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PETITION FROM MR. GIBRIL ABDI MAHAN CONCERNING
SOMALILAND UNDER ITALIAN ADMINISTRATION

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the rules of procedure of the Trusteeship Council)

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

Gardo, 31/7/57

United Nations,
Mogadiscio.

I the undersigned, Gibril Abdi Mahan, living at Bosaso, am submitting the present petition to you so that you may act on the following information. On 30 September 1951 I left Bosaso for Gardo in a hired motor vehicle, an Austin number plate S.565, with twenty-five passengers besides the load. On our way along this road we came to a place called (Hanghei), between Bosaso and Gardo, where there is a hill. The vehicle would not go up the hill, even when pushed from behind, and it overturned, killing my son, Farah Gibril, and injuring four others.

On 2 October 1954, the police took up the matter and it was proved that the vehicle had no brakes. Then the vehicle was taken to Gardo, where the driver was arrested and the Resident of Gardo ordered that So.16,000 should be paid pending settlement of the matter.

Abdullah Mohamed of the Warsanghali tribe was the man who hired the vehicle. He went to Bosaso to see the Commissioner, Dr. Lucchetto, who gave instructions for the vehicle and the driver to be sent back to Bosaso, where they were both set free.

I waited at Gardo three months for a reply but no reply came.

I went to Mogadiscio to complain. You can see my complaint and the expense sheet, which are at the Department of the Interior. The Cadi of Bosaso ordered the driver's family to pay compensation for the death. In December 1955 the judgement was transmitted to the Department of the Interior. I wrote a letter to Dr. Benerdelli to give him details of the expenses I had incurred, amounting to So. 6,000. I submitted a claim specifying the expenses, of which I am now sending you details and a copy herewith.

Up to 1956 I had no reply, so I went to see the Resident of Bosaso to ask for an answer. The Resident wrote a letter to the Minister of the Interior, who then referred the case to the British Consul at Mogadiscio. The Consul replied that I should go to Hargeisa and that the sentence imposed by the Cadi of Bosaso was null and void. In 1956 the British Consul came to Bosaso, where I asked him about the case. He answered that I would have to go to Hargeisa. I said that the accident had occurred in Somaliland and not in Hargeisa. He told me to wait for a reply, as he was writing to Hargeisa. But so far there has been no reply and I would point out that hitherto, only the Cadis have had jurisdiction in Somaliland.

I am informing you of these facts in the hope that you will do something about my complaint.

I should like to obtain, with your help, some compensation for the death of my son and the reimbursement of my expenses, So. 6,000.

I am making a complaint against the driver of the vehicle but not against the British Government. I realize that the matter does not concern the British Government.

Now, with your help, I should like to obtain compensation for the death of my son and my expenses. Please find herewith also a detailed account of the expenses which I incurred because of the action of the Cadi of Bosaso.

Hoping that I shall obtain a reply and my rights, I have the honour, etc.

GIBRIL ABDI MAHAN

Gardo, 30 July 1957

COPY

Mosaso, 17 December 1955

Afis - Department of the Interior,
MOGADISCIO

I, the undersigned, Gibril Abdi Mahan of the Uabenia tribe, father of Farah Gibril Abdi, who was killed, declare that the expenses incurred from 31/8/51 to the end of June 1955 during the lawsuit amounted to So.575.

As I said at the beginning of the case, my expenses from 3/9/51 to 12/11/51, between Gardo and Bosaso, were So. 285.

On 19/11/51, I went to Mogadiscio to appeal against the judgement given by Dr. Lucchetti.

I arrived at Mogadiscio on 1/12/51 and immediately made various applications: on 3/12/51 to the Public Prosecutor's Office on 3/3/52 to the legislative authorities and a third application on 3/12/52, so that, during my stay at Mogadiscio because of the death of my son, a period of about twelve months, I was forced to spend a total of So. 3,570.

On 15/12/52, I was called to the police station (Batetaras) and they told me that the case was being dealt with at Bosaso, where the judgement would be reviewed. I went to Bosaso but there was no decision and on 14/3/53 I returned to Galcaio, where I made a direct application to His Excellency Mr. Martino on 25/4/53: expenses So. 255.

About two months afterwards, I received a reply with all the papers required for an examination of my case by the Cadi of Gardo, but the Cadi did not take the matter up: expenses, So.255.

I made another application to the legislative authorities on 5/6/53, a second on 15/10/53 and a third, made from Aden, to the authorities at Mogadiscio: expenses So. 85.

Then I went to the hospital at Hargeisa, where I received a letter from Hajji Issa Mussa, the Cadi at Bosaso, who told me that the legislative authorities at Mogadiscio had authorized him to inquire into the hearings in the lawsuit about the death of Farah Gibril Abdi. On 27/9/54 I departed immediately via Uadere and reached Belet Uen on 23/10/54, where I sent telegrams and letters appointing an agent at Bosaso: expenses So. 595.

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I returned to Hargeisa for treatment and then went to Mogadiscio again on 3/2/55, where I made inquiries. I was told that the case had not yet been decided and I was advised to go back to Bosaso. I arrived at Bosaso on 3/3/55 and went to see the Cadi of Bosaso, who asked me to get witnesses. But they were all far away and I had to go and collect them. I finally succeeded and on 10/6/55 everything was ready at Bosaso for the local Cadi to conduct the case on 18/6/55: expenses So.415.

The District Commissioner ordered me to go to the authorities at Mogadiscio, where I arrived on 19/8/55. The copy could not be found at the Administration. I left Mogadiscio and reached Bosaso on 27/10/55: expenses So.540.

There is a statement of these expenses at the central judicial office.

	<u>Total expenses</u>
So.	285
	3,570
	255
	255
	85
	595
	415
	540
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So.	6,000

Gibril Abdi
