



Standing Committee on Petitions

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PETITIONS CONCERNING THE TRUST TERRITORY OF SOMALILAND UNDER  
ITALIAN ADMINISTRATION  
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Introduction

1. This working paper deals with three petitions concerning the recent municipal elections that have been received since the provisional agenda for the fourteenth session of the Council was drawn up. The Administering Authority has submitted its observations on the first (T/PET 11/423), and has indicated its readiness to have the petition examined at the fourteenth session.

I. Petition from the Vice-President of the Somali Youth League (T/PET.11/423)

1. This petition is dated 30 April 1954, and concerns the municipal elections that were held throughout the Territory on 28 March 1954. The observations of the Administering Authority on the petition are contained in document T/OBS.11/32.
2. At the end of the petition, the petitioner states: "the Central Branches of the Administration seem to have done (their) best in order that the elections proceed in accordance with the electoral regulations. Unfortunately, however, such regulations were violated by the local authorities who .... were in charge of the elections."
3. The petitioner states that preparations for the elections were started early in January 1954, and that the principal causes of complaints submitted subsequently by several League branches to the United Nations Advisory Council<sup>1/</sup> and the Administration varied from procedural irregularities to outright interference by both the district and the provincial authorities throughout the Territory.
4. The purpose of the first census of the settled population, which was taken prior to the elections, was not sufficiently explained to urban dwellers. Moreover the duration of the census was very brief. In Mogadiscio, a town with an estimated population of about 80,000 the census lasted for only two weeks, and its duration elsewhere in the Territory did not exceed a week. Hence only a small fraction of the non-nomadic elements were among those who were able to participate in the census, which was one of the principal conditions required for entering persons on the electoral registers in the Territory's Municipalities. The census therefore played a decisive role in the elections.
5. The Administering Authority states that registry offices for taking the census were established in March 1953 for eleven municipalities, in August 1953 for nine municipalities and in September 1953 for thirteen municipalities. Only in Mogadiscio and Bender Cassim were offices set up as late as 1 January 1954. The offices were open at all times until the day before the elections. Thus, all residents of municipalities had the opportunity to regularize their position

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<sup>1/</sup> See T/C.2/L.82/Add.1, and sections II and III below.

so as to be able to vote if they could satisfy the requirements of the electoral ordinance of 20 December 1953. That the census operations were carried out too hurriedly is an assertion without foundation. On the contrary, they were announced throughout the Territory by press, radio and public proclamations three months before they began, and were carried out in an orderly fashion.

6. The petitioner goes on to state that procedural and technical errors or omissions were quite common. Many Somalis living in urban areas were, apparently without reason, excluded from the electoral registers, and among these were numerous Somali Youth League members and sympathizers. "Illegal" distribution of "false" electoral certificates to "pro-Italian elements" was reported from several districts, including that of Mogadiscio. Moreover, although numerous persons were caught on election day with dozens of such certificates, not one was either arrested or sentenced. In fact, says the petitioner, the local authorities failed to take action against persons "illegally possessing such false electoral certificates".

7. The Administering Authority remarks that, out of 236,917 inhabitants covered by the census, 54,803 were entered on the rolls of electors; 50,740 electoral certificates were issued, and 38,119 persons - or 75.1 per cent of the electorate - voted, which may be regarded as most satisfactory considering that these were the first elections to be held in the Territory.

8. Despite the precautions which had been taken during the census, the Administering Authority considers that there might still have been errors and omissions. Such errors, however, are merely further evidence of the difficulties which had to be faced in carrying out this first electoral experiment. Some persons were not included in the electoral rolls, or appeared there under a false name, because they had either evaded the census when it was taken or had supplied false particulars for fear that the information obtained by the Administration might be used for tax purposes. Furthermore, during the period immediately preceding election day, political parties brought to the registry offices crowds of sympathizers from the bush, who had no right to be registered or to vote. All such cases were carefully investigated; and attempts of that sort were foiled in the first place by the heads of municipalities and in the second place by the Regional Judges.

9. The Administering Authority goes on to remark that no person covered by the census who satisfied the requirements of the ordinance of 20 December 1953 was excluded from the rolls of electors. The blame for errors and omissions resulting from the furnishing of false particulars cannot in any way be ascribed to the Administration. Moreover, article 20 of the electoral ordinance provides that appeals concerning entries in the Electoral Register may be addressed to the Regional Judges, against whose decisions an appeal may be lodged with the Judge of Somaliland. There have not been more than a hundred applications of this sort, and they were all decided in [the courts of] first instance.

10. That forged electoral certificates were distributed in some municipalities to pro-Italian elements is denied by the Administering Authority. Cases did arise where people were in possession of electoral certificates issued to other persons, but when required to identify themselves, these persons stated that they had been delegated to vote by the holders of the certificates who were prevented by their work from appearing personally. They were then told that the law did not allow voting by proxy.

11. The Administering Authority considers that the Somali Youth League, which received 47.7 per cent of the total valid votes, should be more than satisfied to have received a majority of the seats (141 out of 281). That was only possible because the League, which had candidates in almost every municipality, was able more than any other party to take advantage of a special situation in which the very small number of voters made the electoral quotient so low that twenty votes were enough to obtain a seat.

12. The petitioner complains that a lesser number of seats was assigned to important centres such as Alula, Eil, Obbia and others in the Mijertein and Mudugh Provinces, while some centres with smaller populations received more seats. To this the Administering Authority replies that the number of seats in the Municipal Councils was fixed in proportion to the population residing in the area of the municipality. The electoral ordinance provides that the municipalities of Alula, Eil and Obbia, which each have a population not exceeding 3,000 people, shall have six councillors only. No municipality with a population of less than 3,000 persons has been assigned more than six seats.

13. The petitioner states that elections were held in 35 municipalities throughout the Territory with a total number of 318 seats, of which 37 seats were reserved for communities foreign to the Territory. Referring to the fact that the Somali Youth League won 141 seats out of the 281 contested seats, while some 20 other "pro-Italian" parties and tribal groups won the remainder, he claims that the League would have gained more seats had the authorities who supervised the elections maintained strict impartiality. Thus, he says, eighteen centres with settled populations in Mijertein and Mudugh were excluded from the municipal elections: Garoe, Bender Beila, Hafun, Hordio, Bargal, Tohin, Dam-oh, Ol-logh, Breda, Waregh-sane, Af-kala-haye, Habo, Ghesalei, Mur-anyoh, Durbo, Gara-ad, Haradere and El Der. These centres, he claims, are inhabited predominantly by members of the Somali Youth League and its sympathizers. Many other centres with settled populations were excluded also from the elections.

14. To this charge the Administering Authority replies, in the first place, that the Hizbia Dighil and Mirifle, and the Youth Association of Benadir, would have had much stronger reasons for accusing the Administration - in that it excluded from the elections more than fifty centres in Upper Juba, and twenty in Benadir, inhabited for the most part by sympathizers of those parties who, had they been able to take part in the elections, would undoubtedly have swayed the balance overwhelmingly in favour of the "moderate-progressive" trend. The elections, however, were for municipal councillors; and thus were limited to the thirty-five municipal centres. The localities mentioned by the petitioner are small centres, with populations ranging from 150 to 1500, and do not have the character of municipalities. It is possible that, as the result of a project now being studied, some of the centres - e.g., Garoe, with a population of 1,500 - may be raised in the near future to the status of municipalities, or be included within the area of the nearest municipality.

15. In the opinion of the petitioner, the newly elected Municipal Councils will continue to be merely advisory bodies, like the Municipal Councils set up in 1951. To this, the Administering Authority replies that the granting of powers to the Municipal Councils greater than those which they now exercise is part of the programme of the Administration, which has been studying a suitable plan to achieve this end.



16. Before proceeding to detail specific incidents, the petitioner claims that interference by the local authorities became more apparent as the election day drew closer. Government officials and employees in various parts of the Territory, he says, abused their official positions to influence the voters and to exert pressure on the people to vote for parties and tribal groups believed to have "pro-Administration tendencies." This the Administering Authority denies. No interference or pressure was exercised on electors by the Administration Meetings, irrespective of the political party sponsoring them, took place freely; the Residents placed their own loud-speakers at the disposal of all parties without discrimination, and the Somali Youth League was the first to avail itself of this privilege. Persons in charge of the election offices were impartial, and party representatives who were present during the operations did not raise any objections.

17. Proceeding to detail specific incidents, the petitioner complains that, during the electoral campaign, the Resident of Candala and an Italian teacher stationed there made propaganda speeches before an electoral gathering of the Lega Progressista Somala. Moreover, Mr. Said Ibrahim Shirdon was discharged from his post of ilalo merely because he was a member of the League; and similar cases occurred elsewhere in the Territory.

18. The Administering Authority denies that the Resident and the Italian school master at Candala engaged in public propaganda at a meeting of the Lega Progressista Somala, or that Mr. Said Ibrahim Shirdon was discharged because he was a member of the League. The latter was discharged for indiscipline. He had deserted his post and, when reprimanded, did not resume his duties.

19. The petitioner states that no incident occurred during the elections. He claims, however, that acts of violence and intimidation were reported immediately after the election results were published, and that they were committed by "pro-Italian" groups, particularly the Hisbia Dighil and Mirifle, and seemed to be part and parcel of an organized campaign against the League and its sympathizers. For example, the Secretary of the League's branch at Gardo was stabbed on 31 March by elements of the Lega Progressista Somala, and is still in a serious condition.

20. Concerning the acts of violence which are said to have occurred after the elections, the Administering Authority observes that in only one case was there any hint of a political motive. On 31 March 1954 the Secretary of the League's branch at Gardo was attacked by three members of the Lega Progressista Somala and was slightly wounded in the region of the forehead. He was given immediate medical attention and has completely recovered. Criminal proceedings were instituted against those who assaulted him and the case is sub judice. It appears, however, that personal rather than political issues were involved.

21. On 29 March 1954, the day following the elections, the petitioner states that members and sympathizers of the League residing in Coriolei and Farhano were ordered to evacuate their shambas, houses and other property within 48 hours, or else to renounce publicly their affiliation with the League. To quote: "They were threatened to death unless they obey such an order which has been issued by elements of Hisbia Dighil and Mirifle". On this, the Administering Authority remarks that, on 4 April 1954, about a thousand Giddu gathered at Auale Surei, in Merca District, with the intention of forcing members of the Darot, Averghedir and Sciaveli groups, who live in the villages included in the areas between Farhano and Coriolei, to quit those areas. It states that this was a manifestation of an old inter-tribal quarrel, and that political differences which arose during the elections inflamed the quarrel. The intentions of the Giddu were not carried out, however, for the authorities - supported by the police - convinced them that their plan was impracticable. Calm was restored.

22. The petitioner charges that in Belet Uen District, League members and sympathizers were threatened that they would be evacuated unless they were prepared to renounce their affiliation to the League. Local authorities failed to protect the lives and property of citizens, and no adequate measures were taken against those responsible for acts of violence and intimidation. The Administering Authority remarks that this charge is completely devoid of foundation.

23. The petitioner states that members of the Hisbia Dighil and Mirifle set fire to a shop owned by Haji Mohamed Ali Shoble, a member of the League residing at Vanle Uen, and that the damage sustained by him exceeds 130,000 somalos. The fire

also destroyed five other shops in the same block - including one owned by another member of the League. On this, the Administering Authority observes that, on 23 April 1954, a fire broke out in the market of Uanle Uen which destroyed Hagi Ali Mohamed Scioble's shop: causing damage, according to his estimate, of some 50,000 somalos. Damage to other stalls which were also destroyed by the fire amounted to about 13,000 somalos. Preliminary investigations indicate that the fire might have been started by a Mr. Mohamed Ierò Mamo, whose motive would have been an old grudge arising from business competition. Charges against him are now the subject of a judicial investigation. That the fire was started from political motives must, in the opinion of the Administering Authority, be discounted entirely.



II. Petition from the Somali Youth League, Branch of Gardo (T/FET.11/419)  
dated 15 March 1954

1. The petitioners present a number of complaints against the Resident of Gardo in the first place, they claim that five women members of the Somali Youth League were arrested on 13 February 1954, that they were removed to prison by the Resident and released four hours later, although some of them are said to be still out on bail. They say that except for joining the S.Y.L. had committed no offence, and the petitioners allege that the police did not know anything of this case. They also cite the director of public security as having "expressed his disapproval of this shameful policy".
2. The petitioners then proceed to detail a number of complaints arising out of the recent municipal elections.
3. On 2 March 1954, an application by the S.Y.L. to hold demonstrations in connexion with the elections is said to have been refused by the Resident on the ground that demonstrations are illegal.
4. They complain that the Resident has deceived them regarding the elections. When the petitioners learned that the Resident had registered "a large number of his party" without the petitioners' knowledge, they requested an explanation and was told "that the question had been settled".
5. They state that the Resident "has transformed the chamber of electors into a body quite other than that contemplated by article 24 and has put the electors and supervisors together in one room with no partition except a thin curtain". When they requested him to end this practice, which they describe as intended to deceive the electors, he refused.
6. Two Italians were put in charge of the elections who, the petitioners say, are unacceptable to them because they are members of the Lega Progressista Somala, who are opposed to them; they request that persons "with a sense of justice" be placed in charge.

7. The Resident is said to be plotting with these two men against the S.Y.L. He is accused of not being just and of being any enemy of the S.Y.L. which he is hampering by any means in his power.
8. On 5 March 1954, three members of the local S.Y.L. Committee were delegated to request the Resident for permission to paste propaganda posters on the walls. One of these is alleged to have been seized and searched for weapons, of which none were found on him.
9. On 8 March 1954, the Resident is said to have given "his henchmen false cards recording the names of electors. These were distributed secretly by his friends". They say that he should have distributed these cards in his District Office.
10. The Resident is accused of not letting the petitioners contact the representatives of Colombia on the Advisory Council on the occasion of his visit to Gardo on 2 March 1954, because the Resident did not want them to present their protests to him. The petitioners say that they only learned of his visit two days after that date.
11. The petitioners refer to a previous protest (T/COM.11/L.79) addressed to the Administrator dated 22 July 1953 against the Resident of Gardo and his assistant. In it they complained that the assistant to the Resident was hostile to the Somali people and interfered with justice in the Khadi's Courts.

III. Petition from the Somali Youth League, Branch of Merca (T/PET.11/420)

1. In a telegram, dated 30 March 1954, the petitioners state that on 29 March 1954 at 4 p.m., in all villages surrounding Farhano and Coriolei, a proclamation was made by order of Cavaliere Alio Ibrau enjoining all members of the Somali Youth League to "clear out from villages and cultivated land by March 31st as reprisal for not having voted in favour of Hizbia Dighil and Mirifle". They say that they brought this matter to the attention of the appropriate authorities but that no measures were taken to thwart this threat. They say that the situation is critical.
2. In a further telegram, dated 2 April 1954, the petitioners assert that the situation has worsened. It is said that on 1 April several S.Y.L. members were threatened with daggers and clubs without interference by the District Commissioner and Brigadiere of Farhano who were present. The petitioners feel that the attitude of the authorities leads them to believe that the latter are "the promoters of that disorder".
3. [This appears to be the same incident as that which is treated in paragraph 21 of section I above.]

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