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## EXAMINATION OF PETITIONS SOMALILAND UNDER ITALIAN ADMINISTRATION

### Observations of the Administering Authority

Note by the Secretariat: The following observations were communicated to the Secretariat on 22 April 1952 by the Italian Observer to the United Nations. They relate to the following petitions:

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1. Petition from Mr. Idris Omar Gude and Others (T/PET.11/39)

The signers of the above-mentioned petition claim that they were dispossessed by Mr. DEL BUFALO of land that belonged to them in the Goluen region, district of Merca, and that they were detained in prison for having defended their rights before the Authorities.

With regard to the above we point out:

1. On 1 March 1947 the Head of the British Administration granted a temporary lease by means of a contract (Encl.1)<sup>1/</sup> to Mr. Silvio Del Bufalo on a piece of land owned by the Government and situated near the village of Gouled; said land covered a surface of 151,66 hectares as indicated in the attached sketch (Encl.2)<sup>1/</sup>.

That no private rights were held on that land emerges from the fact that the pre-war Italian Administration, following regular declaration of Government property, had, at that time, granted a lease with a limited contract to another person, one Lampugnani, who thereafter abandoned it without exploiting it as foreseen by the deed of concession. The land was, in fact, overrun by brush and absolutely fallow.

2. At the time at which this Administration took over from the British Administration, Mr. Del Bufalo had already cleared and exploited the greater part of the land leased to him, and was preparing to exploit the remaining acres and to invest more capital in it. This Administration, while reminding the lessee of the temporary nature of the contract, did not think it fair, equitable or advisable in the interests of all to declare said contract elapsed, because Del Bufalo had incurred considerable expense for the installation and the development of his farm, and his activity was part of the general plan of agricultural exploitation of the Territory for which so much was being done.

However, the Administration provided Del Bufalo with the assistance of one of its technicians in order to ensure a proper respect of the restrictions imposed by the provisions of the contract and the protection of the natives' eventual rights and interests.

When the work was started, a certain amount of opposition was expressed by the Somalis; among their complaints is the report dated 4 March 1951 attached to the petition under consideration.

/The work

1/ Note by the Secretariat: Only the first of the two enclosures mentioned above was received, and it has been placed in the files of the Secretariat and is available to the members of the Trusteeship Council on request.

The work was interrupted, and the Commissioner of Lower Uebi Scebeli, together with the Chief and Notables of Goluen and the interested parties, went to visit the locality and ascertain the rights of the case.

From a survey effected on 7 March it emerged that all claims were unfounded; they concerned stretches of fallow land that were unequivocally part of the government land leased to Del Bufalo by the British Administration. The Commissioner suggested, however, and his suggestion was accepted by all present, that a large piece of the contested land (thirty-one hectares) near the village of Goluen, be turned over by Del Bufalo -- who had already cleared it -- to the local inhabitants who intended to cultivate it, in exchange for another piece of land, fallow and abandoned, covered nineteen hectares, on the outskirts of the farm of Pietro Gatti (see Encl.3)<sup>1/</sup>.

Such exchange was suggested for reasons of opportunity, as it was well known that when the land in question was declared Government property by the pre-war Italian Administration, the natives of Goluen had been allotted large sections of excellent land in the neighbourhood, and that they left said land, as it still is today, totally uncultured. In this connexion there is no basis whatsoever to the excuses presented by the signers of the report, according to which their failure to exploit the land is due to the fact that water for irrigation purposes was exclusively reserved for Italian farms: it is notorious in the Territory that the right to channel water from the river is only subject to an administrative authorization that had always been granted by the local Authorities to all indiscriminately, in relation to the individual need and proportionately with the quantity of water brought by the river.

3. Despite all this, on 10 March a group of Somalis armed with spears and sticks overran the land that had been allotted to Del Bufalo and, coming upon corporal Ibrahim Musse Roble who was directing the agricultural work, they beat him and left him senseless on the ground.

The following individuals were recognized in the group and subsequently arrested:

- MOHAMED MAHANIA MAMO'
- HAGI MOHAMED HASSANO'
- MOHAMED ABDI SCIAIR
- HAGI IMAN ABDI
- GIAMA ADEN CHEINA
- IBRAHIM HAGI ABULKADIR

/They

They were taken before the Regional Tribunal of Merca and accused of physical violence on the person of Ibrahim Musse Roble and of failure to observe the provision legally issued by the Commissioner of Merca in Goluen (art. 582 and 650 C.P.); with sentence dated 30 March 1951 the first four, who had confessed, were found guilty on both counts and sentenced to three months imprisonment and three months arrest, whereas the last two were acquitted of the imputation of physical violence and condemned to three months' arrest for failure to observe the provision legally issued by the Authorities.

The prisoners appealed against such judgment to the Tribunal of Mogadiscio that, with a sentence dated 23 February 1952 confirmed the finding with regard to the first count, that of physical violence, and acquitted all the accused of the second count, that of failure to observe a provision legally issued by the Authorities, assuming that said provision was not brought to the knowledge of the population by means of public banns.

4. None of the signers of the petition appears to be among the accused in the above-mentioned case. We cannot exclude, however, that they may have been detained by the police authorities in Merca at the time of the incident and immediately released for lack of evidence of their participation in same.

2. Petition from the Somali Youth League, Galcaio District (T/PET.11/52/Add.1)

The telegram of the Galcaio section of the Somali Youth League, contents of which are the subject of the above-mentioned petition, follows up on the incidents that occurred in Galcaio on 26 June 1951 to which we refer in the observations on petition N.204<sup>1/</sup>.

On 20 July 1951 the eleven individuals arrested for the incidents of 26 June, who were detained in the prison of Galcaio under the imputation of seditious gathering and resistance to a public official, started a hunger strike refusing their rations or any other food that was offered them, with the purpose -- according to what was ascertained on the spot -- of making trouble for the political Authorities and inducing them to grant them their freedom.

Said hunger strike lasted until the 24th, and on the 27th the prisoners were transferred to Mogadiscio for trial.

The trial took place at the Court of Assizes of Mogadiscio, and ended on 28 September 1951 with a sentence that was enclosed in copy in the observations to the above-mentioned petition n.204.

/3. Petition

1/ Note by the Secretariat: This number refers to T/PET.11/52. For observations see T/959, Section 6.



3. Petition from Mr. Yusuf Mussa Abucar (T/PET.11/55 and T/PET.11/55/Add.1 and T/PET.11/55/Add.2)

The signer of the above-mentioned petition claims that the Administration failed to reimburse him for damage he allegedly suffered as a consequence of the Baidoa incidents of April 1950, and that he was not paid the arrears due to him as an interpreter of the pre-war Italian Administration.

We observe with regard to the above:

1. The question of losses suffered during the Baidoa incidents of April 1950 is contained in petitions T/PET.11/3, T/PET.11/10 and T/PET.11/14<sup>1</sup>/<sub>1</sub> of 28 June 1951 examined by the "ad hoc" Committee during the sessions held between 7 and 28 June 1951. On that occasion, following the observations written by the Administration and the statements made by its special representative, all of them intended to exonerate the Administration from any responsibility for damages suffered as a consequence of incidents with which it was entirely unconnected, the Committee adopted Resolutions, I, IV and VI<sup>1</sup>/<sub>1</sub>. Assuming that the incidents in question had been solved in a satisfactory manner, and noting that the Administration had granted assistance to the refugees, the Committee concluded with a recommendation to the effect that the victims of the above-mentioned incidents who had any reasonable claim to present be allowed to submit their claims to the appropriate authorities, and that each claimant be instructed as to how to proceed.

Such recommendation was brought to the knowledge of the population of Baidoa by the Administration through the Regional Commissioner.

But the Administration did not stop there. Subsequently, despite the fact that the question had been settled in an administrative session, the Administration saw fit, in the general interests of the Somali commercial sector, to meet the requirements of the damaged parties by facilitating importation and exportation for those who were in trade and who suffered such setbacks as to be deprived of the necessary financial means for the continuation of their activities.

/Toward

1/ Note by the Secretariat: See T/L.185.

Toward this end a Committee was constituted in Baidoa, to examine claims to such facilities. Said Committee, presided by the Resident, was composed at the Ist Cadi of Baidoa, Sceek Salah Mahallim Jusuf, and of some elements trusted to act in the interests of the claimants because they belonged to the same group (Darot) or to the Party that had previously presented their case; these were:

- |                           |   |
|---------------------------|---|
| - MOHAMED ABDI NUR        | - V. President of the Somali Youth League of Baidoa                     |
| - ABSCIR HASSAN MOHAMED   | - Merchant  |
| - MUSSA SCEK HASSAN OSMAN | - Merchant  |
| - DUBET ISMAIN OMAR       | - Notable, member of the Committee of the Somali Youth League of Baidoa |

In a series of sessions, completed by investigations effected on the spot, the Committee examined all the seventy claims and accepted only sixteen, for which the Administration granted the promised commercial facilities and financial assistance. The remaining fifty-four claims were rejected by the Committee because they were submitted by persons who never were residents of Baidoa or by persons who had suffered no loss through the incidents or had suffered small damage to their homes and had already received compensation from the Administration (replacement of doors or windows, mats to repair roofs, etc).

The claim that Jusuf Mussa Abukar presents in the form of a petition is one of those examined and rejected by the above-mentioned Committee (see enclosed excerpt of report).

In fact the Committee gathered that the claimant did not suffer any damage to his shop or to his "macaia" but only slight damage to his house. For such damage he had already received compensation from the Administration.

The lack of foundation of all the rejected claims, including the claim submitted by Jusuf Mussa Abukar, was confirmed by the results of the investigation ordered at the time by the Administration.

2. Pursuant to Order n. 20 of 20 May 1950 the Trusteeship Administration is charged by the Italian Government to settle only the arrears due to the personnel of the pre-war Italian Administration. As an employee of the former Government of Harar, Jusuf Mussa Abukar is not entitled to the payment of arrears.

/EXCERPT

EXCERPT FROM THE REPORT RELATIVE TO THE BAIDOA COMMISSION'S  
EXAMINATION OF THE CLAIMS SUBMITTED BY THE PARTIES WHO AL-  
LEGEDLY SUFFERED DAMAGES AS A CONSEQUENCE OF THE INCIDENTS  
OF APRIL 1950

O m i s s i s

On the other hand the Committee, having studied the information furnished by the interested parties and considered the results of the evidence submitted and the investigations carried out, expressed the opinion that the following people should be excluded from the benefits of the concession of export licences, for the reasons stated hereunder:

1. ABDI ISSA NUR Did not suffer any damage with the exception of a brief interruption of his business as a butcher.
2. ABDULLAHI IKO MAIO Only had a shop in the brush which contained nothing. The goods that he claims to have lost belonged to Mohamed Giuggi who submitted his own claim.
3. ABDULCADIR ALI OMAR Suffered no damage.
4. ABDURRAHMAN ELMI Suffered no damage because he had no possessions. The goods that he claimed were stolen or damaged belonged to his uncle Hagi Abdullahi Figo.
5. ABDURRAHMAN YUSUF ADEN Absent from Baidoa since 3 years. He did not own any property there. On the morning of 17 April he was among the members of the S.Y.L. who went to protest to the Commissioner against the aggression suffered by the Darots at the hands of the H.D.M. He was, at the time, only temporarily in Baidoa.
6. AHMED ABDULLA MOHAMED Had neither house nor shop. Nobody could confirm his statement that he lost some cattle. It was even impossible to identify him definitely as he was not to be found in Baidoa.
7. AHMED MOHAMED OSMAN Suffered no damage.
8. AHMED NUR HAJI Suffered no damage because he had no possessions. He lived with his father, Hagi Abdullahi Figo.
9. ALI DERE AUES Suffered no damage. Before the incidents he had a trading licence but no shop. Now he owns his own shop.

/10. ALI

10. ALI FARAH GIBRIL  
Had no possessions. He lived with his father, Farah Gibril.
11. ALI ISSA ILEIE  
Lived in Baidoa for reasons of commerce but did not own anything there. He has a house in Mogadiscio. His shop is in Dusta in Ghelidle territory and is at present operated by his associate Hussein Ali.
12. ALI NUR ALI  
Owned a textile shop in Baidoa that was broken into during the incidents but was found to be completely empty. Suffered no damage except for a brief interruption of his butchering business.
13. ALI SALAD AUL  
Butcher. The only damage he suffered was the interruption of his business, which lasted a very short time.
14. AMA ICAR BANA  
At the time of the incidents he was absent from Baidoa since four years and did not own anything there. On the day of the incidents he was in Merca. At present he has a shop in Mogadiscio.
15. AMIN OMAR  
He is not a Darot. He gained considerably from the incidents because his worst rivals disappeared for months. He is very rich.
16. AUES HAGI FARAH  
Owns a house and a shop in Baidoa that were in no way damaged.
17. BARCADLE ABDI NUR  
Broker. The only damage he suffered was a temporary interruption of his activities.
18. BARRE MOHAMED  
Suffered no damage. He explicitly declared that his claim was submitted as a gamble, owing to the generosity of AFIS.
19. DAHIR ADEN MOHAMED  
Suffered no damage because he ran a shop belonging to Abscire' Garbole who owned the stock. Abscir Garbole submitted a claim on his own.
20. ELMI OSMAN  
Butcher. Suffered no damage. He remained undisturbed in Baidoa. Still owns a lot of cattle.
21. FARAH ALI SAMANTAR  
Owns a house in Bulo Gemeia that was untouched. He continued his business in his shop in Lugh (not Baidoa).
22. GIAMA ALI MATAN  
At the time of the Baidoa incidents he was in Lugh Ferrandi and had long abandoned all commercial activity. He owns a house in Baidoa that was untouched.

23. GIAMA HASSAN IBRAHIM  
Was not identified. One Giama Hassan exists in Baidoa, who is a well known gambler and good-for-nothing and never owned anything.
24. HAGI ABDULLAHI FIGO  
Owned a house and a shop in Baidoa that were not damaged. His family remained in Baidoa after the incidents and lived undisturbed. The Elai Elleno robbed him of sixty quintals of "dura" that was returned to him on the insistence of Malac Abdullahi Amin (the robbery occurred on the road to Bardera, near Sciavelo). He had one quintal of "dura" in his warehouse in Baidoa, and that was stolen. The door of the warehouse was replaced by the Administration.
25. HAGI ABUCAR OMAR  
Brother of the well-known merchant Mohamed Omar Maczumi. He benefited considerably from the incidents through the disappearance of his competitors.
26. HASSAN CALAF SCIRUA  
Had no possessions and therefore lost nothing. Was wounded on 17 April.
27. HUSSEIN ALI ABDI  
Had and still has a shop in Dusta, in Ghelidle territory. Suffered damage not in excess of the value of two quintals of "dura".
28. ISSA IUSUF MIAD  
Owned a house and a shop in Baidoa that were untouched. His family lived undisturbed in Baidoa where they are still to be found. Was robbed of "dura" and money near Bur Acaba. The twenty-three culprits were found by the Chiefs to whom he appealed, and made to return his property.
29. YUSUF MUSSA ABUBACHER  
His house was slightly damaged. Shop and "macaia" were untouched. On 24 April he was in Mogadiscio on business. On the way back he learned, in Bur Acaba, of the incidents, and returned to Mogadiscio with all his goods. He later sent a uachil to Baidoa to fetch everything from his shop.
30. MOHAMED HASSAN ABDULLE  
Was robbed of two camels. House and shop were untouched. He was wounded in the head during the riots.
31. MOHAMED HUSSEN SCIL  
His house was not damaged. He had no shop. The only damage he suffered was the temporary interruption of his activity as a butcher.

32. MOHAMED ISSA YUSUF  
He had no possessions. Son of Iss Yusuf Miad (see no.28).
33. MOHAMED JUSUF ISMAIL  
He is not from Baidoa. Maybe he was there on business and lost a few goats. It was not possible to find him or to learn of the damage suffered by him.
34. MOHAMED OMAR MACZUMI  
Very wealthy merchant, not a Darot. He lived undisturbed in Baidoa with his brothers. He benefited more than anyone of the incidents of Baidoa that eliminated the competition from Darot merchants.
35. MOHAMED OMAR OSMAN  
Unknown in Baidoa.
36. MOHAMED SCEK ABDI SVIOVLE  
Uncle of the famous Maczumi (see n.34). He is his nephew's associate. He lived in Mogadiscio before the incidents. Now he lives in Baidoa. He suffered no damage.
37. MOHAMED MUSSA ABUCAR  
Had no house of his own. Lived with his brother Jusuf (see no.29). Suffered no damage. He claims to have been beaten but his claim is unfounded.
38. MOHAMED OMAR GIUMALE  
During the riots he was not in Baidoa but in Dusa Mareb. He suffered no damage.
39. MOHEDIN HAJI HUSSEIN  
His shop was broken into and he lost goods valued at a few ten-dollar bills.
40. MUMIN AHMED DERE  
House and shop untouched. No other damage.
41. MUSSA IBRAHIM MOHAMED  
Was robbed on a few goats. As he was a "carani" of the market and could not have any commercial activity his claim was rejected.
42. OMAR ABDULLA MOHAMED  
Has a prosperous shop. At the time of the incidents he was a free trader, buying goods for a few cents and reselling them. In April 1950 he had only a few somalis' worth of goods in his shop. His house was untouched. The Ford V8 that he claims to have lost was a wreck that had not been moved since years.

43. OMAR MAHAMUD ALI  
It was impossible to locate him because the kabil to which he belongs is not known. Apparently a cattle merchant in transit through Baidoa suffered the loss of a few goats.
44. OSMAN MUSSA AUALE  
No damage.
45. SALAD ALI AHMED  
No damage to his shop. His house was untouched. States he lost five camels, statement unchecked.
46. SALAD ISSAC ABDULLA  
Butcher. Owned no shop. House untouched.
47. SALAH ABDI  
Living in Bardera since two years. Owned a house in Baidoa that was untouched. His Commercial licence had been ceded to his clansman Issa Jusuf (see n.28) who suffered no damage.
48. SCEK ABDULLAHID SCEK IBRAHIM  
No damage.
49. SCEK ABICAR AUES  
Shop untouched. His house was damaged but he has already received compensation.
50. SCEK OMAR MOHAMED HARUN  
No damage. Among other things he did not own the sicamba that he claims was damaged.
51. SCEGO OMAR MOHAMED  
Brother of famous merchant Maczumi.
52. SUFI HAGI HUSSEN  
No damage. At the time of the incidents he was in Afgoi.
53. OSMAN GIAMA JUSUF  
In April 1950 he ran a little shop in Bur Acaba. He left for Mogadiscio and locked it up. Upon his return at the end of 1950 he found it as he had left it.
54. SALAH MOHAMED ALI  
At the time of the Baidoa riots he lived in Bardera. He had no possessions and therefore suffered no loss.

O m i s s i s

p.c.c.  
THE RESIDENT  
D'AJOJA

/T/PET.11/55/Add.2

T/PET.11/55/Add.2

The authors of the petition in question complain that they have not received compensation for the damage which they suffered during the disorders at Baidoa in April 1950.

In this connexion, reference should be made to this Administration's observations on the similar petition (T/PET.11/55/Add.1, also from Mr. Yusuf Mussa Abucar, noting that the signatories of the petition in question are included in the list of persons debarred from compensation by the Commission at Baidoa because they did not in fact sustain any injury during the incidents.



4. Petition from Mr. Darwan Hassan and Others (T/PET.II/59/Add.1)

The signers of the above-mentioned petition, employees of the Gallotti firm that supervises Embarkation and Debarkation in the Port of Mogadiscio, complain of the treatment they receive from their employer.

With regard to the above we refer to the observations drafted by this Administration on petition T/Pet.II/59<sup>1/</sup> submitted by the same claimants.

/5. Petition

1/ Note by the Secretariat: See T/964, Section 2.

5. Petition from the International Ethiopian Council for Study and Report  
(T/EET.11/65)

Freride

According to the complaints and criticisms contained in the above-mentioned petition, the Trusteeship Council had already examined T/Pet.II/23 of January 16, 1951 submitted by Sylvia Pankhurst on behalf of the International Ethiopian Council for Study and Reports. With its Resolution 371 (IX) dated July 2, 1951 the Trusteeship Council, while drawing the attention of said organization upon the fact that all questions relating to the Administration of Somaliland have been studied by the Trusteeship Council during the annual examination of the Territory's situation, referred the matter to the text of the U.N. General Assembly's Report, adopted by said Council in this case, as well as to the minutes of the public sessions in which the annual report of the Administrating Authorities was examined.

Said complaints and criticisms are now reopened by the abovementioned Sylvia Pankhurst on behalf of the same institution, on the basis of circumstantiated reports allegedly received from three Somali refugees: Daud Mohamed, Aden Abdi and Ahmed Mohamed.

The Trusteeship Administration believes that it would be a waste of the Trusteeship Council's time and patience to repeat the observations and figures amply contained in the annual reports of 1950 and 1951 on the Territory; these reports document, on one hand, the undertakings of the Administration toward the political, economical and social betterment of the populations entrusted to it, in a climate of absolute democratic liberty and of complete respect of the law, and, on the other hand, the lack of weight and the scanty foundation of the criticisms contained in the petition under consideration. Said Administration prefers to trust to the impartial and serene conclusions reached, on the evidence of the past and present situation of public order and security of the Territory, by International Organizations such as the Advisory Council for Somaliland, with permanent residence in the Territory; or the members of the "Visiting Mission" who recently spent three weeks there.

The Trusteeship Administration, therefore, will restrict itself to furnishing elements about those complaints and criticisms which, because they refer to persons, circumstances, facts and figures, should be afforded more serious consideration. The proof that these complaints and criticisms too are

/totally

totally unfounded will contribute to throw light upon the entire contents of the petition and will perhaps make possible an exact evaluation of the triviality that characterizes the initiative under consideration.

## PART I

I. Consistence of the Italian Armed Forces in the Territory. When the Italian Authorities took over from the British (April 1, 1950) the substitution of British Administration military and police forces and civilian personnel by Italian Administration forces and personnel occurred on the basis of a I-I proportion previously agreed upon. Each British unit was replaced, for the same task, by an Italian unit. Subsequently no Italian unit was introduced into the Territory, other than civilian personnel, mainly of a technical order, where it was necessary, for the establishment of new services or for the development of pre-existing services, in order to fulfill tasks assigned to the Administration by the Trusteeship Agreement. On the contrary, the Italian military and police units were gradually and considerably reduced while Somali battalions were gradually recruited and the police ranks filled by Somalis. On December 31, 1950 the Italian forces present in the Territory numbered: 3230 army and 521 police. By December 1951 they numbered: 1108 army and 363 police. All 26 fixed Police posts in the Territory are run by Somali non-commissioned officers. The Italian non-commissioned officers who actually man the Stations will be gradually replaced by Somalis, as the School for Somali non-commissioned officers which is already established in Mogadiscio trains them for that delicate service. A first experiment in this field is already being carried out at the Police Station of Balad.

2. True position of those members of the Police Corps who, according to the signers of the petition, would have been unjustly discharged by the Administration, or imprisoned, or condemned to hard labor.

- Chief Inspector Farah Segulle - Discharged on March 31, 1950 by the British Administration. Had no connection whatsoever with the Trusteeship Administration.
- Inspector Aden Abdi - (referred to as the signer of one of the reports) Discharged on April 15, 1950 for the following reasons: 1) arbitrary absence from his post; 2) refusal to

/collaborate

- collaborate in searching for the perpetrator of a homicide; 3) refusal to take the customary oath, to which the members of the Police Corps are obliged, that they will not engage in political activities.
- Inspector Mohamed Abscir - Discharged because suspected of assisting in the escape of a prisoner, he was re-engaged with the right to claim payments in arrears. At the present time he is stationed at the Police Station of Villabruzzi.
- V. Inspector Ahred Scire - Discharged on May 19, 1950 for disciplinary reasons, having behaved disrespectfully to an officer of the Army.
- V. Inspector Abscir Abdurraman - Unknown. Probably 1st Sergeant Abscir Warsama who was discharged on March 31, 1950 by the British Administration and, therefore never served the Trusteeship Authorities.
- V. Inspector Abdullahi Ahmed - Unknown - Probably V. Inspector Abdullahi Mohamed who was discharged on December 15 for betraying the oath.
- V. Inspector Mohamed Mire - Never was discharged. He is stationed at the Police Station of Margherita.
- Ist Cergeant Ahmed Issa - Discharged on October 31, 1950 upon his request.
- Sergeant Juana Iassim - Never was discharged - Stationed at the Police Station of Brava.
- Sergeant Farah Ali - Discharged on July 2, 1950 for disciplinary reasons, having behaved disrespectfully to his officers.
- Agent Hassan Mohamed - Discharged on May 31, 1950 for inefficiency.
- Sergeant Mohamed Ahmed - (Probably the signer of one of the reports) Expelled from the Corps on April 29, 1950 for indignity because, suspected of homicide, he was acquitted for insufficient evidence, that is to say, with a doubtful formula that did not allow him to remain in the employ of a public institution, particularly a delicate institution such as the Police Corps.
- Agent Sceek Ussen Ali - Expelled from the Corps on August 19, 1950 following a penal sentence (4 years imprisonment for repeated extortion).

- <u>Sergeant Ahmed Aden</u> -	Discharged on May 20, 1950 for betraying the oath.
- <u>Ist Sergeant Mohamed Erzi</u> -	Discharged on June 15, 1950 for disciplinary reasons, having refused to obey his officer when ordered to arrest some persons suspected of theft.
- <u>Ist Sergeant Mohamed Ali</u> -	Discharged on April 30, 1950 for spreading false rumours.
- <u>Agent Issa Mohamed</u> -	Expelled from the Corps on May 22, 1951 after being degraded for the following reason: "following a disciplinary punishment, he falsely accused his Commanding Officer and rebelled against an order received from his Campaign Commander".
- <u>Ist Sergeant Giama Mohamed</u> -	Discharged on August 18, 1950 for having fostered the aggression upon the Arab population of Margherita by groups of Somali rebels on April 24, 1950 (he was not tried on account of an amnesty).
- <u>Ist Agent Mohamed Aden</u> -	Discharged on April 12, 1950 because he refused to take the oath that obliges members of the Corps to abstain from political activities.
- <u>Agent Farah Discir</u> -	Absent from duty without leave since April 12, 1950.
- <u>Sergeant Abdi Mohamed</u> -	Unknown - Probably Agent Abdi Ahmed, discharged on October 15, 1950 for having stolen some material belonging to the Administration.
- <u>Agent Abdullahi Almi</u> -	Discharged by the British Administration on March 31, 1950. Never had any connection with the Trusteeship Administration.
- <u>Ist Agent Issa Waclic</u> -	Discharged on April 30, 1950 for failing to perform his duty because, on the occasion of the arrest of some of his brawling tribesmen he expressed his disapproval by hampering the investigations.
- <u>Agent Issa Erzi</u> -	Never was discharged. At the present time he is stationed at the Police Station of Bullo Burti.

If we exclude Sergeant Mohamed Ahmed and Agent Sceek Ussen Ali, who were tried for serious transgressions, none of the above-mentioned individuals was imprisoned or sentenced. The dismissals were all provoked by serious breaches of the disciplinary regulations of the Corps.

It is hardly necessary to point out that the penalty of hard labor is not foreseen by the laws of the Territory.

3. True position of members of the Police Corps who, according to the signers of the petition, would have abandoned their career and emigrated to Ethiopia or neighboring countries in fear of being imprisoned for their anti-Italian views.

- Inspector Daud Mohamed alias Tirairi' - (represented as the signer of one of the reports) - Formerly a Chief Inspector of Police of Somaliland, he was discharged by the British Administration on May 28, 1948 because he was sentenced to two years imprisonment. He never served this Administration that assumed authority in the Territory on April 1, 1950.
- Inspector Kalif Scire' - Discharged by the British Administration on January 31, 1950 upon his request. He never had any connection with the Trusteeship Administration.
- V. Inspector Giara Aden - Discharged on February 15, 1951 for betraying the oath.
- 1st Sergeant Issa Farah - Discharged by the British Administration on March 31, 1950. Never had any connection with the Trusteeship Administration.
- Sergeant Ali Farah - Discharged on April 8, 1950 upon his request.
- V. Inspector Abdurran Omar - Discharged by the British Administration on March 31, 1950. Never had any connection with the Trusteeship Administration.
- Inspector Abdurran Mumin - Never was discharged - Stationed at present at the Police Station of Margherita.

4. True position of civilians that, according to the signers of the petition, should have been arrested or dismissed or employed in humble tasks.

- Dr. Louis Clemente Salole - Formerly employed by the Judge of Somaliland, he asked for and obtained three months leave to go Bombay. Was not seen or heard from since.

/ - Abdi Hussien -

- Abdi Hussen -  
Never was dismissed - At the present time he is employed as a cashier at the Residence of El Bur.
- Ahmed Aden -  
Dismissed on August 1, 1951 because sentenced by the Judiciary Authorities to pay a fine of to/3.000 Somalis for theft of Administration property.
- Ahmed Dahir -  
Never was dismissed - At present he is employed as an accountant by the Office of Business Taxation.
- Ali Hussen -  
There are several employees of this name in the Administration, it is therefore impossible to identify the person to whom reference is made.
- Ahmed Mohamed -  
There are several employees of this name in the Administration, it is therefore impossible to identify the person to whom reference is made.
- Abdulkadir Issa -  
Never was dismissed. At present he is employed at the Treasury Office as an accountant.
- Mohamed Nur -  
There are several employees of this name in the Administration, it is therefore impossible to identify the person to whom reference is made.
- Ahmed Aden Cabah -  
Unknown.
- Giara Calif Coscin -  
(see #2 of Part II)
- Abdi Haji -  
Submitted in April 1950 to disciplinary action for violation of office secrets, he disappeared before his dismissal was announced.
- Ahmed Scire' Abgal -  
Dismissed on December 19, 1951 for lack of discipline and bad behaviour, as confirmed by the disciplinary Commission composed of Italian officials and Somali employees.
- Ahmed Atto -  
Formerly employed at the Residence of Sciusciuban, in October 1950 he left the country clandestinely for Somaliland.
- Mohamed Erzi -  
Formerly employed at the Chisimaio Hospital he is at present a patient in the Hospital at Mogadiscio, suffering from T.B.

- Aden Salam - Formerly an interpreter at the Residence of Villabruzzi, in July 1950 he went to Ethiopia on leave and never came back.
- Nur Ahmed - Never was dismissed - At present he is employed by the Secretariat of the Territorial Council, as archivist and interpreter.

The proportion of Italian and Somali civilians employed by the Trusteeship Administration is evidenced by the following figures:

December 31, 1950 - Total 4426 - Somalis 3641 - Italians 760

December 31, 1951 - Total 4506 - Somalis 3730 - Italians 750

Only 363 of the Italians stem from Italy, the major part was recruited by the British Administration and passed on in bulk to the Trusteeship Administration.

The Somalis were already occupying their posts of direct responsibility (Heads of Customs Offices, Heads of Post Offices, Grade School Teachers, Cashiers) with the exception of technicians (Doctors, Judges, Veterinaries, Agriculturists) or those occupying posts entailing political responsibilities (Heads of Central Offices, Commissioners, Residents). Their progressive preparation for these posts is being taken care of by special schools and classes, as explained in detail in the second Annual Report.

5. Situation of the prisons. In May 1951 the number of prisoners in the district jails listed in the petition was the following:

Iscia Baidoa: 76; Chismaio: 50; Merca: 55; Villabruzzi: 26.

Between January 1 and December 31, 1951, in the whole Territory, 2864 persons were arrested of which 1023 were released and 1841 brought to trial, almost all for crimes against property or fights, none for political offenses.

The Mogadiscio prison has an infirmary directed by a doctor, with 50 beds. In the peripheral prisons, sanitary inspection is carried out daily, scrupulously ensured by the Residence physician.

Pursuant to the Italian Regulations for the Institutes of prevention and punishment (R.D. 18 June, 1941) that were extended to the Territory, the maximum disciplinary punishment inflicted on the prisoners is represented by halving their rations. No "death-cells" exist. Work is voluntary and is paid for by an adequate increase of rations. In the Mogadiscio prison, where a soap factory, a dyeing plant and a tailoring shop are established, workers are paid in money for piece-work.



6. Justice and Judiciary Police. With regard to the complaints concerning the organization of justice in the Territory, we refer to the observations drafted by this Administration on petition T/Pet.II/39. <sup>1/</sup> We may add that, pursuant to the existing Judiciary Regulations, the practice of sentencing by Penal Decree, without hearing the accused but granting him the right to appeal to the same judge, is restricted to crimes for which the judge believes that a term not exceeding three months will be inflicted. Although in fact this practice was only carried out in very exceptional cases, the draft of a new judiciary regulation foreseen by the Administration, about which the Hon. Advisory Council of the United Nations has already been consulted and that soon will be discussed by the Territorial Council, excludes, when sentencing to any term of imprisonment, the use of Penal Decree, that will therefore be restricted to the imposition of small fines. The same draft will establish, among other things, a President of the Regional Tribunal other than the Commissioner, and foresees the implementation of a more perfectly independent judiciary authority in accordance with article 7 of the Declaration annexed to the Trusteeship Agreement.

Concurrently, a new Police Regulation was drafted by the Administration, likewise submitted to the Hon. Advisory Council of the U.N. and to the Territorial Council, that will be completely in line with the most modern legislation, abolishing certain limitative provisions which, as a matter of fact, were never applied during the Trusteeship regime.

## PART II

I. Freedom of thought - The incident of the Secretary of S.Y.L. of Villabruzzi, quoted as an example of violation of the freedom of thought on the part of the Administration, indicates, on the contrary, the mistaken conception that some Somalis have of individual liberties.

On May 30, 1950 just before the visit to Villabruzzi of the Italian Undersecretary of State, Mr. Brusasca, Mr. Hassan Mohamed Degfhei, secretary of the Villabruzzi section of the League of Somali Youth, snatched an Italian flag from a child who was holding it and tore it to pieces. Immediately after, seeing an Italian flag over the door of a private house, he hit it with a stick and dragged it down, thereafter tearing it to pieces in front of the population

/of the

<sup>1/</sup> Note by the Secretariat: See this document, Section 1.

of the village who had foregathered to welcome the Undersecretary. It is obvious that Hassan Degghei expressed his opinions in terms that constituted a violation of the freedom of thought of the child and of the owner of the house who exposed the flag. Taken before the Regional Tribunal of Benadir and imputed of vilification of the Italian flag (art. 292 C.P.) he did not serve his sentence because of an amnesty for political crimes that was declared on July 17, 1950.

Subsequently, on September 18, 1951, he was arrested in Villabruzzi because he was responsible for instigating the villagers to disobey the law. The Regional Tribunal of Uebi Scebeli sentenced him, on January 26, 1952 to 8 months imprisonment. No appeal was filed and the sentence was served.

2. Freedom of the Press - Mr. Giama Kalif Coscin was not imprisoned for having addressed a letter to the "Corriere della Somalia" in which he requested that a news column be printed in English in the paper. On the contrary, said letter was published in the issue of April 25, 1950 of the "Corriere", starting a controversial correspondence that was also published in the same newspaper. In the course of this correspondence the Public Prosecutor issued a warrant for the arrest of Giama Kalif because he was suspected of complicity in the homicide of the Italian non-commissioned officer Andrea Franzo' which occurred on April 27, 1950. Giama's arrest took place on April 30; the "Corriere della Somalia", however, published another of his letters on May 3. In this letter Giama Kalif, answering the Somali Mohamed Sceek Osman, reaffirmed the necessity of printing a news column in English in the daily paper. Giama Kalif was eventually acquitted, for insufficient evidence, of complicity in the homicide (see Observations on T/Pet.II/21, <sup>1/</sup> discussed by the proper Committee last year).

3. Freedom to import newspapers, manuscripts and publications - No notice was published in the "Corriere della Somalia" of July 15 by the Regional Commissioner of Benadir.

The signers of the petition probably refer to a notice by the Regional Commissioner of Benadir which appeared in the issue of July 25 of the same newspaper, in which the public ~~was~~ reminded that, analogously to a

/practice

Practice common to all civilized countries in the world, a Police permit is required to display bills and notices in public places. Absolute freedom to import and distribute newspapers, manuscripts and publications exists in the Territory, so long as they do not offend public morals.

### PART III

- I. Toward evolution from the tribal system - The policy of the Administration is inspired by the intention of promoting the evolution of the population toward a democratic representative regime that would take into account the traditional institutions (art.9 of the Declaration annexed to the Trusteeship Agreement). The recent political reform, mentioned in the second Annual Report, constitutes a proof of the encouragement afforded to the Political Parties in order to ensure progressive evolution from tribal traditions.
2. Baidoa incidents - The incidents that took place in Baidoa in April 1950 responsibility for which is attributed to Doctor Copasso, former Commissioner for Alto Giuba, were carefully examined by the Trusteeship Council and by the Committee ad hoc for petitions, last year (see also observations drafted by this Administration on petition T/Pet.II/55/Add.I) <sup>1/</sup>.

/6.Petition

1/ Note by the Secretariat: See this document, Section 3.

6. Petition from Mr. Tom Groves (T/FET.11/67)

Mr. Tom Groves expresses some doubt regarding the intention of the Trusteeship Administration to make it possible for Somalis to enter Italian universities; he maintains that the scholarships for Africans are attributed to Italians born in the Territory instead of to the Somalis themselves who consequently would be condemned to occupy humble, second-rate posts in the Administration.

Mr. Groves' doubts and remarks are utterly unjustified. Apart from the fact that Somali students -- in conditions absolutely similar to those of the Italian students -- can enter Italian high schools and from these the "Ginnasio" and "liceo", both classical and scientific, and therefore the Universities, it is a fact that six high schools are already functioning in the Territory (Somali Junior High School, Teachers' School, Political-Administrative School, Public Health School, Artisans' School, Aeronautical Specialists' School) while the five-year plan for the development of the Institution foresees the gradual opening, between July of this year and July 1954, of more high schools -- among which are a professional school for industrial training, handicrafts, accountancy and commerce, a professional maritime and fishery school, a professional agricultural college, and the transformation of some of the present high schools into senior high schools ("Scuola Magistrale Somala", "Scuola Assistenti Medici e Ostetriche", "Scuola Specializzazione Giuridica") from which it will be possible to graduate to universities.

Starting with the current year, Somali students will be regularly sent to Italy.

At present no Somali is in possession of the necessary degree or of sufficient instruction to undertake university studies.

Of the 18 scholarships for Africans established by the Italian Universities, not one was awarded to Italian students from Somaliland. No error of interpretation is conceivable on this matter, inasmuch as no official Italian document ever mentions Italians born in Somaliland as "indigenous"; as a matter of fact this term was completely suppressed by the official Italian terminology.

/In the

In the meanwhile Somalis are already active in administrative posts entailing direct responsibility (Heads of Customs' Offices, Heads of Post Offices, Elementary School Teachers, Cashiers) except in cases where technical knowledge is required (Doctors, Judges, Veterinaries, Agricultural Experts) or where political responsibilities are involved (Heads of Central Offices, Commissioners, Residents).

7. Petition from the "Unione Patriottica Bimalia" and the "Hisbia Dighil and Mirifle" (T/PET.11/76)

The signers of the above-mentioned petition claim that in Merca the Somali Youth League is allowed to spread anti-democratic propaganda, and ask that the Administration take measures to repatriate the responsible parties to their country of origin.

It cannot be excluded -- according to the results of the investigations carried out -- that demonstrations such as the signers of the petition claim to have witnessed at the public radio audition promoted by the Administration in Merca were actually staged by the members of the League. However, they did not cause, nor are they likely to cause, any disturbance of public order in that centre.

8. Petition from the Somali Youth League, Branch of Brava (T/PET.11/77)

With regard to the claims concerning the sanitary and scholastic organization and the composition of the Municipal Council in Brava(n.1, 2 and 3), we refer to the observations drafted by the Administration on petition T/PET.11/70.<sup>1/</sup>

With regard to the alleged inadequacy of the wharf, we observe that the Brava dock has always been considered a third-rate one, on account of the proximity of the secondary dock at Merca (117 kms.) that is much better equipped. However, as of 31 December 1951, 25,000 somalis had already been spent for the maintenance of said dock, and 200,000 somalis have been budgeted for the work now being done in Brava to repair the damage occasioned by the sea storms and to restore the stone wharf.

During 1951 the arrival of 28 "sambuchi" and the departure of 24 was registered at the Brava dock.

/9. Petition

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<sup>1/</sup> Note by the Secretariat: See T/967, section 2.

9. Petition from the "Unione Africana-Somalia", Branch of Afgoi (T/PET.11/78)

The Section of Afgoi of the African Somali Union complains that 95 per cent of the Somali contingent of the Trusteeship Administration consists of element affiliated to the extremist political party of the Somali Youth League.

We refer, in this connexion, to the observations drafted on petition T/PET.11/75.<sup>1/</sup>

/10. Petition

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<sup>1/</sup> Note by the Secretariat: See T/975, section 4.



10. Petition from the Chiefs and Notables of Merca (T/PET.11/79)

(a) - (c) -- The signers of the above-mentioned petition claim that they are not taken into consideration by the Authorities in discussing affairs related to the administration of the district and of the city of Merca.

With reference to the above we state that the discussion of such affairs takes place within the proper legally constituted organizations: the Residence Council and the Municipal Council. The former is composed of Chiefs elected in "scirs" by the tribes living in the district, and of representatives chosen by the Political Parties; the latter is composed of representatives of the various activities of the city, designated by the Residence Council. The Somalis themselves, therefore, democratically elect the official representatives of their choice, a choice that the Administration merely sanctions with its act of nomination. If the claimants were not called to take part in either of the aforesaid organizations, we must conclude that they do not enjoy the prestige and the authority that they boast of.

(b) (d) (e) -- As for the complaints about the usage of the Arabic language, we refer, with regard to Foreign Commerce and the functioning of Justice, to the observations drafted in answer to petitions No. 162 (T/PET.11/39)<sup>1/</sup> and No. 220 (T/PET.11/62)<sup>2/</sup>. In particular, we add that access to the Courts is absolutely free, in Merca as everywhere in the Territory.

/11. Petition

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Notes by the Secretariat:

1/ See this document, section 1.

2/ See T/964, section 5.

11. Petition from the Somali Youth League, Branch of Merca (T/PET.11/80)

The Somali Youth League -- Merca section--- repeats the complaints previously expressed by the Central Committee of the Party concerning the Administration's activities in various sectors, adapting said complaints to the locality of Merca.

We refer, therefore, to the observations drafted by this Administration on petition T/PET.11/39<sup>1/</sup> as well as to those drafted on petition T/PET.11/40<sup>2/</sup>, T/PET.11/62<sup>3/</sup> and T/PET.11/79<sup>4/</sup>.

/12. Petition

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Notes by the Secretariat:

- 1/ See this document, section 1.
- 2/ See T/952, section 3.
- 3/ See T/964, section 5.
- 4/ See this document, section 10.

12. Petition from the "Associazione Gioventu Benadir" (T/PET.11/81)

The signer of the above-mentioned petition expresses general complaints concerning the scholastic, sanitary, economic and political situation of the Merca district.

We refer to the observations drafted by this Administration on petitions T/PET.11/39<sup>1/</sup>, T/PET.11/62<sup>2/</sup>, T/PET.11/79<sup>3/</sup>. We add that, with regard to the complaints concerning bank credit, the Italian Banking Institutions operating in the Territory, far from restricting their operations of credit to Italians, have granted, during 1951, credits to Somalis in the amount of 30 million somalis (approximately) mostly in the agricultural and commercial sector.

/13. Petition

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Notes by the Secretariat:

- 1/ See this document, section 1.
- 2/ See T/964, section 5.
- 3/ See this document, section 10.

13. Petition from "The Merchant of Somalia" (T/PET.11/87)

All the complaints in this petition were examined in the observations on petitions T/PET.11/56<sup>1/</sup>, T/PET.11/62<sup>2/</sup>, T/PET.11/92<sup>3/</sup> and T/PET.11/152<sup>4/</sup> to which reference should be made.

/14. Petition

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Notes by the Secretariat:

- 1/ See T/959/Add.1, section 1.
- 2/ See T/964, section 5.
- 3/ See T/978, section 9.
- 4/ See this document, section 48.

14. Petition from the Somali Youth League, Branch of Kismayu (T/PET.11/88)

The Somali Youth League of Kismayu criticizes the organization of the education and health services at Kismayu, and the position in regard to the land in the district.

In this connexion, we make the following observations:

1. Organization of the schools: the following schools were in operation at Kismayu during the 1951-52 school year:

One Italian-type elementary school	(3 classes, 14 pupils)
One Somali-type day elementary school for boys	..... (4 classes, 134 pupils)
One Somali-type day elementary school for girls	..... (2 classes, 24 pupils)
Evening elementary schools for adults with teaching in Italian	..... (5 classes, 148 pupils)
Evening elementary schools for adults with teaching in Arabic	..... (2 classes, 48 pupils)

In the 1951-52 school year, four Italian teachers, four Somali teachers and one Libyan teacher taught in the above-mentioned schools.

According to the compulsory education syllabus in all Somali-type elementary schools Arabic is the only written language taught in the preparatory and first classes, only spoken/<sup>Italian</sup>being taught. From the second class upwards both languages are taught.

Although of course adults in Somaliland, like everywhere else, have more difficulty in learning than children, the criticisms made of the Kismayu evening schools are unfounded -- the flow of students to the evening schools is enough to demonstrate this.

The much greater number of students at the evening classes in Italian as compared with those in Arabic also shows that, generally speaking the practical interest of the population in the study of Arabic is less than in the study of Italian.

2. Health organization

(a) The hospital and the infirmaries receive a quarterly supply of drugs on the basis of their own requests; moreover, in cases of urgent need, drugs are sent by the quickest possible means in answer to a cabled request. When owing to

/exceptional

exceptional circumstances, such as the rainy season of 1951, it is difficult to obtain drugs from Mogadiscio, the hospital is authorized to purchase them on the spot, although this is much more expensive.

(b) There has never been any case in which prompt assistance could not be rendered because of the lack of drugs.

(c) Somalis often show unjustified distrust of medicines which are supplied to them free and frequently ask to buy medicine themselves. Sometimes the doctor advises some proprietary medicine which is not on the list of free drugs, but if the patient has not the money to buy it himself, galenic preparations or other available drugs are substituted for the proprietary brands.

(d) There has never been any case in which a patient has had to forego treatment for lack of money; if treatment has been refused, it has been when the patient asked for penicillin for a muscular pain or when his complaint was imaginary.

(e) The Administration has also assigned a surgeon to the hospital at Kismayu, so that there are normally two doctors there.

(f) Alterations and improvements have been planned for the hospital and some are actually in progress. There is no lack of water closets; the trouble is rather that the Somalis are not accustomed to using them, and have to be constantly watched to prevent them from relieving themselves near the hospital. Of course for patients who are seriously ill there are bed pans and bottles.

(g) One lavatory is reserved for the doctors and the paying patients, which is an obvious precaution in view of the fact that most of the patients have not yet learned hygienic habits.

(h) It is very seldom that Europeans attend the out-patients dispensary, but work is not suspended for this or any other reason, for if the doctor is temporarily engaged elsewhere during opening hours, a trained native orderly continues to provide service.

(i) As long as the hospital has been open, there has been a twenty-four hour guard service consisting of a Somali orderly and a caretaker. Moreover, the two Italian orderlies at the hospital take turns each week in providing a first-aid service.

/(1) The hospital

(1) The hospital now has a motor ambulance, which was provided at the earliest opportunity, and in seasons when the roads are passable it is used to transport serious cases.

3. Position with regard to land

When it granted land concessions to farmers with sufficient means to engage in intensive cultivation which could be of real assistance to the area and the Territory, and provide employment for the population during the off-season, the pre-war Colonial Administration always bore in mind the needs of the riverside farmers, setting aside vast reservations and strictly respecting the areas already being cultivated by the indigenous inhabitants.

At that time there were some cases of concessions being granted to non-indigenous farmers, but every transaction was paid for by agreement between the parties.

The agricultural zones cultivated by the indigenous inhabitants are more than 60 kilometres upstream, whereas the farming concessions are all downstream.

It will therefore be seen that the best land has been left to the indigenous inhabitants, since the land downstream is well known to be alkaline (Ph = 8) and in many cases saline. (The high tides rise as far as 60 kilometres up the river.)

With regard to the cultivation and sale of cotton and the request that indigenous agriculture should be encouraged, reference should be made to the observations on petitions T/PET.11/74 <sup>1/</sup> and T/PET.11/159. <sup>2/</sup>

/15. Petition

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Notes by the Secretariat:

1/ See T/978, Section 6.

2/ See this document, Section 49.

15. Petition from the Somali Youth League, Branch of Bullo Burti (T/PET.11/89)

With regard to the complaints contained in the above-mentioned petition, we observe:

1. This Administration never enlisted, in Bullo Burti or elsewhere, Chiefs and Notables with the purpose of spreading conservative political propaganda among the populations. The Chiefs are elected by the "kabils" in traditional "scirs" and the Administration merely sanctions such elections with the deed of nomination that entitles them to a monthly salary; the Notables, although they do not specifically rule over the kabils, are traditionally considered by public opinion as persons of particular culture and prestige, and as such are called to take part in the Residence Council.

2. In 1950 the Residence Council of Bullo Burti regularly elected its representatives to the Regional Assembly for the designation of the Territorial Councillors of the Region. It emerges that when the session opened the Resident advised the Assembly that they were to designate the "territorial" representatives and not the Party representatives who would be directly designated by the respective Central Committees; it was not forbidden, however, to choose "territorial" representatives among persons affiliated with the Parties: said persons, if designated would occupy regional seats in the Territorial Council and not political seats as the latter were restricted to the members designated by the Central Committees of the Parties. Such system aimed to increase the strength of the political elements rather than to diminish it.

3. In June 1951 the existence of three sources of cattle pest were discovered in the Uebi Scebeli region, in which Bullo Burti is located, so timely measures were adopted by the Veterinary Service of the Region and more than 5000 animals were treated with serum. It is estimated that over 90% of the infected cattle was saved.

4. Part of the school-books on various subjects in the Arabic language that the Resident of Bullo Burti had inherited from the British Administration (171) were withdrawn at the end of the school year 1950-51 by the Central Scholastic Authorities for better distribution among the Arabic teachers, pending the arrival from Egypt of a new selection. The Bullo Burti students were given regulation text-books, as all over the Territory.

/The population



The population of the Bulo Burti district numbers about 65,000 - not 200,000 - but the residents of the capital do not exceed 3000, with the following school-age population: 70 pupils (not 40) who attend elementary day schools and 102 pupils registered at night schools. The Administration is taking the necessary steps to obtain from its present inhabitants the return of the building that was constructed in 1940 to house the schools of the locality. It will thus be possible, in 1952-53, to increase the number of classes and of students considerably in that area.

Moreover, the plan for educational development foresees the opening of three new schools in three localities (Bugda Acable, Piero Versi and Gialalassi) of the Bulo Burti district. At least one of said schools will open the next school year, and the others as soon as two more teachers will be available. The Arabic language is taught in Bulo Burti, as elsewhere, with courses in several classes; in the second class lessons are held every day from 7.30 to 10 a.m. and from 12 to 12.30 p.m. In the third, fourth and fifth class, from 7 to 7.30 and from 10.30 to 12. On Sunday the Arabic language is taught to the exclusion of any other subject, in all classes and for the duration of the lesson (from 7.30 to 10.30).

5. It emerges, from the sanitary registers of the Residence and from general statistics, that during the crucial malaria period the following cases of primitive malaria were registered in the district of Bulo Burti:

- March	n.	58
- April	"	419
- May	"	251
- June	"	457

All patients were treated at the surgery.

6. From monthly statistics, it emerges that the number of prisoners detained in the prison of Bulo Burti never exceeded 30 people. As of 31 December 1951 the situation in those prisons was the following: 21 prisoners awaiting trial and 2 serving sentence, none for political reasons.

It is hardly worthwhile pointing out the glibness with which the signers of the petition bandy numbers and percentages. If half the data that they have furnished should prove to be correct (99% of the population in ill health, 50% deceased, complete destruction of all livestock) the district of Bulo Burti would be reduced to a desert, whereas it evidences the continuation of regular life and shows that the recurrent seasonal troubles have been met by the Administration with corrective measures proportionate to their importance.

16. Petition from the Somali Youth League, Branch of Gardo (T/PET.11/90)

In substance the Somali Youth League of Gardo claims:

1. That they were deprived, in 1950, of the use of their headquarters.

This question was discussed last year by the Trusteeship Council in relation to petition T/PET.11/18. In its Resolution 368 (IX) dated 2 July 1951 the Trusteeship Council called the attention of the signers of the petition to the observations of the Administering Authorities according to which the premises used as headquarters by the S.Y.L. of Gardo were government property, and the Administration requested that they be vacated with the only purpose of arranging suitable premises for the school that had been opened in that centre.

2. that they did not obtain the permission to construct new premises.

We point out that the land requested for this purpose was found to have been previously assigned to another native. The League started legal procedure against the opponent, but did not carry it through although encouraged to do so by the Resident and by the opponent himself who wished to see the matter definitively settled. For the past eight months the League has shown no interest in the matter and has not requested another building site, although repeatedly invited to do so.

3. that a telegram of protest presented to the Resident of Gardo for furtherance was not transmitted to the addressee.

In this connexion a thorough investigation was conducted by the Administration, from which it emerges that the Resident convinced the senders of the untruths contained in the telegram and that the latter spontaneously took back the telegram and the money. Although no harm ensued, this Administration admonished the official in question and ordered him to refrain in future from any such intervention.

4. that some of their members were assaulted in September 1951 by members of the adverse party.

We point out that the above complaint refers to a banal incident that occurred on 12 September 1951, when a group of young men of the Somali Youth League who were returning to the village after presenting their greetings to the Resident for "Arafa" was attacked by the Progressive Somali League who were

/annoyed

annoyed by the parade formation assumed by the group in traversing the village. No damage was done and the following evening the Resident settled the question between the two parties in a friendly way.

5. that the elementary school teacher of that centre was involved in political activities.

We point out that such accusation is without any foundation whatsoever. The schoolteacher, Emilio Lucano's work, ever since his arrival in Gardo, has been exclusively restricted to his scholastic duties. Misunderstandings, diffidence, resentment caused by non-political reasons did initially spring up around him. The religious chiefs feared to see the children of Gardo corrupted by heretical teaching, the Koranic teachers feared to lose their earnings, the League feared to lose its monopoly on the diffusion of news. It is a fact that all this was soon overcome, the people's diffidence was broken down and their fears proved to be groundless. The success of the school in Gardo during its second year evidences the perseverant and intelligent work accomplished by its teacher.

6. that the infirmary is inadequate.

We point out in connexion with this complaint that the infirmary in Gardo always has been, and is at present, satisfactory. The medicine supply has never failed and the village never had to complain of the treatment afforded its patients. During the famine in Mijurtinia in 1950, the Gardo infirmary house<sup>as many</sup> as 40 patients a day. In difficult circumstances possibly hundreds of people were saved from death by starvation and from illness following it. The population of Gardo also helped, and a collection raised among Italians and natives yielded about 1,500 somalis that were used to buy food for the more needy; this in addition to continual assistance from the Administration.

With regard to the requests listed at the end of the above-mentioned petition, the District of Gardo numbers inclusively a population of 26,000 inhabitants; in this connexion we point out that:

1. 5 elementary classes are held in Gardo; 2 others will be opened in the District during the coming year.

2. The infirmary is visited twice a month by the doctor in Eli.

/3. During 1951

3. During 1951 repairs were effected on the road between Galcaio, Gardo, Bender and Cassim to the extent of 240,000 somalis; the excavation of new wells in that district is part of a general programme of hydraulic research that will be carried out pursuant to the result of a survey conducted by the Administration, the "Technical Mission" and the E.C.A. Mission.

4. The workers of Mijurtinia are paid in relation to the hours of work and to their efficiency (a minimum pay of 2.50 somalis per hour and a maximum pay of 12 somalis per hour).

5. Public services in Gardo have already been organized since July of last year, following the creation of a Municipality in that centre.

6. Pursuant to an agreement reached on 31 January 1951, with the British Administration Authorities, the traffic to and from Somaliland, for reasons of commerce or migration, is subject, in the former case, to the possession of a pass issued by the Commissioner of Mijurtinia and valid for one year, and in the latter case to the possession of a frontier card, of unlimited duration, issued by the Resident of Gardo.

7. We see no necessity of establishing an institution for the poor in Gardo, because the improved conditions in the region have definitively reduced the hazard of death by denutrition. A considerable number of undernourished children have been received in the orphanage of Mogadiscio, where they immediately improved and, at the present time, are enjoying excellent health.

/17. Petition

17. Petition from the "Unione Africana-Somalia", Branch of Belet Uen  
(T/PET.11/91)

The section of Belet Uen of the African Somali Union complains that 95 per cent of the Somali contingent of the Trusteeship Administration consists of element affiliated to the extremist political party of the Somali Youth League.

We refer, in this connexion, to the observations drafted on petition T/PET.11/75.<sup>1/</sup>

/18. Petition

1/ Note by the Secretariat: See T/975, Section 4.

18. Petition from the "Unione Africana-Somalia", Branch of Bullo Burti  
(T/PET.11/93)

The section of Bullo Burti of the African Somali Union complains that 95 per cent of the Somali contingent of the Trusteeship Administration consists of element affiliated to the extremist political party of the Somali Youth League.

We refer, in this connexion, to the observations drafted on petition T/PET.11/75.<sup>1/</sup>

/19. Petition

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1/ Note by the Secretariat: See T/975, Section 4.

19. Petition from the "Unione Africana-Somalia", Branch of Baidoa (T/PET.11/94)

The section of Baidoa of the African Somali Union complains that 95 per cent of the Somali contingent of the Trusteeship Administration consists of element affiliated to the extremist political party of the Somali Youth League.

We refer, in this connexion, to the observations drafted on petition T/PET.11/75.<sup>1/</sup>

/20. Petition

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<sup>1/</sup> Note by the Secretariat: See T/975, Section 4.

20. Petition from the "Unione Africani-Somalia", Branch of Balad (T/PET.11/95)

The section of Balad of the African Somali Union complains that 95 per cent of the Somali contingent of the Trusteeship Administration consists of element affiliated to the extremist political party of the Somali Youth League.

We refer, in this connexion, to the observations drafted on petition T/PET.11/75.<sup>1/</sup>

/21. Petition

1/ Note by the Secretariat: See T/975, Section 4.



21. Petition from the "Unione Africani-Somalia", Branch of Bur Acaba  
(T/PET.11/96)

The section of Bur Acaba of the African Somali Union complains that 95 per cent of the Somali contingent of the Trusteeship Administration consists of elements affiliated to the extremist political party of the Somali Youth League.

We refer, in this connexion, to the observations drafted on petition T/PET.11/75.<sup>1/</sup>

/22. Petition

1/ Note by the Secretariat: See T/975, Section 4.

22. Petition from the "Societa Anonima Cooperativa Agricola" Mille Braccia  
(T/PET.11/98)

The question raised in this petition is dealt with in detail in the observations on petition T/PET.11/165<sup>1/</sup>, from the same company (S.A.C.A.M.B.A.), to which reference should be made.

/23. Petition

1/ Note by the Secretariat: See Section 52.

23. Petition from the "Allevi Scuola Preparazione Politico Amministrativa"  
(T/PET.11/99)

The petitioner, who is a student at the "Scuola di preparazione politico-amministrativa" criticizes the organization and operation of this school.

In this connexion we make the following observations:

1. Methods of teaching

The methods of teaching employed in the school are adapted to the level of preparation of the pupils and in particular to their scanty knowledge of Italian and Arabic which often makes it necessary to dwell repeatedly on any idea in order to ensure that it is understood by the students. The fact that this school has not so far required any study certificate from candidates to its entrance examination has had the result that several of the students have revealed serious gaps in their knowledge in one direction or another and often lack that background which is essential to understanding the kind of teaching given at the school, which is on the level of that normally provided in secondary or higher schools.

When these considerations are borne in mind, the statement that the lessons, which include legal material, are at a lower level than those taught in the other schools is quite unfounded, as can be seen from the attached extract from the 1951 curriculum (Annex I)<sup>1/</sup>.

2. Organization

In connexion with the organization of the school, an extract from the regulations is attached (Annex 2)<sup>1/</sup>: classes started on 17 August 1951 and the new headquarters of the school, at which the United Nations Visiting Mission was received, was opened on 13 August.

3. Teachers

The school is directed by a professor of law of the University of Rome, sent to Mogadiscio expressly for this purpose and not holding any other post or duties. The teachers also include Mr. Mario Villoresi, teacher on the regular establishment and secondary school headmaster, Mr. Dino Donatelli, secondary-school teachers, Mr. Contegiacomo, established secondary school teacher, Miss Maria Teresa Suma, secondary school teacher of Arabic, Mr. Andrea Lanata, secondary school teacher of Arabic literature and Islamic institutions; there

/are also

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<sup>1/</sup> Note by the Secretariat: The documents referred to have been placed in the files of the Secretariat and are available to the members of the Trusteeship Council on request.

are also three officials teaching at the school (one magistrate, the assistant at the Department of Judicial and Legislative Affairs and the Vice-Chief of the Accounts Office, all persons specially well qualified by their experience to teach the subjects assigned to them). In seven months of school, these officials missed only five hours of classes.

4. Languages

The teaching of languages is not part of the basic school curriculum but Arabic and Italian are taught as supplementary subjects in order to remedy the insufficient linguistic knowledge of some of the students. Three hours a week are set aside for the teaching of Arabic and the same for Italian.

It has been noted that some students in the first class, who at the beginning of the course knew only a little of one language, are now in a position to pass the examination for admission to the second class in both languages.

5. Hours of study.

The school is open in the afternoon in order to give employees of the Administration an opportunity to attend, but there is nothing to prevent persons who have the mornings free from attending also.

Even those students who are employed have fifteen and a half hours left out of the twenty-four -- after six hours at the office and two and a half hours at school -- out of which, allowing for sleep and meals, they should be able to find as many hours for study as most students in any part of the world.

It is worth remembering that when the Chairman of the United Nations Visiting Mission asked the petitioner why he attended the school which he had said was unsatisfactory and badly organized, Ahmed Scere answered in very different terms from his petition. He said that he attended school simply to pass the time which he would otherwise have had to spend wandering about the streets. Later he completely abandoned his classes which he had in any case attended only desultorily, and did not even take the examinations of the first class, although he was one of the most intelligent students.

24. Petition from the "Guardie Carcerarie Somale" (T/FET.11/100)

The signer of the above-mentioned petition submits general complaints about the treatment he allegedly receives in his quality of prison guard. He claims, in particular, that he is not afforded the possibility of attending school.

We enclose charts of the salaries and rations that are given to prison guards and observe, with regard to schooling, that said personnel can attend evening school for adults in Mogadiscio, to which it has free access, subject to working hours.

/SALARY

SALARY AND VARIOUS INDEMNITIES DUE TO PRISON GUARDS

R A N K	Years in service	Monthly pay	Daily prison indemnity (1)	Monthly living-quarters indemnity
Apprentice Guard	-	50	-	-
Guard	-	70	1	15
Guard, 1st Class	-	85	1	15
Sergeant	-	100	1.5	25
Sergeant Major	-	120	1.5	25
V. Inspector	-	160	2	30
	1	175		
	2	190		
	3	205		
	4	220		
	5	235		
	6	250		
Inspector	-	260	2.5	35
	1	275		
	2	290		
	3	305		
	4	320		
	5	335		
	6	350		
Chief Inspector	-	360	3	40
	1	380		
	2	400		
	3	420		
	4	440		
	5	460		
	6	480		

(1) For personnel not provided with living-quarters

Personnel listed above also receive the following indemnities:

- (a) Rations: (b) Efficiency bonus: 20 somalis per month payable at (1st class) 5% of the roll;
- (c) Efficiency bonus: 30 somalis per month payable at 20% of the roll; (2nd class)
- (d) Special over-pay: (1st class) 20 somalis per month to armourers, cobblers, nurses and drivers;
- (e) Special over-pay: (2nd class) 10 somalis per month to cooks, telephone operators and warehouse men.

Efficiency bonuses and special over-pay cannot be accumulated.

Mogadiscio, May 23, 1950

Signed: THE ADMINISTRATOR  
FORNARI

/25. Petition

25. Petition from Mr. Hassan Mohamed Hindi and Others (T/PET.11/101.)

Extensive explanations on the questions raised in this petition have already been given in the comments on similar petitions, T/PET.11/40<sup>1</sup>/<sub>2</sub>, T/PET.11/62<sup>2</sup>/<sub>2</sub>, T/PET.11/66<sup>3</sup>/<sub>2</sub>, T/PET.11/71<sup>4</sup>/<sub>2</sub> and T/PET.11/152<sup>5</sup>/<sub>2</sub>. Reference should be made to these observations and to the Second Annual Report for a complete account of the achievements of the Italian Administration in public education, social welfare, justice, trade and economic matters, the principles on which the Administration's policy with regard to each of these subjects is based and the methods which it follows.

It may, however, be useful at this juncture to give some further information on new points or points which were not sufficiently dealt with in earlier comments.

- (1) TEACHERS A certain number of Administration officials do in fact give their services in some of the night schools for adults. The persons in question have certificates authorizing them to teach, and their work, which is voluntary and unpaid, far from justifying the conclusion that the schools in the Territory are run by unqualified teachers, is merely a proof of the Administration's determination to use every means at its disposal to combat illiteracy. There are only six teachers from the Carabinieri and military forces, not hundreds and naturally they too have the regular diploma entitling them to teach.
- (2) EPIDEMICS As stated on page 122 of the First Annual Report, the long drought and the resulting death of livestock led, in 1950, to a serious famine in Mijertein.

Between September and November a large number of people in the area suffered from dysentery symptoms, only a small percentage of which were of the amoebic type (in the Bender Cassim area); in the bacillary cases the great majority of the bacilli were not in the dysentery group but were enterococci in conjunction with enterotoxigenic staphylococci and bacterium coli. The serodiagnoses for dysentery, para-dysentery and meta-dysentery carried out by the bacteriologist Dr. Santostefano, who was sent to the area, were clearly negative, from which it

/was concluded

Notes by the Secretariat:

- 1/ See T/952, Section 3.
- 2/ See T/964, Section 5.
- 3/ See this document, Section 5.
- 4/ See T/978, Section 6.
- 5/ See this document, Section 48.

was concluded that the symptoms of diarrhoea observed were attributable to a simple increase of normal intestinal activity in persons weakened by famine. The Administration immediately took steps to meet the situation and no expense was spared. The Inspector General of Health, Professor Hoffmann, Dr. Bacchelli, the bacteriologist Dr. Santostefano, and Dr. Tonelli were sent to the area to assist the local doctors.

The following supplies were sent to the area:

Sorghum and raise	3,500 quintals
Lemons and onions	50 "
Rice	250 "
Toa	2 "
Biscuits	45 "
Sugar	45 "

This food was distributed free of cost.

In addition a special consignment of twelve quintals of medical supplies was sent, including:

Vitamins	150,000 tablets
Condensed milk	600 kg.
Cod liver oil	310 kg.

All the Residencies in the area opened kitchens and camps to help the poor and starving. More than 200,000 somalos were spent on these emergency measures. In the brief space of three months the situation was improved and it was completely remedied by the rains which fell after two years' drought. On more than one occasion, the chiefs in the area expressed their gratitude to the Administrator for the assistance which the Administration had given their people in these distressing circumstances.

As regards the pernicious malaria which is said to have broken out in the Mudugh Provinces, it should be pointed out that malaria is an endemic disease throughout the Territory and that, so far, no particularly serious outbreaks have occurred in the Mudugh or elsewhere. Statistics on the situation in the Bulco Burti district, generally the area most subject to the disease, will be found in the comments on petition T/PET.11/89<sup>1</sup>/<sub>2</sub>.

/ (3) SOMALI



(3) SOMALI QUARTERS OF MOGADISCIO The Administration has given and will continue to give the necessary attention to the situation in the Somali quarters of Mogadiscio. Apart from the fact that out of a total of 130 municipal street-sweepers, at least 80 are assigned to the Somali quarters, the health problem in these quarters is being considered from a much wider point of view. During 1951, at a cost of 160,000 somalos, the Somali quarter of Amaruini was demolished and an asphalt road was opened linking the Piazza Rava and the Somali quarter of Bulo Elai. A further 38 lighting plants have been set up in the various quarters and 7 more are being constructed. During the current year, 61,000 somalos will be spent on the construction of a model village near the Amaruini quarter, to consist of 700 huts grouped round a mosque, a clinic, a school and a drinking-water fountain. All this work forms part of a city planning scheme, the final details of which are now being worked out.

(4) PROSTITUTION The accusations levelled against the Administration with regard to prostitution are completely without foundation. Apart from the fact that the two women's organizations in the Territory (the Donne Somale Associazione and the Associazione Femminile Unione Africani) were not established by the Administration but were formed on their own initiative, their programme is very different from that attributed to them by the authors of the petition. Under the direction of Italian ladies, these organizations conduct classes in hygiene sanitation and dressmaking to promote the advancement of women in Somaliland.

So far as prostitution is concerned, the provisions of articles 531-537 of the Italian Penal Code are at present applied in the Territory. However, in order to give effect to the principles contained in the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others which was adopted by the United Nations General Assembly on 2 December 1949 and came into force on 25 July 1951, the above-mentioned articles have recently been revised. Whereas, under the Italian Penal Code, certain offences (incitement, encouragement and compulsion) may be punished only in certain circumstances (for example, if the person concerned is a minor, if violence or threats are used or if the persons are related), under article 1 of the Convention such offences must be punished in every case, without exception.

/It has

It has therefore again been necessary;

- (1) to bring into line the aforesaid provisions of the Penal Code;
- (2) to abrogate any provisions imposing compulsory control and supervision on persons engaged in prostitution;
- (3) to prohibit the opening, in any form, of houses of prostitution.

Complete regulations on the matter are contained in the following provisions of the new "Police Regulations for the Territory of Somaliland" which are now under consideration by the Territorial Council.

Incitement to

prostitution

Article 132. Except in the cases for which provision is made in the Penal Code, any person who, to gratify the passions of another, induces or incites for purposes of prostitution, another person, even with the consent of that person, shall be liable to imprisonment for a period not exceeding three months and to a fine not exceeding 300 somalos.

Premises intended  
for prostitution

Article 133. No one shall keep, manage or in any way finance a building or other place for the purposes of prostitution. Offenders shall be liable to imprisonment for a period not exceeding six months and a fine not exceeding 600 somalos.

Any person who knowingly lets or rents a building or any part thereof for the purpose of prostitution shall be liable to the same penalties.

Incitement

Article 133 (a). No one shall, even indirectly, solicit, incite or entice another person to immorality in any public place or place which is open to the public. If no more serious offence is involved, offenders shall be liable to imprisonment for a period not exceeding six months. If the offence is repeated, the penalty may be doubled.

Repeal of  
laws

Article 134. All laws on prostitution promulgated prior to the present Ordinance shall be repealed.

This Police Ordinance will probably come into effect in about two months' time.

/With regard

With regard to the provisions of the Convention in respect of measures to suppress international traffic in prostitutes and the emigration of such persons, it should be noted that these aspects of the problem do not arise in the Territory.

At Mogadiscio, the only large town in Somaliland, where a numerous foreign community lives side by side with the indigenous population, there is naturally a certain amount of prostitution but it is on a very small scale. From the date of the transfer of powers -- 1 April 1950 -- to the present time, the births of eleven half-breeds have been registered at the Municipal Offices.

26. Petition from Mr. Jama Gurri and Others (T/PET.11/103)

All the complaints contained in this petition have already been examined in the comments on petitions T/PET.11/40<sup>1/</sup> and T/PET.11/66<sup>2/</sup>, to which reference should be made.

/27. Petition

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Notes by the Secretariat:

1/ See T/952, Section 3.

2/ See this document, Section 5.

27. Petition from the "Unione Difesa della Somalia", Mogadiscio (T/PET.11/105)

The questions raised in this petition have been dealt with in the comments on petitions T/PET.11/74<sup>1/</sup>, T/PET.11/113<sup>2/</sup>, T/PET.11/152<sup>3/</sup>.

With regard to the alleged emigration from the Territory of Europeans who have been discouraged by the economic situation, there have not so far been any signs of such a movement.

Needless to state, the Europeans who have been working in the Territory for many years are closely watching the attitude of the Somali members of various local government bodies to the problems confronting the future State and drawing their own conclusions so far as their own interests are concerned.

/28. Petition

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Notes by the Secretariat:

1/ See T/978, Section 6.

2/ See this document, Section 29.

3/ See this document, Section 48.

28. Petition from the Temporary Committee and Members of the Hisbia Dighil and Mirifle, Mogadiscio (T/PET.11/109)

The authors of the petition complain, apparently in their capacity of members of the Temporary Committee of the Hisbia Dighil and Mirifle, that the Administration intervened in the activities of their party to ensure the election of persons in its pay as officers. They also express the party's dissatisfaction with the Administration's activities which, they allege, leave much to be desired in every respect.

It should be pointed out that at the time of the petition, its signatories no longer held any position in the Hisbia Dighil and Mirifle; consequently, their complaints can be considered only on a personal basis.

The events to which the petitioners refer were as follows:

On 15 February 1951, the Hisbia Dighil and Mirifle held a General Assembly attended by some representatives from the outstations and fifty members from Mogadiscio.

As a result of that Assembly the following officers were elected:

OSMAN MOHAMED	President, employed at the De Martino hospital
ABUKAR OMAR SCEGO	Vice-President, an interpreter, originally attached to the Mogadiscio Residency and later to the Territorial Council
ABDULKADIR MOHAMED ADEN	Secretary-General, a private citizen

all signatories of the petition.

The regularity and legality of the Assembly, however, were immediately challenged by numerous members of the outgoing Committee who alleged that, under the existing Statute, the Assembly must be composed of all the members of the Party and not merely of fifty members from Mogadiscio and a few chiefs from the outstations. They claimed that this procedure was unconstitutional, arbitrary and directed solely at ensuring the election of certain Mogadiscio candidates.

The Statute then in force did in fact provide that the Committee should be elected by the General Assembly of members, that it should remain in office six months and that it could be re-elected. The President was not subject to this provision, since, under the same Statute, he was virtually placed in office for life.

/In opposition

In opposition to these statutory provisions, the various "revolutionary" Temporary Committees of the H.D.M. had previously introduced a number of amendments which were never accepted, by the majority of those concerned, since they had not been adopted by the competent General Assembly.

One of the amendments in question was as follows: "The Committee shall be elected by an Assembly of fifty members from Mogadiscio. The President shall be elected by the Committee and shall remain in office for six months."

The Resident of Mogadiscio agreed that the arguments of non-validity were justified and, in accordance with the powers conferred on him by Proclamation No. 4 of 1948, he informed the newly elected officers that he could not recognize their appointment, since it had been made in violation of the statutory provisions. It should be noted that the Resident took this position despite the fact that two of the three persons elected were employed by the Administration.

As a result of the intervention of Fadel Bey, the Egyptian representative on the Advisory Council, agreement was reached on a compromise whereby a Provisional Committee was appointed to conduct the normal administrative business of the Party and to prepare the way for a General Assembly to discuss and approve the new Statute and appoint new officers.

This Provisional Committee, of which many of the signatories of the petition were members, was set up in May 1951. On 3 June 1951 it celebrated the fifth anniversary of the founding of the Party and on that occasion, Osman Mohammed -- the irregularly elected President whose appointment had not been confirmed -- made the following speech which was reported in full in the Corriere della Somalia of 4 June 1951:

"Your Excellencies, Gentlemen, dear friends.

"On behalf of the Committee of the Hizbia Dighil and Mirifle, I give you all our most sincere and devoted thanks for your powerful and welcome assistance. Best wishes to my dear Somali brothers on the anniversary of the founding of our Party.

"Our activities began on 25 March 1947, in turbulent and difficult days; in a brief space of time, they have assumed truly imposing proportions. I wish to state that our faith has contributed to this development and to the general demand that the august likeness of our native land, our future free and

independent Somali State, should appear on our pennons. We recognize the efforts that have been made by the present Administration; their task has not been easy but bristling with difficulties which have been overcome by the goodwill of all concerned and in particular of His Excellency Ambassador Fornari.

"In the name of our party we warmly recommend the Trusteeship Administration in Somaliland (and we are sure that it will do so) to encourage and promote the greater use of Arabic, the language chosen by the Territorial Council and adopted by referendum as the official language because it is the language of the Holy Koran and of the age-old culture of the Somali people.

"The educational aspect has so far played a predominant part in the programme which the Administration is now carrying out and this cannot but be a cause for rejoicing. A people's evolution ever runs parallel to its cultural development and its progress. But let us not forget, my friends, that Somaliland is predominantly an agricultural country and that we must base our hopes on this, since agriculture and the intensive development of livestock breeding must form the supporting pillars of our Nation's economic structure. It is well to recall one truth, namely that more than 400,000 Somalis, according to approximate estimates, are engaged in agriculture, and that this huge mass of people constitutes part of our dear family of the Hizbia Dighil and Mirifle, which is paying due attention to the tremendous potentialities of this sector, whose task will be to bring new life to the economy and finances of Somaliland.

"On this solemn occasion we wish to reiterate the principles on which our programme has always been based. It is our policy to collaborate sincerely with and support the far-sighted policy of the Italian Administration, which has always shown and is once more showing the world its profound knowledge of political, legal, administrative and social matters and, what is more, the unquestionable honesty of its intentions.

"We are deeply grateful to H.E. Mr. Gorini, Vice-Administrator of Somaliland. H.E. Vittorio Carpio, Philippine representative, the members of the Secretariat of the United Nations Advisory Council, Mr. Barry Her Britannic Majesty's Consul at Mogadiscio, Mr. Guy Monge, Consul of the French Republic at Mogadiscio and all the officers of the A.F.I.S. who have been kind enough to honour us with their presence, the representatives of the Pakistan and Arab communities, the leaders of the political parties and leading personalities of Somaliland.

/ "Somali



"Somali people, in the cities, villages, forests, one and united, in the name of God and of the Sacred Majesty of our newborn Fatherland rise to your feet! Lift ever higher to the pure blue sky all your flags, your banners and your emblems and raise the powerful cry of our irreproachable passion.

"Long live Somaliland! Long live Islam! Long live the United Nations! Long live Italy! Long live liberty!"

Between the date of this speech and the date when the petition was signed, the Party's Assembly met in plenary session (on 5 September 1951) and the majority of the Party's members appointed a new Committee from which some of the members from Mogadiscio (Osman Mohamed, Abukar Omar Scego and Abdulkadir Ahmed) were excluded as the result of regular elections; this is quite understandable, since most of the party's supporters come from outside the capital.

It is hardly necessary to add that both the Resident and the armed police remained completely aloof from the party's Assembly and the elections.

The following officers were elected at the above-mentioned Assembly:

President	HUSSEN AHMED ALI	An employee of the Administration
Vice-President	GEILANI MALAK	An employee of the <u>Ditta Vecco</u>
Secretary-General	ISSAK BASCIR	An interpreter employed by the Administration.

The first two are now Territorial Councillors and, except for the few signatories of the petition, none of the numerous members of H.D.M. has so far cast any doubt on the validity of their tenure of office, which is based on the general consent of the numerous outstations which constitute the bulk of the party.

It is quite possible that Mr. Romano received members of H.D.M., listened to them and even gave them advice, but there is no provision forbidding this.

It should be added that at a later Assembly, held on 30 December 1951, H.D.M. finally adopted a regular Statute which will certainly put an end to all future discussion on the procedure for appointing officers.

/With regard

With regard to the complaints about the Administration's action in various respects, reference should be made to the comments on petitions T/PET.11/40<sup>1/</sup>, T/PET.11/52<sup>2/</sup>, T/PET.11/56<sup>3/</sup>, T/PET.11/62<sup>4/</sup>, T/PET.11/66<sup>5/</sup>, T/PET.11/74<sup>6/</sup>, T/PET.11/92<sup>7/</sup>, T/PET.11/101<sup>8/</sup>.

/29. Petitions

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Notes by the Secretariat:

- 1/ See T/952, Section 3.
- 2/ See T/959, Section 6.
- 3/ See T/959, Add.1, Section 1.
- 4/ See T/964, Section 5.
- 5/ See this document, Section 5.
- 6/ See T/978, Section 6.
- 7/ See T/978, Section 9.
- 8/ See this document, Section 25.

29. Petition from the Somali Lorry Owners of the "Società Autotrasporti Somali" (T/PET.11/113)

The signers of the above-mentioned petition claim that their Truckers' Association (S.A.S.) was not given work, so that they were obliged to sell their trucks below cost in order to live. They also claim that the Administration gave work to Italian Trucking Companies and not to Somali Companies.

We observe that, when the Administration of the Territory changed hands, the situation of private auto-transportation was absolutely disastrous. Only a few cars in miserable state of repair had survived the wear and tear of the war years. Private offers of work for new transportation companies, Italian, Somali or mixed -- all syndicated -- (Gruppo Autotrasporti Riuniti) were practically inexistent, because of the stagnant state of business and the inability, in most cases, of the available trucks to undertake long trips.

Although the Trusteeship Administration disposed of a sufficient number of trucks of its own to ensure the proper functioning of its military and civilian services, steps were taken at once to allow the use of private cars for certain services in order to provide a livelihood for the above-mentioned transportation syndicates.

It may be that despite such protective measures some truckers were obliged, during the slump, to sell their vehicles, as it cannot be excluded that the competition for work (insufficient with respect to the available number of vehicles) may have resulted in the exclusion of one or another trucker from the service of the Administration.

However, to obviate such occurrences and to ensure equal chances of work and respective earnings for all, on 12 October 1951, that is on a date subsequent to that of the petition in question, the Administration stipulated with the "Gruppo Autotrasportatori Riuniti" a plan regulating transportation by truck and trailer of food supplies and goods in general, as of passengers, for their Civilian and Military Offices and Services. Pursuant to art.I of said regulation the Administration undertakes to place orders directly with the Syndicate Office who in turn undertakes to distribute the work among the nine syndicated firms, on the basis of the tonnage available to each firm with respect to the total tonnage.

/The "Società

The "Società Autotrasportatori Somali" (S.A.S.) to which the claimants belong is one of the nine syndicated firms. From investigations carried out it emerges that the Syndicate scrupulously fulfils its engagement to distribute the work equitably among the syndicated firms, without distinction between Somalis and Italians. This is confirmed by the fact that of twenty-eight trucks that were recently furnished to the Administration by the Syndicate, eighteen belonged to Somalis.

30. Petition from the Sheikhs, Chiefs and Notables of the Mijertein Province  
(T/PET.11/114)

We submit the following observations with regard to the various headings of the petition:

1. Unemployment. It is not true that the population of Mijertein Province (total 86,000 inhabitants) cannot find work. Apart from the salt beds at Hordio, financial negotiations for the reopening of which are being carried on between the Italian firm concerned and the Japanese E.C.A. there is no lack of openings for labour; the road works being carried out all over the Province and the Gallotti fisheries at Bender Cassim, Areddia a Candala and Caramelli ad Abo could employ all that part of the population which is not engaged in stock-breeding and trade. It is true that the Somalis in general, and the Mijerteiners in particular, have not yet acquired the habit of regular work; the camali work for a few weeks and then go off, satisfied to have picked up a few dozen somalos, while the fisheries, which are obliged in the season to work continuously, often have to make use of Arab labour from Mokalla. Hundreds of thousands of somalos have been put into circulation in the Province by the payment of the arrears due to the ex-Ascaris; but not one of the recipients has had the initiative to start any productive enterprise.
2. Famine and Cholera. There has never been an epidemic of cholera in the Territory. Full information concerning the famine of 1950 was supplied in the observations on petition T/PET.11/101<sup>1/</sup> to which reference should be made.
3. Commerce. Trade between Mijertein and the ports of Aden, Mokalla, Zanzibar, etc., is proceeding normally and it is not true that the laws and regulations in force have created difficulties for the traders of the Territory. On the contrary, there has been an increase and development of trade by sea, especially at Bender Cassim, where customs duties have amounted to more than 30,000 So. a month in recent months.
4. Arrests. No one has ever been arrested without good reason. The case of the twelve persons arrested at Alula in October 1951 for organizing a seditious meeting was dealt with in detail in the observations concerning petition T/PET.11/160.<sup>2/</sup> The twelve accused persons were sentenced by the Mijertein Regional Court on 18 March 1952 to terms of imprisonment varying from eight months to one year.

/5. Dhows.

Notes by the Secretariat:

1/ See this document, Section 25.

2/ See this document, Section 50.

5. Dhows. The observations concerning petition T/PET.11/72<sup>1</sup>/deal with this question in detail.

6. Hospitals. There are in Mijertein:

- (a) A hospital at Alula, with a doctor (Dr. Russo) and thirty beds;
- (b) a hospital at Bender Cassim, with a doctor (Dr. Angrisani) and thirty beds;
- (c) an infirmary at Eil, with a doctor (formerly Dr. Bonura, now Dr. Prandi) and six beds;

There are also, of course, a number of infirmaries in these three towns.

- (d) an infirmary at Scusciuban, with six beds;
- (e) a dispensary at Candala;
- (f) an infirmary at Hordio, with six beds;
- (g) an infirmary at Hafun, with six beds;
- (h) a dispensary at Bargal;
- (i) an infirmary at Gardo, with twenty beds;
- (j) a dispensary at Bender Beila, with three beds;
- (k) a dispensary at Garoe, with three beds;
- (l) a dispensary, recently set up, at Ghessel (Alula);
- (m) a dispensary, recently set up, at Bereda (Alula).

In all the above-mentioned dispensaries and infirmaries there are Somali nurses and medical orderlies, and they are visited regularly by the nearest doctor and restocked every three months with all the medicines they need.

7. Schools. In Mijertein there are seven daytime schools and four night schools, placed according to population distribution (at Bender Cassim, Alula, Scusciuban, Gardo, Eil, Candala and Garoe). There are thirteen daytime courses, with 373 registered pupils, and ten evening courses, with 340 registered pupils. There is one Italian teacher, seven Somalis and one Libyan. The people do not show much enthusiasm; the number of pupils who actually attend school is much less than that of registered pupils.

/31. Petition

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1/Note by the Secretariat: See T/967, Section 3.

31. Petition from Mr. Ibrahim Moallim Ali and Others (T/PET.11/115)

The signers of the above-mentioned petition allege that the Administration refused to grant them any help toward establishing a Somali Co-operative of agricultural exploitation on land belonging to their tribe (Abgal-Matan) in the Balad area, and that subsequently same land was occupied by the Administration itself with the purpose of establishing an agricultural company "of the Administrator and his personnel" (sic.), in opposition to the provisions of art.14 of the Trusteeship Agreement.

The allegations of the signers of the petition are totally unfounded.

At the beginning of 1951 the population of the territory of Balad was encouraged by the Administration to farm those stretches of land which, situated on the banks of the Uebi Scebeli, offer some possibility of rational exploitation. The Administration immediately offered the free co-operation of their technicians to choose the most adequate locations, and promised all kinds of help. The people of the Illivi and Cavole groups stationed on the right bank of the river answered the appeal; with a constitutive deed dated 9 August 1951 the 'Societa Cooperative Agricola CA-ME' was formed, between twenty-six Somalis of the Cavole group, for the exploitation of an area of 250 hectares in the Mererei district (territory of the Residence of Balad). With the help of the Administration (money loans, machinery for tree-clearing and ground-breaking, canalizing equipment, motor-pumps for raising water, technical personnel) the two Co-operatives immediately started work and the land is already assuming the encouraging appearance of two promising modern farms.

None of the people stationed on the left bank of the river answered the appeal of the Administration. In fact a considerable extension of land (approximately 10,000 hectares) on the left bank lies fallow and abandoned, unused by the local population, as confirmed by the recognized Chiefs of that locality in April 1951 when the left bank, like the right bank, was surveyed by the Resident of Balad and by technicians of the Administration with the purpose of ascertaining its actual condition and the eventual possibility of exploiting it on a technical and rational basis, with native or non-native labour, in a profit-sharing, co-operative or other form that might be considered appropriate and convenient for the general interests of the population. To this assertion

/of their

of their recognized Chiefs the signers of the petition, who probably attributed illicit and mysterious purposes to the survey, answered that the land in question belonged to the tribe (Abgal, rer Matan) and was indispensable to it. To back up their opposition they subsequently submitted a report in which they stated that they had formed an Agricultural Association and ask to be granted a concession on the whole vast area, without however showing any constitutive deed of the alleged Association.

The interested parties were advised by the Administration that they would have to submit concrete proof, as the two Agricultural Co-operatives of the right bank had, of their good will and their capacity to exploit, with the assistance of the Administration, the land on the left bank. But so far they have submitted no answer. The question therefore is still open, nor has its issue been in any way prejudiced.

In fact, the dispossession of which the signers accuse the Administration is nothing but a temporary occupation of an infinitesimal part of the land in question (approximately 100 hectares) with the purpose of creating an Experimental Centre of the Administration to grow fibrous agave, a plant which, according to technicians, might find favourable conditions in the red and white earth of the Balad district, to the considerable benefit of the Territory's economy.

The field was entrusted to Mr. Paolo Murri, under the technical control of the Agricultural Office of the Administration.

The interested populations were informed of all this by means of a public notice posted in the Register of the Residence of Balad, of which we attach a copy.

/ C O P Y



C O P Y.

A.F.I.S. ZOOTECHNICAL AND AGRICULTURAL OFFICE

N.379471

Mogadiscio, December 31, 1951

SUBJECT: Establishment of an experimental field

TO THE REGIONAL COMMISSARIAT OF BENADIR, MOGADISCIO

TO THE RESIDENCY, BALAD

This Office, with the intention of experimenting with some plants that might find favorable conditions for reproduction in the red and white earth of the Residence of Balad, both in the native and the Italian agricultural circles, has determined to establish an Experimental Center in that Residence.

The extension of the above-mentioned field -- that will subsequently be carefully measured and circumscribed, is of approximately 100 hectares. It is situated on the left bank of the Scebeli near the Balad bridge. It is bound to the North by the Balad bridge, to the East by the concrete road Balad-Mogadiscio for a length of about 2-2,5 kms., to the West by the Scebeli, and to the South by the brush on a line to be traced in order to attain the above-mentioned extension.

The cultivations to be studied are the following:

Principal cultivation: fibrous agave

Secondary cultivations for the improductive periods of the first:  
ground nuts, manioca and cotton.

Supervision of the Field will be entrusted to Mr. Paolo Murri, who is directly interested in the production of fibrous agave. Technical control will be effected by this Office.

In connection with the above, the Residence of Balad will undertake to exact from Mr. Murri the customary act of submission.

As the definitive delimitation of the land will have to be carried out without delay, we would appreciate your kindly informing us when a technician of this Office can proceed to Balad to effect, with the assistance of the Resident, the above-mentioned delimitation with the relative determination of boundaries.

/A copy

A copy of this memorandum will be posted in the register of the Residence of Balad, so that the populations will be informed of the character of the experimental cultivations for which no rights are acquired by Mr. Murri on the land on which they will be effected.

There is no objection on the part of the Resident of Balad to copies being circulated among the representatives of the local populations.

THE ADMINISTRATOR  
(signed) FORNARI

32. Petition from the Representatives of the 643 Somali Orphans (T/PET.11/116)

It has ~~been~~ impossible to trace any of the signatories of the above petition in the villages of Bondere and Hamaruin di Mogadiscio; the questions raised therein, including the allegation of unemployment, were fully dealt with in the observations on petitions T/PET.11/40,<sup>1/</sup> T/PET.11/66,<sup>2/</sup> T/PET.11/67,<sup>3/</sup> T/PET.11/86<sup>4/</sup> and T/PET.11/101.<sup>5/</sup>

It need hardly be said that the orphans of Somali soldiers killed in action, to whom the petitioners refer and whom they claim to represent, are not minors left without care or protection, as might at first be thought; they are adults, most of whom are engaged in commercial activities and earning something more than a bare livelihood.

/33. Petition

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Notes by the Secretariat:

- <sup>1/</sup> See T/952, Section 3.
- <sup>2/</sup> See this document, Section 5.
- <sup>3/</sup> See this document, Section 6.
- <sup>4/</sup> See T/978, Section 8.
- <sup>5/</sup> See this document, Section 25.

33. Petition from Mr. Hassan Osman (T/PET.11/117)

The questions raised by this petitioner were examined in the observations on petitions T/PET.11/40,<sup>1/</sup> T/PET.11/62,<sup>2/</sup> T/PET.11/60,<sup>3/</sup> T/PET.11/108,<sup>4/</sup> T/PET.11/113<sup>5/</sup> and T/PET.11/152,<sup>6/</sup> to which reference should be made.

/34. Petitions

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Notes by the Secretariat:

- 1/ See T/952, Section 3.
- 2/ See T/964, Section 5.
- 3/ See T/964, Section 3.
- 4/ Observations on T/PET.11/108 have not yet been received by the Secretariat.
- 5/ See this document, Section 29.
- 6/ See this document, Section 48.

34. Petitions from the Somali Youth League, Mogadiscio (T/PET.11/120)

These petitions, submitted by the Somali Youth League to the United Nations Visiting Mission, are an amplification of petition T/PET.11/40<sup>1/</sup> from the same source. We refer to our observations on the latter and, for more complete details on each question raised, to the observations on petitions T/PET.11/62,<sup>2/</sup> T/PET.11/66,<sup>3/</sup> T/PET.11/67,<sup>4/</sup> T/PET.11/74,<sup>5/</sup> T/PET.11/92,<sup>6/</sup> and T/PET.11/101<sup>7/</sup> and to the second annual report.

/35. Petition

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Notes by the Secretariat:

- <sup>1/</sup> See T/952, Section 3.
- <sup>2/</sup> See T/964, Section 5.
- <sup>3/</sup> See this document, Section 5.
- <sup>4/</sup> See this document, Section 6.
- <sup>5/</sup> See T/978, Section 6.
- <sup>6/</sup> See T/978, Section 9.
- <sup>7/</sup> See this document, Section 25.

35. Petition from the "Unione Giovani Benadir" (T/PET.11/121)

We refer to this Administration's observations on petition T/PET.11/41<sup>1/</sup> from the Hamar Youth Club, and to the observations on petitions T/PET.11/40, T/PET.11/62, T/PET.11/66, T/PET.11/67, T/PET.11/74, T/PET.11/92 and T/PET.11/101.<sup>2/</sup>

/36. Petition

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Notes by the Secretariat:

1/ See T/952, Section 4.

2/ See identical footnote references in observations on T/PET.11/120, Section 34 of this document.

36. Petition from Mr. SalahAbdi Mohamed Mussa (T/PET.11/123)

For general observations on the question raised by the signer of the above-mentioned petition we refer to the observations drafted on petition T/PET.11/55/Add.1.<sup>1/</sup>

In particular, we observe that Salah Abdi Mohamed Mussa's claims were examined by the appropriate Commission of Baidoa, who found them totally unjustified. The Commission in fact found out that the claimant resides in Bardera since more than two years and that all he possesses in Baidoa is a house that was in no way damaged during the incidents of April 1950.

/37. Petition

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Note by the Secretariat:

1/ See this document, Section 3.

37. Petition from Messrs. Haji Mohamed Hassono and Haji Iman (T/PET.11/127)

The signers of the above-mentioned petition claim that they were dispossessed by Mr. Del Bufalo of some land that they owned, and that they were sentenced to prison for having defended their rights.

For an exhaustive study of the case we refer to the observations drafted by this Administration on petition T/PET.11/39.<sup>1/</sup>

/38. Petition

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Note by the Secretariat:

1/ See this document, Section 1.



38. Petition from Mr. Ismail Nur Shirmarke (T/PET.11/128)

The signer of the above-mentioned petition claims that he was not paid the arrears owed to him as an employee of the pre-war Italian Administration.

We observe that the claimant was employed by the Italian Administration in Ethiopia (former Government of Gondar) and that therefore he has no right to the payment of arrears by this Administration, that is charged by the Italian Government to pay said arrears only to military and civilian Somali personnel previously employed by the Italian Administration of Somaliland.

39. Petition from Mr. Issa Yusuf Mead (T/PET.11/129 and Adds. 1 and 2)

For general observations on the question raised by the signers of the above-mentioned petition, we refer to the observations drafted on petition T/PET.11/55/Add.1.<sup>1/</sup>

In particular, we observe that the claims of the signers were examined by the appropriate Commission of Baidoa, who found them unjustified.

The Commission in fact found that the claimants suffered no damage to house or shop. They were robbed of money and dura near Bur Aceba, but the Chiefs of that region, to whom they appealed, discovered the 23 aggressors and obliged them to return the stolen property.

,/40. Petition

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Note by the Secretariat:

1/ See this document, Section 3.

40. Petition from Mr. Osman Mussa Arrale (T/PET.11/130)

For general observations on the question raised by the signer of the above-mentioned petition we refer to the observations drafted on petition T/PET.11/55/Add.1.<sup>1/</sup>

In particular, we observe that the claims presented by Osman Mussa Arrale were examined by the appropriate Commission of Baidoa who found them absolutely unfounded. The above-mentioned Commission discovered that he had suffered no damage during the incidents of April, 1950.

/41. Petition

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Note by the Secretariat:

1/ See this document, Section 3.

41. Petition from Mr. Yusuf Ali (T/FET.11/131)

The petitioner asserts that he was discharged from the Police Force without good reason, and that he has not received all the pay due to him.

Sergeant Yusuf Ali was discharged from the Police Force for bad conduct on 19 April 1951, on which date he received all the pay due to him. He asked to be paid for the period of his unexpired annual leave, but the Commandant of the Police Force ~~informed~~ him on 3 October 1951 that he was not entitled to that sum under the existing regulations governing conditions of service in the Somalia Police Force.

42. Petition from Mr. Yusuf Farah Abdi and Others (T/PET.11/134)

The signers of the above-mentioned petition claim that they were discharged from the army and that the outfit they were given when they enlisted was taken back.

The claimants are part of a group of enlisted soldiers who did not favourably pass the experimental period (two months) and were regularly discharged for inefficiency. According to Military Regulations the two-year service period subscribed to by the enlisted men is subject to the favourable result of the experimental period. It is obvious that at the time of discharge the military personal outfit is withdrawn. The claimants were paid in full.

43. Petition from Mr. Haji Abo' Imanchio (T/PET.11/135)

The signer of the above-mentioned petition claims that he has not yet taken possession of some real estate regularly acquired in Mogadiscio in September 1948 from the lawful owner, Rosa Marchese widow Zoni; he considers the local authorities responsible for this situation.

The question is a legal one, that ought to be exclusively handled by the judiciary Authorities. The Administration therefore did not and will not interfere.

From investigations carried out it emerges that:

On December 16, 1948 Haji Abo' Imanchio summoned Mrs. Rosa Marchese Zoni to a hearing on January 15, 1949 for the fulfillment of an obligation that she had contracted with him on September 25, 1948 for the sale of a series of seven cottages known as "Villini Zoni" and, subordinately, for the payment of damages.

In April 13-14 the Judge of Somaliland agreed, in an interlocutory sentence, to an assessment of the property with the purpose of establishing a fair sales' price.

The attorneys of the two parties presented the assessment and resumed the case in September 1949.

The cross-examination was summed up and the plaintiff's attorney requested a new assessment, in June 1950, by a group of three technicians; the defendant concluded with a statement of no effects of the sales' agreement of September 25, 1948 and of absolution from all the claims and demands of the opposite party.

The Judge, with an interlocutory decision dated August 26-September 7, 1950 suspended judgement, considering the case insufficiently investigated on account of the lack of probatory elements prior to the judgement, and ordered Mrs. Rosa Marchese Zoni to document the requested rescission.

The case was recalled on November 16, 1950 and the parties agreed to ask for a further delay to enable them to produce the required documentation.

A hearing was set for January 25, 1951.

On March 31, 1951 the Judge of Somaliland, having rejected all contrary appeal, exception or deduction, ordered Mrs. Rosa Marchese Zoni to

/fulfill

fulfill the stipulations of the definitive deed of sale of the property described in the private draft of September 25, 1948 within twenty days of the notification of the sentence. He moreover sentenced Rosa Marchese Zoni to refund the expenses of the case to the plaintiff, including the fees to the attorney -- amounting to 995.70 somalis -- and the costs of the trial. He declared the sentence provisionally mandatory. The defendant appealed against such sentence to the Court of Appeals in Rome, pursuant to art. 83 of the existing Judiciary Regulations. The appeal judgement is still pending.

This Administration agrees with the signer of the petition concerning the opportunity of judgements being definitively enforced by the judiciary authorities of the Territory. To this end, a draft for a new Judiciary Order, prepared by this Administration, that is at present being examined by the Advisory Council of the United Nations, foresees the establishment in the Territory of a Court of Appeal, with premises in Mogadiscio.

44. Petition from Mr. Abucar Mahamud Ahmed (T/PET.11/141)

The questions raised by the signer of this petition have been dealt with in the observations upon petitions T/PET.11/40<sup>1/</sup>, T/PET.11/74<sup>2/</sup> and T/PET.11/101<sup>3/</sup>, to which reference should be made.

/45. Petition

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1/ Note by the Secretariat: See T/952, Section 3.

2/ Note by the Secretariat: See T/978, Section 6.

3/ Note by the Secretariat: See this document, Section 25.



45. Petition from Mr. Abdi Ade and Six Others (T/PET.11/142)

For general observations on the question raised by the signers of the above-mentioned petition we refer to the observations relating to petition T/PET.11/55/Add.1<sup>1</sup>/.

In particular we observe that the aforesaid signers appear on the lists of refugees that were repatriated from Baidoa at the Administration's expense, with a subsidy of 100 somalis each.

None of the signers submitted any claim to the appropriate Commission in Baidoa.

/46. Petition

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<sup>1</sup>/ Note by the Secretariat: See this document, Section 3.

46. Petition from Messrs. Salah Musse Hassan and Abdi Nur Uarsame (T/PET.11/144)

The signers of this petition complain of having been dismissed from military service without justification.

In this connexion the following observations are submitted:

(1) The former aircraftman SALAH MUSSA ASSAN, a Somali, who was enrolled on 1 August 1950 and assigned to the Air Force on 16 October 1950, was dismissed from the service on 12 December 1950 for disciplinary reasons; he was guilty of a serious offence for which he should have been reported to the Judiciary Authority (repeated refusal to obey orders).

(2) The former seaman ABDI NUR UARSAMA, a Somali, who was enrolled by the Naval Base Command on 14 July 1950, was discharged on 8 November 1950 for failure to maintain a military bearing. By nature arrogant and quarrelsome, he committed frequent breaches of discipline during his service.

On their discharge, the two persons in question received all the emoluments that had accrued to them.

The accusations made by the petitioners against the Administration are without any foundation, as has been fully shown by the observations on previous petitions.

47. Petition from Mr. Giama Ali Mattan (T/PET.11/145)

For general observations on the question raised by the signer of the above-mentioned petition, we refer to the observations relating to petition T/PET.11/55/Add.1<sup>1/</sup>.

In particular we observe that the claims advanced by Giama Ali Mattan were examined by the appropriate Commission of Baidoa who found them unjustified. The aforesaid Commission in fact found that at the time of the Baidoa incidents Giama Ali Mattan was in Lugh Ferrandi, having long abandoned all commercial activity in Baidoa where he only owns a house to which no damage was done during the incidents.

/48. Petition

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<sup>1/</sup> Note by the Secretariat: See this document, Section 3.

48. Petition from Mr. Hassan Mohamed Hassan (T/PET.11/152).

The Proclamation establishing an additional 10 per cent customs duty on importations, to which Hassan Mohamed Hassan refers, is Proclamation No.25 of 1943 (of which copy is enclosed), issued by the British Military Administration not with the purpose of "counter-balancing" war expenses but to foster the tax contribution of the Territory, as explained in the foreword, in order to reduce the deficit in the Administration's Budget.

The Trusteeship Administration did not see fit to revoke the above-mentioned Proclamation for the same considerations for which it was issued. The added income has proved useful and necessary for the economy of the Territory, the more so because the Trusteeship Administration's expenses have considerably increased with respect to the expenses incurred by the British Military Administration.

With regard to the signer's statement concerning the impossibility of obtaining import licences from the sterling area, we observe that, as emerges from the official statistics, importations from the sterling area absorb a considerable part of the total Somali importations. During the period 1 April-31 December 1950, goods were imported from the sterling area in the amount of 25,266,767 somalis, that is more than half of the entire value of importations (43,632,289 somalis); in 1951, goods in the amount of 33,583,015 somalis were imported from the aforesaid area, equal to more than 1/3 of the total importations (98,105,561 somalis).

SUPPLEMENT No.21

BRITISH MILITARY ADMINISTRATION SOMALIA

SOMALIA GAZETTE SUPPLEMENT

No.21 of 1943

30 July 1943

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PROCLAMATION No.25

of 1943

CUSTOMS CONTRIBUTION

WHEREAS the taxes, dues tolls collected by the Military Administration in the Territory are insufficient to meet the expenses of the Administration of the Territory.

AND WHEREAS in consequence it will be necessary in addition to such taxes, dues and tolls to levy contributions to meet such deficiency.

NOW THEREFORE I, WILLIAM PLATT, Lieutenant General, Knight Grand Cross of the British Empire, Knight Commander of the Most Honourable Order of the Bath, Companion of the Distinguished Service Order, General Officer Commanding in Chief, East Africa Command, hereby proclaim:

1. This Proclamation may be cited as the Customs Contribution Proclamation 1943.
2. A contribution will be levied as from the date hereof by imposing an import duty of an additional 10 per cent ad valorem in respect of the classes of goods specified in the First Schedule hereto.
3. There shall be levied collected and paid duty in respect of all goods exported from the Territory at the rates set forth in the Second Schedule hereto.
4. The Controller of Customs shall collect the export duties imposed by this Proclamation and may exercise all powers given to him under the Customs Proclamation 1941 for the purposes of this Proclamation.

/FIRST SCHEDULE

### FIRST SCHEDULE

All goods included in the undermentioned items of the Customs  
Tariff Schedule to the Custom Proclamation 1941:

Item No.

11	Spices peppers etc.
24	Aerated and mineral waters
25	Beer
26	Wine, common
27	Wine, marsala and vermouth
28	Spirits, pure, sweetened or aromatic
29	Syrup (for drinking)
37	Woven piece goods of cotton, flax and hemp
38	Artificial fibres, manufactures of
40	Lace and Embroidery of cotton, hemp or silk
41	Linen and cotton, made-up articles of
47	Automobiles
	(a) for the transport of passengers
	(b) others (not including tractors)
48	Automobile parts (not including tractor parts)
61	Soap

### SECOND SCHEDULE

<u>Article</u>		<u>Rate of Duty</u>
1	Skins of leopard and cheetah	33 1/3 per cent <u>ad valorem</u>
2	Skins of lion, lynx, giraffe and dick-dick	25 per cent " "
3	Ambergris	25 per cent " "
4	Sheep and goats	Shs. 1 per head
5	Cattle, camels, horses, mules and donkeys	20 per cent <u>ad valorem</u>
6	All other goods	3 per cent " "

Given under my hand at Nairobi this 11th of August 1943.

W. PLATT

Lieutenant General  
General Officer Commanding-Chief  
East Africa Command

/49. Petition

49. Petition from Messrs. Abdulkadir Yerow Issack and Mohammed Sheikh Ahmed (T/PET.11/159)

The persons signing this petition -- on behalf of the farmers of certain villages which they claim to represent -- **complain** of the lack of freedom in concluding contracts for the sale of cotton in the district of Margherita.

It being understood that the petitioners have no title to represent the farmers of the villages of Margherita, and that their complaints must therefore be considered purely as personal ones, the following observations are made in this connexion:

The Società Romana conducted the 1951 cotton season in the Margherita area by the system of "co-participation", in regard to which regulations were laid down by the Administration in its circular No. 375473 of 24 February 1951 (Annex 1). <sup>1/</sup> On the basis of contracts freely entered into, the company undertook to supply the planters with seed and advances of money, while the planters undertook to sell the crop exclusively to the company at the price agreed on in the contract. In order to identify the contracting planters and to prevent duplication of contracts for the same crops, the contracts were countersigned by the Tribal Chiefs. No moral pressure was at any time exerted on the farmers, who were free to contract with the company in question or with another company or to grow cotton on their own account. The Resident of Margherita, in telling the planters that the crop would be paid for at the price agreed on, did no more than reaffirm the rules of the Civil Code regarding the execution **of** contracts freely entered into, without prejudice to the principle that anyone growing cotton on his own account had no obligation to sell the crop to the company in question and at the price agreed upon by that company. Since, when the crop was gathered, the international price of cotton was still a good deal higher than had been expected when the contracts were drawn up -- so much so that another company, the  
/ S.I.S.I.A.,

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1/ Note by the Secretariat: The documents referred to have been placed in the files of the Secretariat and are available to the members of the Trusteeship Council on request.

S.I.S.I.A., bought cotton direct from the planters at the price of 1.50 somalos in the district of Margherita itself -- many planters taking part in the co-participation scheme requested an alteration of the contract in their favour.

While, in view of what has been stated above, the administration was not in a position to compel a revision of the contracts, it nevertheless approached the President of the Company, and requested him to pay the price asked for by the planters (1.50 somalos) rather than the price contracted for (1.20 somalos). The President willingly agreed to increase the price, although in previous cotton seasons he had risked bankruptcy through keeping to his own contractual commitments when the price of cotton had collapsed.

The persons signing the petition thus have no reasonable grounds for complaint, either as ordinary planters or as planters in co-participation.

A recent Ordinance, No. 3 of 21 March 1952, has provided new regulations for the production and trading of cotton in the Territory. (Annex 2) <sup>1/</sup>, in accordance with the opinion expressed by a majority of the Territorial Council.

/50. Petition

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1/ Note by the Secretariat: The documents referred to have been placed in the files of the Secretariat and are available to the members of the Trusteeship Council on request.



50. Petition from the Somali Youth League, Branch of Alula (T/PET.11/160 and Add.1)

With the above-mentioned petition the League of Somali Youth of Alula complains that its directors were arrested. The complaint does not refer to the motive of the arrest.

With regard to the above, we observe:

Following the incidents of Afcalaio and Ghesselei, to which the observations on petition T/PET.11/118 <sup>1/</sup> refer, a group of trades-people of the district of Alula, among which were some members of the Somali Youth League and some Chiefs on probation -- whose illicit dealings had been particularly affected by the provisions adopted by the Resident for the repression of contraband -- started an intense propaganda with the aim of inciting the population to disobey the law and, particularly, to refrain from paying any tax.

Despite all attempts at appeasement and all appeals to moderation, on 19 October 1951 said propaganda led to a seditious meeting called by the propagandists and attended by large groups of the populations of twelve towns, with the intention of breaking into the prison and liberating all the prisoners awaiting trial for their part in the incidents of Afcalaio and Ghesselei.

On 20 October, after a last appeal, addressed by the Resident through a public proclamation, failed to have the desired effect, the Police authorities arrested and indicted the promoters and the principal executors of the plan. These are:

ALI GIAMA SCIRUA'	Chief on probation of Habo
HAGI FARAH GRESSOT	Secretary of the S.Y.L., Alula
ORMAN HAGI AHMED	V. Secretary of the S. Y.L., Alula
HASSAN SAID UABAR	Residence Councillor
AHMED ISMAIL SAMANTAR	Secretary of the S.Y.L., Meragno
IUSUF BAHUEL SCIRUA'	Chief on probation of Ghesselei
AHMED IUSUF ADEN	Residence Councillor
HAGI MOHAMED FARAH	Secretary of the S.Y.L., Afcalaio
FARAH ELMI FARAH	Member of the S.Y.L., Alula
MOHAMED ROBLE ISMAIL	" " " "
MOHAMED SALAD HAMDAN	" " " "
MOHAMED SCIRE'	" " " "

/The trial,

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1/ Note by the Secretariat: See T/967, Section 7.

The trial, that started before the Regional Tribunal of Mijurtinia with defence counsellors appointed by the Court, was recently remanded to a later hearing upon the request of the lawyer Mr. Siniscalchi engaged by the accused for their defence.

It is known that a combination of articles 128 and 134 of the Penal Code allows for the substitution of a counsellor chosen by the accused to a counsellor appointed by the Court, at any stage of the proceedings.

T/PET.11/160/Add.1

All the complaints contained in the petition in question have been fully dealt with in the observations on petitions T/PET.11/72 <sup>1/</sup>, T/PET.11/118 <sup>2/</sup> and T/PET.11/160.

The Beldagi of the Suacron, who at the time of the Alula incident had thought fit to absent himself from the Territory and leave the tribe to its own devices, was recently received at Mogadiscio by the Administrator, to whom he explicitly acknowledged that his behaviour had not been in keeping with his duties as a Chief, and that a more careful consideration of the situation in Alula and the Territory as a whole and of the work accomplished by the Italian Administration had led him to deplore the incidents that had occurred and to admit that the Administration had done everything in its power to avoid them. The Beldagi then renewed his promise to co-operate with the local authorities in order to ensure respect for the law and the maintenance of order in the District. He has now returned to Alula.

/51. Petition

- 1/ Note by the Secretariat: See T/967, Section 3
- 2/ Note by the Secretariat: See T/967, Section 7

51. Petition from the Chiefs of the Dighil and Mirifle tribes (T/PET.11/163)

The petitioners, on behalf of the Dighil and Mirifle people living between the Juba and the Uebi Scebeli, praise the work accomplished in many directions by the Trusteeship Administration for the benefit of the Somali people. They ask the Administration to help them to obtain machinery for irrigation works and for making full use of their land.

We would point out that the Administration has already done a great deal to meet these wishes by providing machinery for the four Somali agricultural co-operatives established on the Juba and the Uebi Scebeli, as stated in our observations on petitions T/PET.11/92 <sup>1/</sup> and T/PET.11/115. <sup>2/</sup> Furthermore, six mechanized centres have been opened along the banks of the two rivers (three at Balad, one at Baidoa and two on the Juba), whose main function is to assist the indigenous cultivators to work their land. Other measures are being put into effect, and still more are under consideration for constantly increasing the assistance given to the agricultural population.

/52. Petition

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Note by the Secretariat:

1/ See T/978, section 9

2/ Ibid, section 31

52. Petition from the Members of the Committee of S.A.C.A.M.B.S. (T/PET.11/16)

The signers of the above-mentioned petition, on behalf of the members of the S.A.C.A.M.B.S., claim that the Administration granted to others a piece of land, in the district of Balad, that had been previously assigned to their Association for the purpose of agricultural exploitation.

In substance the claimants are not wrong. Following the recognition of exploitable land in the Balad district (see observations on petition T/PET.11/115) <sup>1/</sup>the Administration prepared a plan to distribute said land, situated on the banks of the Uebi Scebeli; said plan foresaw the allotment of 150 hectares to S.A.C.A.M.B.S. However, even before proceeding to the respective allocations, the population of the region, both Illivis and Cavoles of the right bank who were organizing themselves into agricultural co-operatives and Matans of the left bank, objected that the members of the Association in question were completely extraneous to that land and had therefore no right to replace the aborigines in the exploitation of same. In fact the "Mille Braccia" Association is composed of heterogeneous elements, prevalently residents of Mogadiscio. The Administration attempted in every way to overcome the reluctance of the local population, by conveying to them that the agricultural exploitation of the Territory cannot be furthered on the basis of racial distinctions and that the traditional principle of collective ownership of the land by the Cabila -- a principle to which they appealed -- was subject to revision. But the homogeneity of those groups and the concrete proof they gave of their intention to proceed directly to the exploitation of the land in question convinced the Administration and the members of the S.A.C.A.M.B.S. themselves, after some months, of the inopportunity of further insistence. The Administration, however, did not fail to apply themselves to the settlement of the "Mille Braccia" Association; although excluded from Balad, it does not follow that said Association is excluded from other localities equally favourable for the establishment of its activities. Exactly one month ago the Resident of Villabruzzi communicated that in that District it would be possible to assign good land to the Association for exploitation, and that negotiations had been opened with the representatives of the Association toward a definitive settlement of the matter.

/53. Petition

<sup>1/</sup> Note by the Secretariat: See this document, Section 31

53. Petition from the "Unione Patriottica Bimalia" and the "Hisbia Dighil and Mirifle". Merca (T/PET.11/166)

The signers of the above-mentioned petition request that one Hassan Omar, that they describe as an instigator and therefore a harmful element, be banished from Merca and, possibly from the Territory.

Although we have to admit that much of the information contained in the petition corresponds to the truth, we observe that Hassan Omar's activities have not, until the present, reached the extremities foreseen by the existing penal laws, and that it would not be conceivable to order his expulsion from the district of Merca or from the Territory, as it has not been proved that he comes from another country.

54. Petition from Mr. Hagi Mohammed Yusuf Alim (T/PET.11/168)

The complaints in this petition are similar to those in petition T/PET.11/63 submitted by the same person. Therefore the same observations presented for petition T/PET.11/63 <sup>1/</sup> can be applied to the petition in question.

/55. Petition

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<sup>1/</sup>  
Note by the Secretariat: See T/975, Section 2.

55. Petition from Mr. Eid Ibn Othman and fourteen others (T/PET.11/170

The questions raised in the above petition have been dealt with in our observations on a similar petition, T/PET.11/88, <sup>1/</sup>to which reference should be made.

/56. Petition

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<sup>1/</sup>Note by the Secretariat: See this document, Section 14.

56. Petition from Sheikh Hagi Muallim Omar (T/PET.11/172)

The questions raised in the above petition have been dealt with in our observations on petition T/PET.11/90, <sup>1/</sup>to which reference should be made.

/57. Petition

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<sup>1/</sup>Note by the Secretariat: See this document, Section 16.



57. Petition from the Somali Youth League, Branch of Dafet (T/PET.11/175)

The questions raised in the above petition have been dealt with in our observations on petition T/PET.11/40, <sup>1/</sup> to which reference should be made.

/58. Petition

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<sup>1/</sup> Note by the Secretariat: See T/952, Section 3.

58. Petition from the Somali Youth League, Branch of Bardera (T/PET.11/176)

The questions raised in the above petition have been dealt with in our observations on petitions T/PET.11/33 <sup>1/</sup> and T/PET.11/163 <sup>2/</sup>, to which reference should be made.

With regard to schools, we would add that a new school, that at Dinsor, has been in operation in the Bardera district during the scholastic year 1951/1952.

/59. Petition

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Notes by the Secretariat:

<sup>1/</sup> See T/940, Section 1.

<sup>2/</sup> Ibid, Section 51.

59. Petition from Mr. Farah Barre Mussa (T/PET.11/177)

The question raised in the above petition has been dealt with in our observations on petition T/PET.11/101, <sup>1/</sup> to which reference should be made.

/60. Petition

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<sup>1/</sup> Note by the Secretariat: See this document, Section 25.

60. Petition from Sheikh Kassim Ibn Moallim (T/PET.11/178)

The petitioner complains that he was unjustly dismissed from office as Cadi. He asks to be reinstated and to be given the arrears of salary due to him.

We would point out that:

On 31 August 1950, Sheikh Kassim Ibn Moallim, Cadi of Afgoi, called upon the Resident, Dr. Columbano, to ask for the settlement of some arrears of his monthly salary, due in 1941. The Resident having explained that, in accordance with Ordinance No. 20 of 20 May 1950, he would have to produce evidence that the money was due to him, he refused to do so, declaring that there was no need for him, as Cadi, to produce evidence in support of his own statements. The Resident tried to convince him of the absurdity of such an attitude, whereupon Sheikh Kassim Mohallim responded with insulting language and offensive behaviour, for which he was brought before the judicial authorities on a charge of insulting a public official (article 341 Penal Code) and arrested on 1 September 1950 by order of the Public Prosecutor. On 22 September 1950, the judge of the Benadir Regional Commissariat sentenced him to one month and fifteen days imprisonment, after a public hearing in which he found the accused guilty of the charges against him. No appeal was made against the sentence.

As a result of the sentence, Sheikh Kassim Mohallim was relieved of his office as Cadi and dismissed from the service; he was informed of this decision in an official letter, No. 123768 of 6 November 1950.

With regard to the requests put forward by Sheikh Kassim Mohallim, we would point out that:

- (1) It is impossible to reinstate him in office, since he has served a penal sentence.
- (2) Upon his arrest on 1 September, he was suspended from office and accordingly forfeited his salary; although his formal dismissal did not take place until November, after sentence had been pronounced, he ceased to be employed by the Administration on 1 September and hence ceased to be entitled to any salary from that date onwards.

/(3) As from

- (3) As from 1 February 1941 the Government of Italian Somaliland ceased to exist; hence salaries for February, March and April come under the provisions for the settlement of arrears of salaries, to be assessed by C.L.A.M.S. in accordance with Ordinance No. 20 of 20 May 1950. The petitioner should therefore apply to the appropriate sub-committee of C.L.A.M.S., producing evidence in support of his claim.
- (4) Under the terms of the regulations ~~for~~ civilian staff, introduced by the British Administration and still in force, the petitioner is not entitled to any compensation for dismissal (article 40).

The above facts were brought to the petitioner's notice on 25 June 1951, through the Mogadiscio Residency.

61. Petition from the Somali Youth League, Branch of Gardo (T/PET.11/179)

The petitioners complain that they were arrested because they belonged to the Somali Youth League.

We would point out that on 13 September 1951, the day following the incident at Gardo dealt with in our observations on petition T/PET.11/90<sup>1/</sup> (No.4), the Somali women Faduma Hagi Omar, Mariam Erzi Farah, Mariam Hagi Mohamed<sup>1/</sup>, Ulima Farah Mohamed<sup>1/</sup> and Aua Ueira Hagi, supporters of the Somali Youth League, quarrelled with some other women, supporters of the Somali Progressive League, and resisted the efforts of an ilalo from the Residency who intervened to try and restore order. As the offence of resisting a public official had not been committed in a serious form, and in an endeavour to restore peaceful relations between the two parties in view of the incident that had occurred the previous evening, the Somali women in question were not charged but were released from the guard room after only a few hours detention. That same evening the Resident managed to arrange a friendly settlement between the parties.

•/62. Petition

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<sup>1/</sup> Note by the Secretariat: see this document, Section 16.

62. Petition from the pupils of the primary school, Gardo (T/PET.11/180)

The question raised in the above petition has been dealt with in our observations on petition T/PET:11/90,<sup>1/</sup> to which reference should be made.

/63. Petition

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<sup>1/</sup> Note by the Secretariat: see this document, Section 16.

63. Petition from the Somali Youth League, Branch of Gardo (T/PET.11/184)

The questions raised in the above petition have been dealt with in our observations on petitions T/PET.11/90,<sup>1/</sup> T/PET.11/101<sup>2/</sup> and T/PET.11/114,<sup>3/</sup> to which reference should be made.

/64. Petition

Note by the Secretariat:

<sup>1/</sup> See this document, Section 16.

<sup>2/</sup> Ibid, Section 25.

<sup>3/</sup> Ibid, Section 30.



64. Petition from Sheikh Aissa Mussa Yusuf (T/PET.11/185)

The question raised in the above petition has been dealt with in our observations on petition T/PET.11/114,<sup>1/</sup> to which reference should be made.

/65. Petition

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<sup>1/</sup> Note by the Secretariat: see this document, Section 30.

65. Petition from the representatives of the people of Alula (T/PET.11/188)

The petitioners are probably referring to the incidents that occurred in the Alula district during July and August 1951. See our observations on petition T/PET.11/118.<sup>1/</sup>

With regard to the flag question (paragraph 5), we would refer to our observations on petition T/PET.11/72.<sup>2/</sup>

/66. Petition

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Note by the Secretariat:

<sup>1/</sup> See T/967, Section 7.

<sup>2/</sup> Ibid, Section 3.

66. Petition from the Somali Youth League, Branch of Bender Cassim  
(T/PET.11/190)

The petition makes vague charges which are thoroughly refuted in this Administration's second annual report and in the observations on preceding petitions from the same source.

67. Petition from the Somali Youth League, Branch of Gardo (T/PET.11/191)

The specific complaints in the petition are dealt with in the observations on petition T/PET.11/90 <sup>1/</sup> from the same source, to which reference is made.

/68. Petition

1/- Note by the Secretariat: see this document, Section 16.

68. Petition from Chief Ali Fara (T/PET.11/204)

Among other things, the petitioner asks for the financial support of international organizations to help in improving living conditions in the Territory. He also asks for modification of the Territory's present political frontiers.

As regards this Administration's efforts to obtain the financial support of international organizations in promoting the Territory's economic development, reference should be made to the observations on petition T/PET.11/74. 1/

/69. Petition

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1/ Note by the Secretariat: see T/978, Section 6.

69. Petition from Mr. Issa Yusuf Mead and Five Others (T/PET.11/207)

The question raised by the petitioners is dealt with in the observations on petition T/PET.11/129 <sup>1/</sup> from the same persons.

Reference should be made to those observations.

/70. Petition

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1/ Note by the Secretariat: see this document, Section 39.

70. Petition from the "Lega Musulmana" (T/PET.11/209)

The President of the "Lega Musulmana" of Mogadiscio raises the question of the Territory's official language. He complains of the inadequate school organization. He asserts that the Italians have appropriated all the cultivable land.

It is pointed out that the "Lega Musulmana" of Mogadiscio is a party which has no following in the Territory, and reference is made to the second annual report and to the observations on petition T/PET.11/40 <sup>1/</sup> and T/PET.11/221. <sup>2/</sup>

/71. Petition

Notes by the Secretariat:

1/ See T/952, Section 3.

2/ See T/978, Section 35.

71. Petition from Messrs. Salah Ibrahim, Mohamed Hussen and Fifteen Others  
(T/PET.11/214)

The petitioners criticize the management of the Special Aeronautical School at Mogadiscio.

The petitioners form part of a group of pupils who suddenly left the School after the commencement of instruction because they were intractable to discipline, and claimed pay for the duration of the courses. Not one of the criticisms against the management of the School is worth attention.

Professional subjects are taught regularly in accordance with the time-table adhered to in the airport offices and on the basis of authoritative manuals compiled by the instructors and distributed on the first day of attendance at the School. At the end of the course regular examinations are held before a board of civilian and military instructors, as may be seen from the attached report (Annex 1). <sup>1/</sup>

The practical results achieved by the School so far are reflected in the number of trained pupils who have already found employment in the civil and military organs of the Administration:

Aerologists ..... 12 (with the Aeronautical Command)  
Radio telegraphists.... 1 (with Posts and Telegraphs)  
Radio telegraphists.... 5 (with Communications Engineering)

In response to the continuous applications by the pupils for employment, those who so request are enrolled as supernumerary *Ascaris*, and at the present time seventeen such persons are attending the courses. Recently, to fill the vacancies created by the withdrawal of persons who claimed remuneration but had not expressed the desire to be enrolled, a competitive examination was advertised under the Mogadiscio Secondary School Department. Out of twenty-two pupils who were examined, eight were found to be suitable and assigned to the courses for radio telegraphists and aerologists.

Mr. Mohamed Hussen Daud's assertion that he was imprisoned for delivering the petition under consideration to the United Nations Visiting Mission is absolutely without foundation.

/72. Petition

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1/ Note by the Secretary-General: the document referred to has been placed in the files of the Secretariat and is available to the members of the Trusteeship Council on request.



72. Petition from the Somali Youth League, Branch of Gardo (T/PET.11/215)

This is the sixth petition submitted to the United Nations Visiting Mission by the Somali Youth League, Branch of Gardo, for the purpose of making the same complaints.

Reference is made to this Administration's observations on the previous petitions from the same source.

/73. Petition

73. Petition from Mr. Barud Ismail Raghe (T/PET.11/233)

The petitioner claims that after being employed for a few days with his lorry for the Detached Section of the Galcaio Department of Public Works he had to stop work because his lorry was replaced by another lorry belonging to an Italian.

This calls for the following observations:

As has already been said in the observations on Petition T/PET.11/113<sup>1/</sup> from the Società Autotrasportatori Somali, this Administration, continuing the policy previously practised by the British occupying authorities, and with a view to ensuring a fair distribution of work without discrimination between all the Territory's transport firms, which were in a critical financial situation, entered into a contract on 12 October 1951 with the Gruppo Autotrasportatori Riuniti (consisting of four Somali firms and five mixed Italian-Somali firms) concerning the conveyance, on behalf of the Administration's departments and civil and military services, of goods, foodstuffs and other materials, as well as passengers, in the lorries and trailers of the firms concerned. Under article 1 of the contract, the Administration undertook to place orders directly with the Office of the Gruppo Autotrasportatori Riuniti, which in turn undertook to distribute the work among the nine syndicated firms on the basis of the percentage of available tonnage contributed by each firm.

In November 1951, the Regional Commissioner at Mudugh, who was not aware of these obligations, decided to dispense with the five-ton lorry No. SO.469 (owned by a small Italian businessman registered with the firm of SCEF, composed partly of Somalis and partly of Italians), which under the conditions of the contract had been engaged by that Administration for the Detached Section of the Galcaio Department of Civil Works at the daily rate of 110 somalos, and engaged instead for the above-mentioned service, another lorry No. SO.346, at the daily rate of 70 somalos.

In response to the justified protests of the owner of lorry No. SO.469, of the above-mentioned firm of SCEF, and of the Office of the Trasportatori Riuniti, the Central Administration reminded the Commissariat at Mudugh of the obligations placed on the Administration under the contract of 12 October 1951,

/and requested

and requested it to dismiss the lorry which had been irregularly engaged and re-employ the one which had been initially assigned at contract rates by the Office of the Trasportatori Riuniti.

Inquiries at the local motor vehicles public registration office have shown that lorry No. SO.346, described by the petitioner as his own property, is a five-tone naphtha-driven Bussing purchased on 23 November 1950 by Mohamed Nur Abdullahi, its present owner, from Mohamed Omar. The lorry is independently operated..

If the Somali Barud Ismail Raghe becomes the owner of a lorry and wishes to have a share in the orders given by the Administration, he should join one of the nine firms which signed the contract.

/74. Petition

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1/ Note by the Secretariat: see this document, Section 29.

74. Petition from the "Rappresentanza Caporali et Capi Squadra Gia Servizio Locust Control" (T/PET.11/234)

The petitioners complain that they have been dismissed from the service of the Locust Control for political reasons.

Inquiries have shown that the petitioners' statements are entirely without foundation.

At the beginning of November 1951, Mr. Pina of this Administration's Agricultural Department, went to Belet Uen to develop the anti-locust campaign and hired twenty-four workers without consulting the labour office of that Residency. On being informed of this, the Commissioner drew Mr. Pina's attention to the regulations in force, and the engagements already made were suspended while the matter was reconsidered by the competent authorities in relation to the already outstanding applications for work. The result of this reconsideration was that the twenty-four workmen concerned were also given work; and naturally, they were paid for the work they had done before their regular engagement.

75. Petition from Mohamed Scek Abdurrahman and Others (T/PET.11/235)

The petitioners complain that the Rer Mobareck, to which they belong, have been robbed of 500 hectares of land by the Italian concession-holder Mr. Pellegrini, and that four members of the Rer have been imprisoned for defending their rights.

The land concerned, the area of which is 350 and not 500 hectares, was domain land and was given in concession to Mr. Pellegrini by the former Government of Somaliland by a regular ad opponendum procedure under D.G. No. 16526 of 11 January 1950. The concession-holder had scarcely begun to clear the land when the war intervened and prevented him from continuing.

After the war, a number of Somali peasants settled on the land Pellegrini had already cleared and began to cultivate plots here and there over an area totalling 30 hectares. In spite of the illegality of this, Pellegrini, instead of insisting on the strict enforcement of his rights, has made repeated attempts to reach a compromise under which his estate could be developed without detriment to the other parties concerned. At the present time the negotiations are centred upon a possible exchange of the above-mentioned lots, which, being scattered over the whole area, are an obstacle to the development of the estate as a whole, for a single marginal area of about 100 hectares which Pellegrini would be prepared to hand over to the petitioners in perfect condition for cultivation. It is not true that the 350 hectares in question are the only territorial possessions of the Rer Mobareck, for in the Afgoi district they have at their disposal immense expanses of equally fertile land, which has only been cultivated to an insignificant extent.

Equally untrue is the petitioners' statement that the Resident of Afgoi is exercising pressure in the dispute to the detriment of the Rer Mobareck, and has gone so far as to arrest Pellegrini's foremost opponents. The four persons mentioned in the petition were arrested not in connexion with the land under consideration but for resisting a public official and for failure to observe the precautions legally established by the Authorities (Penal Code, articles 337 and 650), having been guilty of disorderly conduct /at a "shir"

at a "shir" held on 5 January 1952 at Mobareck between the Bimal and the Beghedi for the delimitation of the frontiers between the two tribes. In any event, in his decision No. 22/52 of 24 January 1952, the judge of the Benadir Regional Commissariat did not regard the offences as serious and acquitted the four accused, who were immediately released.

76. Petition from Mr. Jama Hassa Ibrahim Hussen (T/PET.11/237)

The petitioner asks for compensation for alleged damage sustained during the incidents which took place at Baidoa in April 1950.

Reference is made to this Administration's observations on petition T/PET.11/55/Add.1.<sup>1/</sup>

/77. Petition

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<sup>1/</sup> Note by the Secretariat: See this document, Section 3.

77. Petition from Mr. Scire Dirie Abdille Coscin and Six Others (T/PET.11/238)

The petitioners ask for compensation for alleged damage sustained during the incidents which took place at Baidoa in April 1950.

Reference is made to this Administration's observations on petition T/PET.11/55/Add.1.<sup>1/</sup>

/78. Petition

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<sup>1/</sup> Note by the Secretariat: See this document, Section 3.



78. Petition from Mr. Abdullahi Sugulle Hussen (T/PET.11/239)

The petitioner complains that he was held under arrest in a police barracks for twenty-four days on suspicion of theft, was beaten by members of the police force and was unsuccessful in obtaining a medical certificate of the injuries he sustained.

From the investigations made it appears that Mr. Abdullahi Sugulle Hussen, 18 years of age, living in the village of Hamaruin di Mogadiscio, was detained in the cell at the East Mogadiscio police station from 9 a.m. on 11 January 1952 until 8.30 a.m. on 13 January -- forty-eight hours in all -- and was then transferred to the prison to be kept for the Public Prosecutor's disposal on the charge of theft from a woman of his tribe. On 3 February the accused was acquitted by the examining magistrate and released.

As regards the beatings to which the prisoner alleges he was subjected by Italian and Somali members of the police force, Dr. Tonelli, physician at the Port Dispensary, stated that the said Abdullahi Sugulle Hussen was booked as No. 234 on 11 February 1952, examined by him and found to be suffering from slight symptomatic edema. As it was a minor matter, which the physician was not bound to report (injuries not curable within ten days must be reported), Dr. Tonelli advised the patient to apply to the judicial authorities and bring charges with regard to his grounds of complaint. On the following day, Abdullahi Sugulle went to Dr. Falcone, the house physician on duty at the De Martino Hospital, and asked him for a medical certificate of beatings to which he had been subjected. As he could find no record of the injuries such as was required for issuing a medical certificate, Dr. Falcone replied that he could not give him the medical certificate he asked for without a request in writing from the judicial authorities.

The petitioner does not appear to have brought any charge before the judicial authorities and we are assured by the police that he was not beaten while in the cell at the police station.

79. Petition from Mr. Isse Abdi Hassan and Two Others (T/PET.11/241)

The petitioners complain of their failure to obtain compensation for some animals allegedly looted from them during the disturbances at Baidca in April 1950.

Reference should be made to the Administration's observations on petition T/PET.11/55/Add.1.<sup>1/</sup>

/80. Petition

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1/ Note by the Secretariat: See this document, Section 3.

80. Petition from Chief Haji Ali Sciura (T/PET.11/244)

The petitioner denies the allegations of the authors of petition T/PET.11/220<sup>1/</sup> regarding the opening of the seat of a new party at Kismayu.

Reference should be made to the Administration's observations on the above-mentioned petition.

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1/ Note by the Secretariat: See T/978, Section 34.

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