

UNITED NATIONS
TRUSTEESHIP
COUNCIL



Distr.
GENERAL

T/PET.11/637
9 January 1956
ENGLISH
ORIGINAL: ARABIC

PETITION FROM MR. MOHAMED JHELLE MOHAMED AND OTHERS
CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION

(Circulated in accordance with rule 85 and supplementary rule 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.

To the Advisory Council, Mogadiscio

Compliments

We wish to bring to your notice certain facts which worry us because we, Somalis, do not permit ourselves to remain silent when representations should be made.

(1) Signor Franca is a man who has astonished us. He will write a new history in Somalia unprecedented by any of his colleagues, the members of the Administering Authority of Somalia. He is singular in the establishment of colonialism and harmful tribal institutions which we had left behind, long time ago. We know him very well because he was in Somalia for a long time prior to the return of the territory to us. He is an old colonist and we feel bound to complain against him. Please consider this question.

(2) The Somali nation has agreed that government is causing the spread of disease in Somalia. Government have established the Carabinieri in our land for assaulting, killing and humiliating the people. They have no other job to do. They number about 1,500 and as their only concern is to assault people, many persons have contracted diseases on account of such assaults and about 2,000 have lost their lives. There are about 3,000 people in hospitals on account of such assaults. Please look into that.

(3) The Administering Authority claims that it has given the nation administrative responsibility. This is false. Some Somalis have been made residents but by

56-00497

name only. A Somali cannot get even one third of his rights and we are thus free people and slaves at the same time. The Somali resident is like a statue. He has no power but has to refer matters to others and to seek their orders.

(4) The Somali nation was very sad to see back last week a man who is worse than 1,000 men. He is Bernadelli. This man has a history back of him in Somalia since he has spent more than 30 years in this country. He is unique in creating troubles and dissensions between Somalis. About 3,000 men have lost their lives as a result of arms and weapons issued by Bernadelli to the tribes to fight one another. He gives money to about 2,800 Somalis for no reason whatsoever. If you ask any of the recipients why he receives the money, he would answer that he is a Cadi or a tribal chief. In fact the nation does not recognize the control of tribal chiefs nor of the present Cadis since all of them are political figures and implementing government policy. As soon as Mr. Bernadelli returned to Somalia, different incidents took place at Bitab (?) etc. By God, the people felt at ease during his absence from Somalia although he was not away for more than three months during which no incidents or troubles took place. Please consider this miraculous question.

(5) The Commissioner of Alta Juba in Bitab (Baidoa) (?) instructed all his residents to order that all tribes who oppose government policy should leave Bitab and suburbs. These orders are completely illegal because the Somali nation is one and each Somali is entitled to the same rights as any other. How could such an order be issued? Where to those tribes could go if they were to leave that place. There is no doubt that if government do not cancel these orders, troubles would arise amongst Somalis. Such orders separate between members of the same nation and the Somali nation cannot be separated at the present moment but should be united so that the whole nation would be grateful to government.

(6) As regards Sharia Law, a person cannot get his rights at present since the Cadis do not issue judgments in accordance with the Sharia but refer matters to foreign judges who have nothing to do with the Sharia. Either the Sharia or Cadis are too inactive and should be discharged or they know nothing about the Sharia law. Consequently, rights of people are lost, the nation is oppressed and

legal procedures are too expensive. A litigant has to pay So. 60 for filing a case in court. In case he has to appeal to Rome he has to pay So. 100 and might even not get his rights. The judiciary in Somalia issues their judgment on political grounds and not on the basis of the crime committed. The judges are appointed by the Administration and issue judgments in accordance with the Administration's wishes. If a person commits an offence, he is sent to jail. He would then be asked to appeal and if his appeal fails he goes back to jail and is asked to appeal again probably in order to make him pay the fees for such appeals.

(Sign.) Mohamed Jhelle Mohamed

Haras Jhelle Fare

Ahmed Moussa Mohamed

Mogadiscio 21-8-1955
