

UNITED NATIONS TRUSTEESHIP COUNCIL



Distr.
GENERAL

T/PET.11/664
3 February 1956
ENGLISH
ORIGINAL: ITALIAN

PETITION FROM REPRESENTATIVES OF THE ODAUEN TRIBE 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.

H.E. PIERO FRANCA
Secretary-General of the Administration,
UNITED NATIONS ADVISORY COUNCIL,
TERRITORIAL COUNCIL,
DEPARTMENT OF INTERNAL AFFAIRS,
THE PUBLIC PROSECUTOR OF SOMALILAND,
THE REGIONAL COMMISSIONER OF BENADIR.

MOGADISCIO

We read in the Corriere della Somalia of 1 December 1955 that with the
publication of an announcement in the Official Gazette (Bollettino Ufficiale),
issue No. 12 of the same date, fixing 29 February 1956 as the date for the
elections to the Territorial Council, the first phase of the elections carried
out by means of the Shirs must be considered closed.

We have so far not received satisfaction concerning the communication sent
to you on 27 November 1955 and we must therefore conclude that the election
result contested by us for the reasons set forth in the statements submitted to
the Regional Judge and confirmed in the above-quoted communication has been
declared valid by the Administering Authority.

In our own name and in that of the whole of the Degle rer, which has
expressly instructed us to act for it, we hereby renew our formal, though
vain, protest and we wish to state once again that neither now nor in the future
shall we ever recognize the three brothers, MAHAD ALIO OSMAN, SHEIKH ALIO OSMAN

and JUSUF ALIO OSMAN, as our legitimate representatives, nor shall we recognize as a legitimate representative of the Degle rer the person, whoever he may be, whom these gentlemen will appoint to the Territorial Council.

Moreover, we feel it our duty to inform you that we have not succeeded in obtaining a free and democratic election and that the provisions of article 2 of Ordinance No. 5 of 30 March 1955 have not been applied. We renew our urgent request that we may have a councillor of our own in the District Council, a man chosen freely by us, even without a salary if you think that necessary.

We await your decision.

Mogadiscio, 7 December 1955

ODAUEN TRIBE of Afgoi:

Copy to:

H.E. ENRICO ANZILOTTI, AMBASSADOR,
Administrator of Somaliland

Enclosures: A list of the electors of the Odauen tribe and the Degle rer and a copy of the petition sent to H.E. PIERO FRANCA, the Department of Internal Affairs and the Public Prosecutor of Somaliland on
27 November 1955.

Sheikh Hagi Abucar (Signed in Arabic)

and 99 others (having signed in Arabic or Roman characters or by fingerprint)

To: H.E. PIERO FRANCA, Secretary-General of the Administration
THE DEPARTMENT OF INTERNAL AFFAIRS
THE PUBLIC PROSECUTOR OF SOMALILAND

MOGADISCIO

We, the undersigned, representatives of the Odauen tribe of Afgoi,
Urgently request you to take action in a matter of vital importance
to us. We lay our problems before you and ask you to give them favourable
attention.

On the basis of the list of tribes published by the Afgoi District
Commissioner, the SHIR of the ODAUEN tribe assembled on 18 August 1955 to elect
the new Chief, who was to represent it in the District Council set up under
Ordinance No. 5 of 30 March 1955.

The ODAUEN tribe consists of five rers, together with one rer of the
DEGLE tribe of Audegle (living with it), i.e. a total of six rers comprising
at most 450 to 500 electors, as may be confirmed at the Regsitrar's Office at
Afgoi, since none of the tribe are nomads.

Under article 2 of Ordinance No. 5 of 30 March 1955, District Councillors
are elected by these tribal units or other groups of the population organized on
a territorial basis and residing either permanently or for the greater part of
the year in the circonscrizione of the district presided over by a responsible
Chief on the date on which the ordinance comes into force.

In violation of the provisions of the said article, other tribes which had
already elected their District Councillor took part in the voting, i.e. the
SAPTI OMAR tribe, one of whose members was the Chairman of the Supervisory
Committee of the Odauen SHIR, the GOBIAN tribe, the UADAN tribe, the GALAUAR
tribe, about a dozen young Arabs from Afgoi, some seventy members of the Beghed
tribe of Mogadiscio, accompanied by their Notable, SHEIKH MOHAMED OSMAN, the
Degle tribe, some forty members of the Bandabo tribe of Mogadiscio and about
ninety students of the School of Islamic Studies of Mogadiscio, accompanied by a
certain SHEIKH OSMAN ABUCAR, rer sheikh of Mogadiscio.

In the face of such a flagrant violation of the Ordinance, GASSIM ALI, the present Chief of the ODAUEN tribe, asked the Chairman of the Supervisory Committee, in the presence of numerous witnesses, to see that the participants' right to vote was verified and that all those who were not eligible to vote, because they did not belong to the six rers constituting the ODAUEN tribe or the DEGLE rer (living with it) which forms part of the DEGLE tribe of Audegle, should be excluded. The Chairman, however, refused to comply with the request, saying that he had supreme authority in the matter of the SHIR.

Acting in agreement with MAHAD ALIO OSMAN, the candidate of the DEGLE tribe (not the ODAUEN tribe), he proceeded to count the votes in favour of the candidate MAHAD ALIO and found that there were more than 700. To these 700 votes cast for MAHAD ALIO should be added those cast for GASSIM ALI, the present Chief of the tribe, who renounced the count in protest against the irregularities which had been committed; the total number of electors taking part in the vote would therefore have amounted to more than a thousand - yet, as has already been pointed out, the voters of the tribe number 500 at the most.

In order to have their own representative in the District Council under the name of the ODAUEN tribe, which is composed of five rers, the rer of the DEGLE tribe, living with the ODAUEN tribe, invited people from outside, who, having been paid to do so, voted as if they were electors of the ODAUEN tribe.

That the SHIR was irregular emerges even more clearly from the fact that all the votes were cast for three brothers of the DEGLE rer (living with the Odauen tribe) and none for the candidates of the five rers of the ODAUEN tribe, for which the SHIR was convened.

1. MAHAD ALIO OSMAN was elected councillor in the District Council;
2. His brother SHEIKH ALIO OSMAN was chosen as representative of the voters not in possession of an identity card;
3. The third brother JUSUF ALIO OSMAN was chosen to deputize for his brother SHEIKH ALIO OSMAN in case of absence.

We would point out that the Chairman of the Supervisory Committee of the Odauen SHIR has a criminal record. He was sentenced to penal servitude by the former Government of Italian Somaliland and it was only when the British troops entered Mogadiscio that he escaped from the Central Prison, without having served his sentence. He does not therefore appear to be a man who can inspire the public with confidence.

It should also be recalled that GASSIM ALI, the present Chief of the tribe, following a threat by the District Commissioner that he would in no case be re-elected to office, had applied to the Regional Commissioner for permission to attend the SHIR, but contrary to the promise he was given, when the day came he was informed, through a certain GEILANI, that for certain reasons it was not possible for him to intervene.

In conclusion, the ODAUEN tribe requests that, pursuant to article 12 of the Ordinance, the SHIR may be declared invalid, on the grounds that the provisions of the Ordinance were infringed, and that a new SHIR may be held to which shall be admitted only members of the following six RERS: the five rers constituting the ODAUEN tribe and one rer of the DEGLE tribe living with it.

We would again emphasize that the six RERS do not number more than 450 to 500 electors at the most and we want the SHIR to be held in accordance with article 2 of Ordinance No. 5 of 30 March 1955.

Confident that you will give this matter your courteous attention, and in the name of all the five rers of the ODAUEN tribe, we have the honour to be, etc.

SIGNATURES

Sheikh Hagi Abucar and forty-nine others.

Afgoi, 27 November 1955

LIST OF ELECTORS OF THE ODAUEN TRIBE AND DEGLE RER PERMANENTLY
RESIDING IN THE TERRITORY OF THE AFGOI DISTRICT

IN FAVOUR OF THE CANDIDATE GASSIM ALI HAJJI

(Here follow 190 names)

Total number of electors in favour of the Candidate Gassim Ali: 190

LIST OF ELECTORS OF THE ODAUEN TRIBE AND THE DEGLE RER RESIDING
PERMANENTLY IN THE TERRITORY OF THE AFGOI DISTRICT

IN FAVOUR OF THE CANDIDATE MAHAD ALIO OSMAN

(Here follow 92 names)

Total number of electors in favour of the candidate Mahad Alio Osman: 92
