Somaliland*

PARTLY FREE

<table>
<thead>
<tr>
<th>Political Rights</th>
<th>18/40</th>
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</thead>
<tbody>
<tr>
<td>Civil Liberties</td>
<td>24/60</td>
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LAST YEAR’S SCORE & STATUS

41/100 Partly Free

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

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

*Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed 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 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 2020

- In August, the three major political parties and the National Election Commission (NEC) agreed to schedule local and parliamentary elections for May 2021. The parties had previously agreed to hold elections by year’s end but delayed them after the NEC warned it could not meet the envisioned timeframe.
- In August, the House of Representatives approved a bill that would allow for child marriages, criminalize “false” rape reports, and narrow the definition of rape. The upper house was still considering the bill at year’s end.
- The first COVID-19 cases in Somaliland were detected in late March. The Somaliland Ministry of Health reported over 1,200 COVID-19 cases and 42 deaths as of mid-December.
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 Abdirahman 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. Guurti members 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 July 2020, Kulmiye, Waddani, and the UCID agreed to hold parliamentary and local elections before year’s end. In August, the NEC warned that their timeframe could not be met. Later that month, the NEC and the parties agreed to schedule the polls for May 2021.

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. The House of Representatives approved a new composition for the NEC in June 2020 and began considering a revised electoral law in July. The electoral law was gazetted in October.

In July, a Technical Election Unit, which is envisioned to compose of three members from the international community, was established to advise the NEC. A voter-registration drive for the 2021 polls began in late November 2020.

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? | 3/4 |

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.

Score Change: The score increased from 2 to 3 because there was no repetition of the previous year’s arrests of opposition figures.

B2  0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

2/4

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—most recently occurring in August 2020—have impaired their ability to challenge incumbents.

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 extrapoliitical 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, racial, 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 a 2019 report, the Hargeisa-based Centre for Policy Analysis noted that only 12 of 173 appointments that had been made by President Bihi were given to women. A proposed parliamentary gender quota was not included in the October 2020 electoral law.

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. Prosecutions of officials for malfeasance are rare. Former president Ahmed Mohamed Mohamoud “Silanyo” took some measures to combat corruption, but the anticorruption commission he created in 2010 has been ineffective. A new commission chairman was appointed in February 2020.

In September 2020, Auditor General Ahmed Yusuf Dirir disclosed the arrests of several officials over corruption-related charges. The auditor general also disclosed that several other individuals were accused of forging documents.

C3 0-4 pts

| Does the government operate with openness and transparency? |  |
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

D1 0-4 pts

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<thead>
<tr>
<th>Are there free and independent media?</th>
<th>1/4</th>
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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 and outlets in 2020. In January, Eryal TV reporter Abdirahman Mohamed Hiddig was arrested after the deputy manager of a state-owned printing press filed a complaint over Abdirahman’s social media comments. Abdirahman received a 21-month prison sentence later in January. In mid-June, Somali Cable TV journalist Khadar Mohamed Tarabi and Universal TV journalist Khadar Farah Rigah were briefly detained after filming a Las Anod protest over Somalia-Somaliland talks held that month in Djibouti. Horyaal24 TV journalist Jabir Said Duale was arrested for similar reasons in Erigavo but was released without charge.
In late June, police officers ordered the staff of Star TV to vacate their Hargeisa office. Two days later, Hargeisa police raided the offices of Universal TV and ordered their staff to vacate. Star TV was reportedly raided for hosting a debate that focused on the Somalia-Somaliland talks, while Universal TV was accused of broadcasting events celebrating Somali independence. The authorities revoked the licenses of both stations that month.

Astaan TV director Abdimanan Yusuf was detained by authorities in July and was initially accused of entering Somaliland illegally and collaborating with Somalian intelligence services. Yusuf received a five-year prison sentence and a fine from a Hargeisa court in November, while Astaan TV was shuttered indefinitely.

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<tr>
<th>D2</th>
<th>0-4 pts</th>
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<td><strong>Are individuals free to practice and express their religious faith or nonbelief in public and private?</strong></td>
<td>2/4</td>
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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.

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<th>D3</th>
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<td><strong>Is there academic freedom, and is the educational system free from extensive political indoctrination?</strong></td>
<td>2/4</td>
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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.

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<th>0-4 pts</th>
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<tr>
<td><strong>Are individuals free to express their personal views on political or other matters?</strong></td>
<td>1/4</td>
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sensitive topics without fear of surveillance or retribution?

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. Recent arrests and convictions 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 (NGOs) often operate without serious interference, but such groups can face harassment for their work. NGOs documenting human rights note that their work and events are not covered by government media outlets.

In October 2020, the Somaliland government suspended cooperating with UN agencies, after the United Nations finalized a sustainable development cooperation framework with the Somalian government. In early November, Somaliland officials...
began holding talks with the United Nations on a new relational framework, which were not concluded by year’s end.

**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 an effort to limit the spread of COVID-19 in Somaliland detention centers, President Bihi pardoned 574 prisoners in April 2020 and 365 in May.

**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 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 several factors. Marriages between members of major and minor clans are stigmatized. 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 (GBV), was signed in 2018 by President Bihi, but was subsequently suspended by the Ministry of Religious Affairs after an outcry from religious leaders. In August 2020, the House of Representatives
approved the Rape, Fornication and Other Related Offences Bill, which would allow for child marriages, criminalize reports of rape deemed “false,” and would narrow the definition of rape. The bill was still being considered by the Guurti at year’s end.

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<th>G4</th>
<th>0-4 pts</th>
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<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**

| 42/100 | Partly Free |

**Other Years**

2020

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