Somaliland*

PARTLY FREE

<table>
<thead>
<tr>
<th>Category</th>
<th>Score</th>
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<tbody>
<tr>
<td>Political Rights</td>
<td>17/40</td>
</tr>
<tr>
<td>Civil Liberties</td>
<td>24/60</td>
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</tbody>
</table>

LAST YEAR’S SCORE & STATUS

43 /100  Partly Free

Global freedom statuses are calculated on a weighted scale. See the methodology.

* Indicates a territory as opposed to an independent country.
Note

The numerical scores and status listed here do not reflect conditions in Somalia, which is examined in a separate report. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology and FAQ.

Overview

Somaliland—whose self-declared independence from Somalia is not internationally recognized—has seen a consistent erosion of political rights and civic space. Journalists and public figures face increasing pressure from authorities. Years-long election delays leave elected officials in posts well beyond their original mandates. Minority clans are subject to political and economic marginalization, and violence against women remains a serious problem.

Key Developments in 2019

- Elections for the seats in the House of Representatives, last held in 2005, were delayed for the sixth time, and the current legislators’ mandates were extended for several years. Legal challenges of the extension were dismissed in court.
- More than 30 journalists were detained or arrested, and 5 media outlets were given one-year suspensions, often without warrants. The Human Rights Centre (HRC) documented an additional 59 cases of non-journalists arrested for poems, social media posts, and other forms of public expression, all of whom were charged under the old penal code, which should be abrogated by the Constitution of Somaliland.
- Police and security forces responded violently to participants of a May rally organized by the political opposition party. Two party leaders were unlawfully arrested and detained.
Political Rights

A. Electoral Process

A1  0-4 pts

| Was the current head of government or other chief national authority elected through free and fair elections? | 3/4 |

The president is directly elected for a maximum of two five-year terms and appoints the cabinet. In 2017, after two years of delay, Somaliland held its third presidential election. Muse Bihi Abdi of the Peace, Unity, and Development Party (Kulmiye) won the contest with 55 percent of the vote, followed by Abdurahman Mohamed Abdullahi of the Waddani party with 40 percent, and Faisal Ali Warabe of the For Justice and Development (UCID) party with 4 percent. International observers concluded the process was credible; some instances of bribery and intimidation at polling places did not significantly affect the final result.

A2  0-4 pts

| Were the current national legislative representatives elected through free and fair elections? | 0/4 |

Members of the 82-seat lower legislative chamber, the House of Representatives, are directly elected for five-year terms, while members of the 82-seat upper chamber, the Guurti, are clan elders indirectly elected for six-year terms. The last lower house elections were held in 2005, and new elections due in 2010 have been repeatedly postponed. Local council elections, last held in 2012, have similarly been delayed and are expected to be held concurrently with the lower house polls. Members of the Guurti were chosen for an initial term in 1993, but due to a lack of legal clarity on electing their replacements, their mandates have been repeatedly extended. In November 2019, the Guurti extended the House of Representatives’ mandate to 2022, and its own to 2023. Opposition parties, civil society groups, and a delegation
representing Somaliland’s international development partners led by European Union ambassador Nicolas Berlanga Martinez protested this decision; the president opened negotiations with opposition parties to determine a revised election timeline.

**A3** 0-4 pts

| Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? | 2/4 |

The legal and administrative framework for elections is largely fair, but ambiguities in some laws as well as technical and logistical challenges have led to chronic election delays. After concerns of bias in the previous National Election Commission (NEC) during the 2017 elections, international partners mediated negotiations between the government and leading opposition parties to appoint new commissioners. Once new commissioners were named, the opposition again voiced qualms about some of the appointees. The government disregarded these concerns and moved forward, selecting one of the controversial new members as commission chair. Leading opposition figures withdrew their support. The composition of the NEC and electoral timeline were discussed in year-end negotiations between the president and the heads of opposition parties.

**B. Political Pluralism and Participation**

**B1** 0-4 pts

| Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? | 2/4 |

The constitution allows for a maximum of three officially recognized political parties. The three groups that receive the most votes in local council elections are declared
eligible to contest national elections and compete freely in practice. The system is meant to encourage alliances across clan divisions, but clan and party affiliation remain closely aligned.

In November 2019, the opposition Waddani party was denied the right to hold a rally at party headquarters to criticize the new NEC appointments. The rally occurred and police and security forces were heavy-handed with participants, using excessive force and unlawfully arresting the party’s secretary general and spokesperson, who were held in detention for nine days following the clampdown.

Score Change: The score declined from 3 to 2 because an opposition figure was arrested and imprisoned after criticizing the authorities.

<table>
<thead>
<tr>
<th><strong>B2</strong></th>
<th>0-4 pts</th>
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<tr>
<td>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</td>
<td>2/4</td>
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The political system allows democratic transfers of power between rival parties, with the most recent handover at the presidential level in 2017. Opposition parties hold positions in the legislature and in subnational governments, though election delays have impaired their ability to challenge incumbents. A sixth election delay in 2019 prevented opposition parties from increasing support through electoral means at local or national levels. Opposition leaders faced increased harassment and intimidation throughout the year.

In May 2019, Mohamed Sidiq Dhame, leader of Waddani’s youth wing was arrested and detained for more than two months after speaking out against the president’s decision to call a state of emergency in the eastern part of the country. Also in May, parliamentarian Mohamed Ahmed Dhakool was detained for 40 days after holding a press conference during which he questioned the decision to commemorate Somaliland’s independence day on May 18, the date of secession from Somalia. Dhakool was never formally arrested due to a constitutional restriction preventing parliament members from arrest.
Political party leaders also faced significant restrictions on their speech and expression. In December, Mohamud Ali Suleiman Ramah, the interior secretary of UCID party, was arraigned on charges of defamation against the speaker of parliament.

Also in December, opposition parties condemned the House of Representatives’ decision to reduce their allocation in the 2020 national budget.

*Score Change: The score declined from 3 to 2 because continued postponement of long-overdue legislative elections denied the opposition an opportunity to change the political balance in the parliament.*

**B3  0-4 pts**

| Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? | 2/4 |

Clan elders play an influential role in politics, both directly with their kinsmen and through the currently unelected Guurti, which has the authority to extend officials’ terms in office and approve election dates.

**B4  0-4 pts**

| Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? | 2/4 |

Women and various clans formally enjoy equal political rights. However, larger clans tend to dominate political offices and leadership positions. Cultural barriers also limit women’s political participation. In an April 2019 report, Hargeisa-based think tank Centre for Policy Analysis noted that of 173 presidential appointments during President Bihi’s tenure, only 12 were given to women. A proposed quota to ensure seats for women and minority clan remains stalled in parliament.
C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 1/4

The 2017 election improved the democratic legitimacy of the president in determining government policy, and decisions made by national authorities are implemented in most of Somaliland’s claimed territory. However, the consistent delays of legislative elections threaten this legitimacy.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 1/4

Somaliland has few institutional safeguards against corruption and nepotism. Former president Ahmed Mohamed Mohamoud “Silanyo” took some measures to combat corruption, but the anticorruption commission he created in 2010 has been ineffective. Prosecutions of officials for malfeasance are rare. In March 2019, President Bihi removed the ministers of information and defense after both were arrested on corruption allegations from the auditor general. In October, two local officials in Hargeisa were arrested on allegations of corruption under the direction of the attorney general. However, corruption stories are often suppressed by the government. In July, police arrested, briefly detained, and deleted the footage of four reporters from Eryal TV for a story on corruption in the National Service, prior to release of the report.

C3 0-4 pts

Does the government operate with openness and transparency? 2/4
The government operates with relative transparency in many respects but is more opaque regarding contracts for major projects. Journalists and civil society activists who attempt to scrutinize government activities often face harassment.

Civil Liberties

D. Freedom of Expression and Belief

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<th>D1</th>
<th>0-4 pts</th>
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<tr>
<td>Are there free and independent media?</td>
<td>1/4</td>
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A variety of print, television, and online news outlets operate, but many have political affiliations, and the state-run broadcaster has a monopoly in the radio sector. The penal code criminalizes defamation and other vaguely defined press offenses, such as circulation of “false, exaggerated, or tendentious news.” The government has restricted the registration of new newspapers.

The government continued to target journalists for covering controversial topics in 2019. The Somaliland Journalists Association (SOLJA) cited more than 30 detentions and arrests of individual journalists, and the suspension of five media outlets in 2019, often without warrants. In June, Horyaal and Eryal TV were suspended for broadcasting “anti-Somaliland Army news, propaganda against security forces and fueling conflict within the community.” The suspensions followed a call by the Ministry of Information for local media to refrain from covering Somalia in domestic news reporting, a demand with which Horyaal and Eryal were unwilling to comply, according to the Somali Journalists Syndicate. Horyaal was raided and briefly suspended again in September after putting together a story on women who chew khat. The outlet Hadhwanaag was also suspended in 2019 for reporting on corruption allegations against the Central Bank governor. After being released on bail, three
Hadhwanaag journalists fled to Mogadishu. According to human rights activist Guleid Jama, this brought the number of self-exiled journalists to five.

In January 2019, poet Abdirahman Ibrahim Adan Abees was arrested after he performed poems critiquing human rights abuses by police. Abees remained detained for over a month before being released.

In November, the government suspended Horn Cable Television and arrested its editor, Abdikadir Saleman Asayr, for a story on airport safety. While the Hargeisa Regional Court lifted the suspension, it remanded the editor’s detention, where he remained at year’s end.

In December, the government lifted a yearlong ban on Foore newspaper, which had been suspended in February over an October 2018 story regarding corruption allegations related to the construction of the presidential palace in violation of the penal code. Despite an appellate court’s decision to overturn the suspension, the paper remained suspended for much of the year.

**D2 0-4 pts**

**Are individuals free to practice and express their religious faith or nonbelief in public and private?**

Islam is the state religion. The constitution allows for freedom of belief but prohibits conversion from Islam and proselytizing by members of other faiths. Places of worship must obtain government permission to operate, though there is no mechanism to register religious organizations.

**D3 0-4 pts**

**Is there academic freedom, and is the educational system free from extensive political indoctrination?**

Teachers and professors are often able to pursue academic activities of a political and quasi-political nature without fear of intimidation. While funds allocated for
public schools are uneven across the regions, they are generally free from overt political manipulation.

D4  0-4 pts

| Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? | 1/4 |

While individuals can express themselves with relative freedom on political matters, remarks on sensitive social and cultural issues are increasingly subject to censure and retribution. A spate of arrests and convictions during the year for controversial social media posts has contributed to greater self-censorship online among residents.

E. Associational and Organizational Rights

E1  0-4 pts

| Is there freedom of assembly? | 1/4 |

The constitution allows for freedom of assembly, but organized public demonstrations are infrequent, and the authorities have sometimes employed violence to disperse protests.

E2  0-4 pts

| Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? | 2/4 |

Local and international nongovernmental organizations (NGO) often operate without serious interference, but such groups can face harassment for their work. Nongovernmental organizations documenting human rights note that their work and
events are not covered by government media outlets. In September 2019, a prominent lawyer and human rights activist temporarily quit his practice amid pressure from authorities. “I [quit] practicing law due to restrictions and harassment that made [it] impossible [for] defense lawyers to provide proper legal representation,” Mubarak Abdi wrote on Twitter.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?  

2/4

The constitution does not explicitly protect the right to strike, though it does permit collective bargaining. The right to belong to a union is generally respected.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?  

2/4

Although some progress has been made in reforming the judicial system in recent years, the judiciary lacks independence, sufficient funding, and proper training. Judges are often selected on the basis of clan or political affiliation and are subject to interference from the government.

F2 0-4 pts

Does due process prevail in civil and criminal matters?  

2/4

Due process is observed unevenly. Poverty and political factors play a role in how cases are charged and investigated, and whether there is adequate and timely representation for the defendant. Both customary law and Sharia (Islamic law) are
used alongside civil law, which complicates adherence to statutory procedure. In practice, police arrest individuals arbitrarily and hold detainees without charge for extended periods. Lawyers are frequently denied access to detained clients. Long delays in court cases are common.

**F3 0-4 pts**

| Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? | 1/4 |

Somaliland’s police and security forces have been accused of using excessive force and conditions in detention centers are harsh and overcrowded. In September 2019, local media accused local police in Western Somaliland of detaining “three local councilors [without warrant]...The councilors] were accused of [being] involv[ed] in an alleged formation of an armed rebel[lion] in Awdal.” In April, two Canadian women, held in Somaliland prisons for more than three months for consuming alcohol, described horrific conditions of physical and mental abuse. One of the women “contracted pneumonia while in jail and was denied medical access. The women were also sometimes denied food, showers and sanitary pads” according to a spokesman.

**F4 0-4 pts**

| Do laws, policies, and practices guarantee equal treatment of various segments of the population? | 2/4 |

Members of smaller clans face discrimination, limited access to public services, and prejudice in the justice system. Clan connections play a critical role in securing employment. Women also suffer from inequality, including in the Sharia and customary legal systems. Homosexuality is a criminal offense, and LGBT+ people generally do not acknowledge their sexual orientation or gender identity publicly.
G. Personal Autonomy and Individual Rights

G1  0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?  2/4

Freedom of movement is respected to some extent, but traffic between Somaliland and Puntland is restricted, and the Somaliland government limits travel to and from Somalia’s federal capital, Mogadishu. Clan divisions hinder individuals’ relocation within the territory.

G2  0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?  2/4

Individuals are able to own property and operate private businesses without undue interference from the government. However, land disputes are common, as tenure is often complicated by lack of documentation and inconsistencies among different legal systems and state authorities. In April 2019, police and military officials forcefully evicted several families to build a new presidential palace. No compensation was paid to the affected families.

G3  0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?  1/4
Personal social freedoms are constrained by a number of factors. Marriages between members of major and minor clans are stigmatized. The practice of female genital mutilation (FGM) is common. In 2018, the Ministry of Religious Affairs released a religious edict banning one common type of FGM, but human rights groups criticized the edict for not fully prohibiting the practice.

Domestic violence remains a serious problem, and rape is rarely reported to authorities due to social pressures against such complaints. The Sexual Offenses Bill, which criminalized many forms of gender-based violence, was signed in 2018 by President Bihi, but was subsequently suspended by the Ministry of Religious Affairs after an outcry from religious leaders. Implementation of the legislation remained stalled in 2019.

<table>
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<th>G4</th>
<th>0-4 pts</th>
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<tbody>
<tr>
<td>Do individuals enjoy equality of opportunity and freedom from economic exploitation?</td>
<td>1/4</td>
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The informal sector, including traditional pastoral activities, accounts for much of the economy, and many households rely on remittances from relatives working in other countries. Trafficking in persons for forced labor or sexual exploitation abroad is a serious problem. Refugees from neighboring countries, including Yemen and Ethiopia, and internally displaced people are also vulnerable to exploitation.

**On Somaliland**

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**Country Facts**

Global Freedom Score

41/100 Partly Free
Other Years

2019

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