 15/7/1941 by one HAGI HASSAN, who, when he got an employment with the Administration, left vacant his position on 25/11/1950. On this circumstance, and while the tribe was being without a chief, an elders' assembly was held on 25th of April 1953, whereon the tribe's representatives accorded their will and faith on one FARAH HASSAN DOREH by naming him - after regular democratic vote - chief of their tribe. As is the custom, the tribesmen's exponents brought the matter to the attention of the Trusteeship Administration and at the same time requested for the authorization to hold a "Shir" or assembly for the election of the chief by the tribesmen by democratic criterion principles. Instead of granting the requested authorization the Administration made out clear to us that HERZI GUREI is the only recognised chief and affirmed that his undesired authority will be imposed upon the tribesmen concerned. From thence we were compelled to address several petitions to the proper channels of A.F.I.S. executive bodies. Copies of these petitions are also enclosed here for your perusal. Our last petition was addressed to the Administrator of Somaliland, and when requested for a reply his Particular Secretary informed us that we would certainly get it from the Ufficio Affari Interni, and from there we have been sent to the Commissario Regionale del Benadir and here we were received by a simple clerk named Daganelli who told us that the reply of the Administrator was that should we continue to request for a "Shir" intended for the election of a chief and therefore tending to refuse HERZI GUREI as chief the Administration would take steps ensuring us direct imprisonment. To this he added a good dose of blasphemy.

We beg you to consider deeply the fact that the Italian Trusteeship Administration openly violates - apart from the clauses of the Trusteeship Agreement for Somaliland - the old-time rooted democratic somali tradition. In fact the A.F.I.S. has deposed since its initial establishment many a chief in lieu to a particular element who is supposed or believed to have served the italian cause return to Somaliland, like HERZI GUREI.

In view of the above circumstances, and desiring our tribesmen to follow the procedure followed since an immemorable period up to now for the election of a chief and having considered that the Administration of this Trust Territory of Somaliland intend to impose up on the tribe of Averghedir Saad the authority of a man undesired only because the Administration believe his faithfulness to her and to Italy, having noted that our traditional democratic principles are being shadded to pieces, we, the exponents of the tribe in question, fervently neg the Advisory Council to examine the whole case and to promptly please intervene so that we could elect our chief by means of a "Shir" as is the custom, since this criterion is the only way of democratic principles followed since an immemorable time by all somalis.

Anxiously awaiting your early and favourable reply announcing us that at least justice is done in this case which is vital to the social institution of our tribe,

Thanking you.

We beg to remain,
your most obedient servants

- | | |
|---------------------|-------------------------|
| 1. (Sgd) | MOHAMED GHELLE MAHAMUD. |
| 2. " | TAHLIL WARSAMA |
| 3. (sgd in Arabic) | MOHAMED WARSAMA |
| 4. (Sgd) | MOHAMED HASSAN HIRO |
| 5. (sgd in Arabic) | ALI IDD |
| 6. (sgd) | WARSAMA BARRE |
| 7. (sgd in Arabic) | ABDULLAHI HAGI FARAH |
| 8. " " | FARAH BARRE |
| 9. " " | YUSUF HASSAN |
| 10. (fingerprint) | AHMED YUSUF |
| 11. (sgd in Arabic) | BARKADLE AWALEH |
| 12. " " | HAJI ABDULLAHI IDD |
| 13. " " | ABDI SALAD |
| 14. (Sgd) | ABDULLE MOHAMUD YAREH |
| 15. (Sgd) | ISSE ELMI |

Translated from Italian

(Encl. A)

To: THE PROVINCIAL COMMISSIONER of BENADIR
MOGADISCIO

The undersigned, representing 3000 people of the Saad Tribe residing in Mogadiscio, set out to you the following protests:

Firstly reference is made to Judgement No. 72 of 4/2/1949 passed by Khadi of Mogadiscio Sheekh Ali Aden, and subsequently confirmed by the Administrator of Somaliland, H.E. Fornari in R.R. 47/52 of 2/3/1952. From that time to date the judgement has not been carried out. It concerned an executive order by the Mogadiscio District Commissioner for the payment of blood money by Mohamed Wehlie, Surur, to Osman Hassan, Saad, (see letter addressed to them with copy for information to Provincial Commissioner of Benadir No. 21152/D-3 of 7 January 1953). To date no satisfaction has been obtained.

The second protest concerns Chief Cav. Haji Herzi Gurei, who failed to resign from office, as agreed. About this matter various applications were submitted to all local Authorities, and finally the whole documentation was collected by the Mogadiscio District Commissioner who was to issue instructions and settle the matter. Nothing has been done to date. The Saad people are ready, and are still waiting to hold a regular election to settle once and for all the disagreement between the Saad tribe and the chief in question. We were waiting for instructions from the District Commissioner, but nothing is being done; indeed, it is thought that all our important affairs are being kept in abeyance.

It is to be noted that the above-mentioned chief was dismissed from office and ceased to be a chief in 1940, at the request of the Saad people. In support of this we produced an Official Bulletin stating that he had failed to do his duty and was dismissed. The said Bulletin is still in the District Commissioner's hands, and we ask that it be returned for we need it. The chief did not deserve to be reinstated in Office, unless the Administration suggested it for political reasons. Still, the required consent of the whole Saad tribe

residing at Mogadiscio was not obtained, and none of its members elected him to resume office. Such a procedure is not legal, contrary to personal freedom of inhabitants, and (?). According to democratic laws, every person has the right to lodge a valid appeal and is entitled to be treated on equal terms with anybody else; protection cannot be granted to a single person to the detriment of a population amounting to 3000 people.

The undersigned complain about the Mogadiscio District Commissioner, who treats them unjustly, whereas they merely claim the rights to which they are entitled.

Moreover, they complain that when they are being received by the District Commissioner they cannot set out quietly their wishes, because he forthwith gets into a rage and begins shouting and immediately calls in Police constables and Ilalos who throw everybody out. Such treatment was meted out to them several times.

The above are their just complaints, and they have the honour to apply to you, requesting that you enquire into the matter and give instructions to settle satisfactorily their business. Otherwise they will feel compelled to apply to Superior Authorities to have their rights recognized in terms of law, and they do not intend by this to threaten anybody.

Trusting that you will take into benevolent consideration this application made in the form of an accusation, they thank you in advance and beg to remain

Very respectfully yours
Representatives of the Saad tribe
residing in Mogadiscio

Farah Hassan Dore
Mohamed Warsama Wador
Mohamed Ghelie Mohamud
Abshir Igal
Ali Elmi Barre

Haji Hassan Dini
Jama Dirshe
Mohamud Ossoble
Hashi Awale
Abdullahi Sahal

Mogadiscio, 25 June 1953

Translated from Italian

(Encl. B)

To: H. E. The Administrator
Ambassador Enrico Martino

A.F.I.S.

through:

Department of Internal Affairs A.F.I.S.

MCGADISCIO

Subject: Chief of the Averghidir Saad Tribe

The undersigned members of the Averghidir Saad tribe representing a population of 3000 people, have the honour to address the present petition to Your Excellency trusting that after it has been taken into benevolent consideration they will receive a full and prompt answer.

They inform you that they are not at all satisfied with the decision taken in their regard by the Trusteeship Administration, which has imposed on them, contrary to the Tribe's principles of freedom of election, a salaried chief whom they do not intend to acknowledge and whom they never acknowledged.

The office held by the present chief, Mr. Herzi Gurei, recognized by the Administration and not elected by the tribe, is an office given to him by the Administration, perhaps as a token of gratitude for his action in favour of the return of Italy to Somaliland.

The fact is that the members of the Averghidir Saad tribe never elected Herzi Gurei as their Chief, and can prove that despite unceasing and insistent requests to remove him from office addressed to the Administration no results have been achieved; the said Herzi Gurei is usurping an office that was not granted to him by the tribe.

They advise you that their chief used to be Haji Hassan Elmi, who was chief during the period of British Administration, and who was subsequently removed to reward Herzi Gurei, as stated above.

The tribe's wish was, and still is, to replace Haji Hassan Elmi with the chief of their choice, namely, Mr. Farah Hassan Dorreh.

In this connection they can prove that they sent requests to the District Commissioner, Provincial Commissioner and Department of Internal Affairs offices, without getting any answer. (see applications sent on 20/5/1953)

All these requests are still unanswered today. They then sent another application to the District Commissioner dated 25 June 1953, still with no result. A verbal request was made to the Residency to hold free elections and to send to watch them a representative of the Trusteeship Administration, in order that they take into account the wish of the majority of the population.

Some time ago they were summoned to the District Commissioner's office and Dr. Zuccardi-Merli, perhaps requiring from them an election favourable to Herzi Gurei, lined up in his office ten men favouring Herzi Gurei and seven representatives of the group opposing him. He asked then that the ten on one side and seven on the other side should hold a unanimous election, there in his office. When our people refused, he had one of them arrested, the Notable Ahmed Yusuf, who was released later on.

These, Excellency, are intimidations and despotic actions taken to the detriment of the Saad group of Averghidir tribe, on which the District Commissioner, more than any other person, wants to impose a Chief disliked by the mass. The District Commissioner also spoke offensive words with regard to freedom of choice, taking unfair advantage of the office he holds, saying among other things, that even though it was not to our advantage to have that Chief, it was to the advantage of the Administration.

We wish to point out, Excellency, that we cannot accept intimidations of the sort to suit the District Commissioner, who makes use of every means in his power to impose on us a person he likes, and whom we do not accept as our Chief. We made our choice in the person of Farah Hassan Dorreh. We ask therefore to be received and heard in order to settle this matter which drags on since pre-war times. Moreover, Herzi Gurei uses a person to create disagreements between us and AFIS. To you, Excellency, the highest authority to whom we may apply, we address the request to settle, peaceably and justly, the question concerning the members of our group.

We will also be most grateful if you will arrange that we receive, from the District Commissioner's office and more precisely from Dr. Zuccardi-Merli, no further intimidations, against which we would be able to react in the proper form.

Awaiting to be received and heard, or to have a prompt answer,

Shekh Ali Id Leader

Mohamed Warsama

Khalif Abdi Salad

Yusuf Assan

Tahlil Warsama

Farah Barre

Abdullahi Salad

Mogadiscio, 27 October 1953

Translated from Italian

(Encl. C)^{1/}

To: A. F. I. S.
Department of Internal Affairs
MOGADISCIO

The undersigned leaders of the "Saad" tribe, living in the various Mogadiscio villages, have the honour to advise your office of the following:

In the year 1938, when there was still the old Italian Government, Haji Herzi Gurei was removed from the office of Tribal Chief. At present he does not represent us in any way. During the meeting held on 25/4/1953 by the Tribe it was decided unanimously to appoint as the tribe's representative FARAH HASSAN DORE.

The above-mentioned Chief does not safeguard the interests of the tribe therefore we wish him to be replaced by someone selected by the tribe, naturally in a general meeting authorized by the Authority. Furthermore, Haji Herzi Gurei had himself appointed without being chosen by the tribe to replace the old chief Haji Hassan Elmi, at present employed with AFIS.

We are awaiting, with great confidence, your office's decision.

The Leaders

Mohamed Warsama Wado'
Mohamed Ghelle Mohamud
Tahlil Warsama Awale
Ali Elmi Barre
and 44 more signatures

Note: The above-named are the Elders of SAAD tribe in Mogadiscio.

Note by the Secretariat

1/ The same letter was also sent to the District Commissioner and Provincial Commissioner of Benadir.