

SOMALIA ASSESSMENT

October 2002

Country Information and Policy Unit

[I SCOPE OF DOCUMENT](#)

[II GEOGRAPHY](#)

[III HISTORY](#)

[IV STATE STRUCTURES](#)

[VA HUMAN RIGHTS ISSUES](#)

[VB HUMAN RIGHTS - SPECIFIC GROUPS](#)

[ANNEX A: CHRONOLOGY](#)

[ANNEX B: SOMALI CLAN STRUCTURE](#)

[ANNEX C: POLITICAL ORGANISATIONS](#)

[ANNEX D: PROMINENT PEOPLE](#)

[REFERENCES TO SOURCE MATERIAL](#)

1. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate, Home Office, from information obtained from a wide variety of recognised sources. The document does not contain any Home Office opinion or policy.

1.2 The assessment has been prepared for background purposes for those involved in the asylum/human rights determination process. The information it contains is not exhaustive. It concentrates on the issues most commonly raised in asylum/human rights claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a six-monthly basis while the country remains within the top 35 asylum-seeker producing countries in the United Kingdom.

2. GEOGRAPHY

2.1 Somalia (known officially from 1969 until the collapse of central government in 1991 as the Somali Democratic Republic) has an area of 637,657 sq km and borders Kenya, Ethiopia and Djibouti. **[1a][1b]** In 2000 the population was estimated to be 8,778,000. The largest city is the capital Mogadishu (population estimated in 2000 as 1,219,000). **[1b]** Other important towns are Hargeisa (capital of the self-declared independent "Republic of Somaliland" in the north-west), Kismayo, Baidoa, Berbera, Bossaso, Garowe (the "Puntland" capital), Merka (or Merca) and Brava. Principal languages are Somali, Arabic, English and Italian. Somali was adopted as the official language in 1972, using a modified Roman alphabet. **[1a][1b][2]**

2.2 Important demographic changes have taken place in recent years, beginning with the severe drought that affected northern Somalia in the mid-1970s, which led to the resettlement of 140,000 people to farming colonies in the south and fishing settlements along the coast. Of greatest consequence though was the dislocation of the population that began with the civil unrest in the late 1980s. In 1993 it was estimated that three-quarters of Somalia's population had been internally displaced by civil conflict. By late 1997 there were an estimated 250,000 internally displaced Somalis. In late 2000 it was estimated that there were nearly half a million Somali refugees outside Somalia, nearly two thirds of whom were in Kenya and Ethiopia. **[1a]**

2.3 With the exception of small minority communities, Somalis form a single ethnic unit but are divided genealogically into six main clan-family lineage groups, with many subsidiary clans and sub-clans, based on descent from common ancestors, which are to some extent geographically distinct. Large numbers of ethnic Somalis also live in neighbouring Ethiopia, Kenya and Djibouti. The population is overwhelmingly Sunni Muslim. (See also Sections 5.36 - 5.53 & Annex B, *Somali Clan Structure*) **[1a][2][3][4]**

ECONOMY

2.4 Somalia is very poor. The economy is primarily agricultural and is based mainly on livestock breeding. Most of the workforce is employed as subsistence farmers or pastoral nomads. There is some petroleum refining but much of Somalia's industry has been closed because of civil strife. The principal exports are livestock and charcoal. In the fertile area between the Juba and Shebelle rivers in the south bananas are the principal cash crop. Since 1991 both civil war and unfavourable weather have devastated the economy and agriculture. In 2001 Saudi Arabia reimposed a ban on Somali livestock, lifted in 2000, because of fears of Rift Valley fever and reportedly because of Saudi political considerations. The ban has harmed the already weakened Somali economy. **[1a][2][5a]**

(For further information on geography and the economy refer to Africa South of the Sahara, source [1a])

3. HISTORY

[Part I](#)

[Part II](#)

3. HISTORY

INDEPENDENCE 1960

3.1 The modern state of Somalia was formed by the independence and merger in 1960 of British Somaliland in the north-west and the Italian-administered United Nations (UN) Trust Territory of Somalia. **[1a][2]** In the early years after independence, internal harmony was encouraged by the commitment of all political leaders, at the price of external conflict, to the policy of extending the boundaries of the new state to include ethnic Somali communities in neighbouring states. **[1a]**

3.2 Dr Abd ar-Rashid Ali Shirmarke, of the Darod clan-family, became President in 1967 and Mohamed Ibrahim

Egal, former Prime Minister of British Somaliland, from the northern Isaaq clan-family, became Prime Minister. Following agreements with Ethiopia and Kenya over borders, internal politics was marked by an upsurge of divisive tribalism. Over 1,000 candidates, representing 68 mostly clan-based political parties, contested seats in the 1969 legislative elections. The ruling Somali Youth League party won the elections and Egal was re-appointed Prime Minister, but government no longer reflected Somali society in general. **[1a]**

(For history prior to 1969 refer to Africa South of the Sahara -source [1a])

SIAD BARRE REGIME 1969-1991

3.3 President Shirmarke was assassinated in October 1969. Army chief Major-General Mohamed Siad Barre seized power, promising to eliminate corruption and clanism. Initially popular, Barre's coup marked the beginning of 21 years of persistent political repression and human rights violations. Barre abolished political parties, dissolved parliament and suspended the 1960 Constitution. The country was renamed the Somali Democratic Republic. Barre launched a programme of national unification and social and economic reform in 1970. Banks, transport, utilities and schools were nationalised and in 1975 the state took control of land. Subsequent efforts to recover nationalised land became a major factor in inter-clan fighting from 1991. **[1a][2][4]**

3.4 Power was transferred in 1976 to the Somali Revolutionary Socialist Party (SRSP). Despite Barre's avowed intention to eliminate clanism, his regime became divided along clan lines as he favoured his own Marehan clan, part of the Darod clan-family, over others. His family and clan became increasingly dominant in government, prompting several clan-based insurgencies. **[1a]**

3.5 Under Barre, Somalia pursued its claim to Ethiopia's Somali-populated Ogaden district by arming the Western Somali Liberation Front guerrillas. The Ogaden clan, part of the Darod clan-family and the clan of Barre's mother, was a key element of Barre's support. In 1977, Somalia invaded Ethiopia and quickly overran the Ogaden district but Ethiopia, with assistance from the Soviet Union, which had switched its support from Somalia to Ethiopia, recaptured the area by early 1978. Large numbers of refugees moved into Somalia from the Ogaden district and Ethiopian-backed groups opposed to Barre's regime and increasing Marehan hegemony became established. **[1a][2]**

3.6 Military defeat, shifts in alliances and ideology and the effects of famine and refugee influxes had considerable impact on internal politics. Opposition groups began to appear, notably the largely Majerteen-based Somali Salvation Democratic Front (SSDF) and the Isaaq-based Somali National Movement (SNM). Both groups received support from Ethiopia. The SSDF took control of two small towns in central Somalia in the early 1980s but the organisation virtually collapsed with internal differences in the mid-1980s. **[1a]**

3.7 In 1988, the SNM was forced by Ethiopia to leave its Ethiopian bases. The SNM attacked and occupied Burao and part of Hargeisa in north-western Somalia. Government forces, led by Barre's son-in-law General Mohamed Siad Hersi 'Morgan', soon recaptured the towns in an uncompromising counter-offensive that virtually destroyed them, killing an estimated 40,000 in Hargeisa and forcing 400,000 to flee to Ethiopia, and which served to increase support for the SNM in the north-west. **[1a]**

3.8 In 1989 Hawiye notables established the United Somali Congress (USC). The Hawiye are the dominant clan grouping in Mogadishu and are prominent in business and intellectual life. The security forces ruthlessly suppressed anti-Government protests in 1989. During 1989 Barre lost the support of the Ogaden clan, which, with the Dulbahante (another Darod clan), had been the main supporters of Barre's Marehan clan. Ogadeni army deserters established the Somali Patriotic Movement (SPM) in the south. Inter-clan rivalry spread and Government control did not extend much beyond Mogadishu and parts of Hargeisa and Berbera. The USC gained support in the south, where its guerrilla forces fought alongside the SPM. The army, weakened by over-promotion of untrained Marehan, was disintegrating. **[1a]**

3.9 By January 1991 the USC's military wing, led by General Mohamed Farah Aideed, had captured most of Mogadishu and the SPM had taken Kismayo in the south. Barre fled Somalia and the USC assumed power in Mogadishu, while the SNM had seized control of the north-west and a resurgent SSDF the north-east. **[1a]**

COLLAPSE OF CENTRAL GOVERNMENT 1991 & CIVIL WAR

3.10 Ali Mahdi Mohamed, of the Abgal clan (part of the Hawiye clan-family), was declared interim President by the USC in late January 1991 but his appointment was opposed by the SNM and SPM. The situation by mid-March 1991 was close to anarchy and division along clan lines was increasing. Although some non-Hawiye were given posts in the new administration, most posts were allocated to the Hawiye. **[1a][1b][2]**

3.11 In the north-west the SNM convened a series of meetings of clan elders that led to the establishment of an administration and legislature in the area of former British Somaliland and a declaration of secession from the rest of Somalia in May 1991. SNM Chairman, Abd ar-Rahman Ahmed Ali 'Tur', became the first President of the new "Republic of Somaliland". (See also Sections 4.4 - 4.8) **[1a][1b][2]**

See sections 3.64 - 3.79 for information on the Republic of Somaliland from 1991 onwards.

3.12 Reconciliation conferences held in Djibouti in mid-1991 confirmed Ali Mahdi as President for a two-year period and he assumed office in August 1991, with Umar Arteh Ghalib, an Isaaq, as Prime Minister. The SNM did not attend the conferences. **[1a][1b]** Difficulties arose at the conferences as the Darod demanded the return of property seized after Siad Barre's overthrow. Darod and Isaaq clans were estimated to have owned as much as 60% of land and property in Mogadishu before 1989. Most was looted in 1991 and appropriated by Hawiye, who were reluctant to return it. The issue of property has since remained highly contentious and unresolved. **[1a]**

3.13 By June 1991 a major rift had opened up within the USC between Ali Mahdi and General Aideed. **[1a][1b]** The rift reinforced clan divisions; Ali Mahdi's Abgal clan was prominent in and around Mogadishu whereas Aideed's Habr Gedir comprised a significant element of the more rural, pastoral Hawiye in the central regions of Somalia. The Abgal had provided much of the support for Ali Mahdi's 'Manifesto' movement whereas the Habr Gedir comprised most of the Hawiye guerrilla forces. **[1a]** Aideed was elected USC Chairman in July 1991, increasing his power base. Ali Mahdi's refusal to award Ministerial posts to Aideed's supporters guaranteed conflict and heavy clashes took place in Mogadishu from September 1991 between the rival USC factions, leaving the city divided. Clashes continued through to a UN-brokered cease-fire in March 1992, by which time 30,000 people had died. Other important Hawiye clans, particularly the Hawadle and the Murosade, had taken control, respectively, of Mogadishu's airport and sea port. **[1a][2]**

3.14 Clashes for territory took place throughout Somalia during 1991 and 1992 between rival clan-based militias. Barre's forces had re-grouped in the south as the Somali National Front (SNF). Kismayo changed hands several times during 1991, between forces led by General Morgan in alliance with the SNF and a faction of the Ogaden-based SPM and the USC allied with a rival faction of the SPM, led by Colonel Ahmed Omar Jess, which had aligned itself behind General Aideed to oppose Siad Barre's return. Morgan's forces led several advances towards Mogadishu during 1991 and 1992 but Aideed's forces repulsed them at Afgoi in April 1992 and went on to capture Barre's base in Garba Harre on the Kenyan border. Barre fled to Kenya and then to Nigeria, where he died in exile in 1995. Aideed and Colonel Jess' SPM faction captured Kismayo in May 1992 from Morgan. After mid-1992 the SNF, although a largely Marehan faction, disassociated itself from Barre. **[1a]**

3.15 Having halted Morgan's attack on Mogadishu, Aideed's forces allied with Jess' SPM faction moved south to capture Kismayo from Morgan in May 1992, forcing Morgan and his supporters to flee to Kenya. However, Morgan and the SNF took back the strategic town of Bardera in Gedo region from Aideed's forces in October 1992 and advanced towards Kismayo. Aideed set up the Somali National Alliance (SNA) coalition, comprising his faction of the USC, Jess' SPM faction, a faction of the Rahanweyn-based Somali Democratic Movement (SDM) and the Southern Somali National Movement (SSNM), a grouping of non-Darod clans south of Mogadishu. In response to Aideed's victories, Ali Mahdi strengthened his links with opponents of Aideed, notably Morgan, the SSDF, the rival SPM faction and the SNF, under the Somali Salvation Alliance (SSA) grouping. **[1a]**

UNITED NATIONS INTERVENTION 1992-1995

3.16 By the beginning of 1992 hundreds of thousands of people were displaced by the conflict and faced starvation and thousands of refugees were crossing into Kenya. The UN requested international humanitarian assistance for Somalia. By mid-1992 the south-west faced a major humanitarian crisis as Barre's forces retreating from their unsuccessful attack on Mogadishu had destroyed food stocks. It was estimated subsequently that 300,000 people might have died of starvation in this period. **[1a]**

3.17 The UN Operation in Somalia (UNOSOM) was set up initially to monitor the Mogadishu cease-fire agreed in March 1992. Although the cease-fire held for a time, the UN's gradual involvement during 1992 failed to prevent fighting continuing elsewhere in Somalia. In December 1992 the UN accepted a US offer of 30,000 troops for a multi-national operation to Somalia to ensure food deliveries. **[1a][2]**

3.18 US troops of the Unified Task Force (UNITAF) arrived in Mogadishu in December 1992. 21 countries contributed forces to UNITAF, including Pakistan, Canada, India and Belgium. UNITAF troops were deployed throughout Somalia, excluding Somaliland, during December 1992. Under UNITAF pressure, Aideed and Ali Mahdi signed a reconciliation agreement in December 1992 to end the rivalry between USC factions. **[1a]**

3.19 Major political groups attended peace talks in Addis Ababa in March 1993. Somaliland's SNM attended as an observer only. The delegates agreed to establish a Transitional National Council, representing all regions of Somalia and the factions attending the talks, with UN peace-keeping forces administering a cease-fire. **[1a]**

3.20 As the Addis Ababa talks were closing in March 1993 the UN authorised the deployment of UNOSOM II, with forces from 30 countries, to replace UNITAF in May 1993. UNOSOM II became the largest peace-keeping operation ever undertaken by the UN and the first to engage in peace enforcement without the consent of the parties in the relevant country. The operation was also intended to rehabilitate district and regional administrations. **[1a]**

3.21 Existing political structures, responsible for the previous two years of anarchy, had been reinforced by UNITAF accepting politicians and faction 'warlords' as key negotiators rather than trying to widen the basis of political consultation. UNOSOM took this a stage further by taking sides in the conflict and effectively declaring war on Aideed. US advisers to UNOSOM disliked Aideed's independent attitude towards the UN presence in Somalia. During 1993 US forces, under direct US rather than UN command, carried out a series of attacks against Aideed's SNA in Mogadishu. **[1a]**

3.22 Clashes in June 1993 between UNOSOM and the SNA resulted in the deaths of 24 Pakistani troops and several hundred Somali casualties. UNOSOM launched retaliatory attacks on the SNA, which failed to apprehend Aideed and provoked hostile reactions in Mogadishu. Increasingly violent operations, which sought to disarm the SNA and arrest Aideed, continued for several months, causing many casualties. **[1a]**

3.23 In October 1993, an operation by US soldiers to seize Aideed's supporters in a heavily-populated district of Mogadishu resulted in the deaths of 19 UNOSOM troops and at least 200 Somalis. This prompted an immediate change in policy by the US, which henceforth advocated a political rather than military solution to the conflict with Aideed, and a decision to withdraw US forces from Somalia by March 1994. **[1a]**

3.24 Despite the presence of UN troops in the city, General Morgan was able to recapture Kismayo from Aideed's ally Colonel Jess in March 1993. A regional peace conference for 'Jubaland' (south-western Somalia) took place in Kismayo from May to August 1993 but failed to produce any binding agreement between the conflicting parties. Subsequent efforts in 1994 were similarly unsuccessful. **[1a]**

3.25 A further national reconciliation conference was held in Addis Ababa in December 1993 but agreement could not be reached between Aideed's SNA and the SSA grouping around Ali Mahdi. Talks continued in Nairobi in 1994 but were inconclusive and were followed by renewed conflict between Hawiye factions. Aideed faced dissent within his Habr Gedir clan and the SNA and Habr Gedir clashed with the Hawadle over control of Mogadishu airport and Belet Weyne in Hiran region. Fighting broke out in late 1994 in Mogadishu's Bermuda district between Ali Mahdi's Abgal clan and another Hawiye clan, the Murosade, who had previously been allies. Hostilities continued into early 1995. **[1a]**

3.26 UNOSOM's efforts to establish district and regional administrations were criticised by observers who claimed that council members were often imposed, or excluded (particularly those from the SNA), by UN officials. Critics

claimed that UNOSOM's programme had been rushed and failed to address the problem of refugee resettlement. **[1a]**

3.27 In November 1994 the UN announced that UNOSOM would withdraw from Somalia by the end March 1995. Competition for control of installations that UNOSOM had run, particularly Mogadishu's port and airport, became the focus of factional hostility. Fighting broke out between the militias of Aideed and Ali Mahdi for control of the port and airport in February 1995. The last UN forces left Somalia in March 1995. **[1a]** 136 UN personnel and hundreds of Somalis had died in the UN operation. **[1a][6a]** While the UN operation failed to bring peace to Somalia it had provided large amounts of famine relief and had some success in establishing local administrations in almost half the regions of Somalia, excluding Somaliland, effectively providing a functioning administration in the absence of a central government. **[6a]**

CONTINUING CONFLICT & PEACE EFFORTS 1995-2002

3.28 Major divisions within the Habr Gedir and SNA surfaced in mid-1995 when Aideed's former aide Osman Hassan Ali 'Ato' tried to oust him as SNA chairman. Aideed loyalists expelled Ali Ato and his supporters from the SNA. In June 1995 pro-Aideed factions in southern Mogadishu declared Aideed President of Somalia, a move that was denounced by Ali Mahdi and Ali Ato. Aideed announced a weapons collection programme in Mogadishu in August 1995 but many militias refused to comply and clashes continued with pro-Aideed factions. Fighting took place in Mogadishu's port in October 1995 between Aideed's forces and militias enforcing a ban declared by Ali Mahdi and Ali Ato on banana exports, which provided major revenue for Aideed. Fighting between Aideed's and Ali Ato's forces intensified in early 1996. **[1a][1b]**

3.29 In September 1995 Aideed's forces occupied Baidoa in Rahanweyn-populated Bay region in south-western Somalia, reportedly in an attempt to seize food supplies. **[1a]** Aideed's occupying forces dismantled a local autonomous authority based on the Rahanweyn territories that had been established in the region by UNOSOM. **[7]** This was widely considered to be the most significant military development since General Morgan ousted Aideed's forces from Kismayo in 1993. Aideed's forces captured Huddur, in neighbouring Bakool region, in January 1996. **[1a][1b]**

3.30 Sporadic fighting between Aideed's supporters and those of Ali Mahdi and Ali Ato continued from May to August 1996. Aideed was wounded during these clashes and died of his injuries in August 1996. His son Hussein, a former US marine, was chosen by the SNA to replace him and clashes with rivals quickly resumed. **[1a][1b]**

3.31 In August 1996 there were clashes in Kismayo between rival factions within the SNF, fighting over the distribution of port revenues. Hostilities also continued in Mogadishu. A cease-fire agreed in Nairobi in October 1996 between Ali Mahdi, Ali Ato and Hussein Aideed was soon broken and fighting intensified in following months. **[1a]**

3.32 In December 1996 representatives of 26 Somali factions, excluding the SNA, held protracted talks in Sodere, Ethiopia under the auspices of Ethiopia and the Inter-Governmental Authority on Development (IGAD), a grouping of regional states. The conference culminated in January 1997 in the announcement of a National Salvation Council (NSC) to act as an interim national government. Hussein Aideed condemned the NSC and insisted that he was the legitimate President. **[1a][1b]** The NSC met again in July 1997 ahead of a reconciliation conference that was planned to take place in Bossaso, north-eastern Somalia in November 1997, but which was never held. **[1a]**

3.33 International mediation efforts continued and representatives of several Somali factions met, under Egyptian and Arab League auspices, in Cairo in March 1997. In May 1997 Ali Mahdi and Hussein Aideed signed a reconciliation agreement in Cairo. **[1a][1b]** However, Aideed refused to attend the conference planned for Bossaso as he opposed the Ethiopian-sponsored peace initiative. **[1a]**

3.34 At a further conference held in Cairo, 26 Somali faction leaders, including Aideed and Ali Mahdi, signed a peace agreement in December 1997. **[1a][1b]** The agreement was a precursor of a planned conference, to be held in Baidoa in February 1998, to elect a government and legislature. The proposed Baidoa conference was never held, largely because of the continued presence in Baidoa of SNA forces. **[1b]** Ethiopia rejected the Cairo

accord on the grounds that it failed to include all members of the NSC. [1a]

Attempts to Reunify Mogadishu

3.35 Following the Cairo accord, Ali Mahdi, Ali Ato, Aideed and another Mogadishu faction leader, Mohamed Qanyare Afrah, met in Nairobi in April 1998 to discuss the establishment of a joint administration for Mogadishu. Discussions focussed on power-sharing and reopening the city's sea port and airport. After returning to Mogadishu, Ali Mahdi and Aideed announced that they would establish a joint administration for the city but, despite their pronouncements, progress in achieving their objectives was slow. [1a] Hussein Aideed, Ali Mahdi and Ali Ato, attended a peace rally in Mogadishu in February 1998. People began to move freely around the city, across the "green lines" that had hitherto marked the boundaries between areas controlled by rival clan-factions. [8a]

3.36 In August 1998 Mogadishu's principal faction leaders, including Ali Mahdi, Aideed and Qanyare, formed a new administration for Benadir region, covering Mogadishu and its environs. Ali Mahdi and Aideed were the new authority's joint Chairmen. However, Ali Ato and two other Mogadishu faction leaders, Musa Sude Yalahow and Hussein Haji Bod, rejected the new administration claiming that it was not representative. Egypt, Italy and Libya gave aid to the new administration to enable it train a new police force. However, by December 1998 only 2,000 out of a projected 6,000 officers had received training and the force was disbanded within months because the Benadir administration had been unable to pay it. Meanwhile, clashes continued in Mogadishu between rival militias. [1a][1b] Efforts to reopen Mogadishu's port failed when hostile militia fired at ships attempting to dock in the port in September 1998. [1b]

3.37 A further attempt to set up a new administration in December 1999 by Mogadishu faction leaders Ali Mahdi, Aideed, Ali Ato, Qanyare and Bod, all Hawiye, failed in the face of strong opposition from Islamic court militias backed by local businessmen. [1a]

Bay and Bakool Regions

3.38 The RRA, which clashed with Aideed's SNA forces throughout 1997, took control of Baidoa for a short time in October 1997 but the SNA recaptured the town. Fighting between the RRA and SNA continued throughout 1997 and 1998. The RRA captured Huddur in Bakool region from Aideed's SNA in October 1998, prompting the return to the town of many refugees. [1b] In December 1998 the RRA established an administration for Bakool in co-operation with traditional elders. [9a]

3.39 In June 1999, after months of fighting between the RRA and SNA, the RRA, backed by a 3,000 man Ethiopian force, captured Baidoa from Aideed's forces. [1a][1b] This move was seen as part of a wider Ethiopian strategy of establishing a buffer zone inside Somalia in a line from Gedo, through Bay and Bakool to Hiran. The joint RRA-Ethiopian force conducted operations against Aideed's forces and fighters of the Oromo Liberation Front (OLF), an Ethiopian guerrilla group opposed to the Ethiopian government, whose members were being trained in Somalia by the SNA. [1a] Aideed discontinued support to the OLF after reaching an agreement with the Ethiopians in October 1999. However, Ethiopia continued to support the RRA and made armed incursions in other areas of Somalia. [1a][1b]

3.40 From Baidoa, the RRA moved on to take the town of Bur Acaba, north-west of Mogadishu, in June 1999. [10a] The RRA leader, Colonel Hassan Mohamed Nur 'Shaatigaduud', announced the RRA's intention of liberating all Rahanweyn-populated territory between the Juba and Shebelle rivers. [11a] In September 1999 the RRA, supported by the Ethiopians and the allied Digil Salvation Army (DSA), took the town of Dinsoor in the west of Bay region. By mid-2000 the RRA had consolidated its control of Bay and Bakool regions, leaving Aideed's forces in disarray. [1a]

3.41 The RRA established a regional administration for Bay region in December 1999, with a governor and senior RRA personnel taking positions in government. [1a]

See sections 3.92 - 3.95 for information on Bay and Bakool regions and the South West State of Somalia from 2002

Kismayo and Juba Regions

3.42 Kismayo was taken from General Morgan's forces in June 1999 by the Juba Valley Alliance (JVA), a grouping of Marehan, Ogaden and Habr Gedir clans aiming to establish a regional administration for Lower Juba. **[1a][7]** The city witnessed regular fighting in late 1999, between forces of the Ayr sub-clan of the Habr Gedir and a group of Ogaden fighters, both of which belonged to the JVA. **[1a]**

3.43 A new administration for Kismayo was established in June 2001 by the JVA, consisting of an 11-member council drawn from the region's clan groups. The new administration allied itself with the Transitional National Government (TNG) established in Mogadishu in late 2000. (see Sections 3.51 - 3.62 on the TNG). **[7][10p]**

3.44 In early August 2001 General Morgan's forces briefly re-occupied Kismayo but the JVA retook the city the following day with minimal effort. Later in August 2001 JVA forces moved inland to capture the town of Bu'aale in Middle Juba region, 200 km north of Kismayo, from General Morgan's forces. **[7][10q][10r]**

3.45 UN agencies were able to resume operations in Kismayo in 2001. Morgan would like to recapture Kismayo, his traditional power base, but the JVA has secured the roads surrounding the city to prevent his forces progressing. Following his removal from Kismayo, it is believed that Morgan is based mainly in Ethiopia. The JVA controls Kismayo and Jilib and in 2002 sent mainly Marehan forces to Bardera in Gedo region, as part of the conflict in Gedo between the Marehan clans. (see sections 3.46 - 3.50 on Gedo). **[7]**

Gedo Region

3.46 Gedo region has been subject to a number of armed incursions from Ethiopia since the mid-1990s. In August 1996 and January 1997 Ethiopian forces launched attacks in Gedo against alleged bases of al-Ittihad al-Islam, a radical Islamic group fighting to create an independent Somali homeland in the Ogaden district of Ethiopia. In March 1998 Ethiopian troops returned to Gedo to occupy several towns in the region following the capture of SNF-controlled El Waaq by al-Ittihad forces. **[1b]**

3.47 A peace pact signed in Gedo region in August 1998 between the SNF and al-Ittihad soon collapsed. The SNF split into two warring factions, with each controlling three districts in Gedo and competing for control of Bardhere district. In April 1999 the leader of one of the factions was assassinated. **[1a]**

3.48 Following the outbreak of the Ethiopia-Eritrea border war in 1998, concern about the activities of Eritrean-supported Somali militias prompted Ethiopia to launch cross-border raids into Somalia against faction leaders and militias loyal to Hussein Aideed. Ethiopia helped the RRA take control of Baidoa from Aideed's SNA in June 1999, consolidating the establishment of a Gedo-Bay/Bakool-Hiran buffer zone for Ethiopia. **[1a]**

3.49 In July 1999 Ethiopian forces based in Luuq moved further into Gedo, taking Garba Harre, the Gedo capital, and Burdhubo. **[1a][10f]** In August 1999 Ethiopian forces captured a number of al-Ittihad fighters in Gedo. In September 1999 clashes took place in Garba Harre between an Ethiopian-backed SNF faction and the main SNF group. The main SNF group drove the Ethiopian-backed faction out, forcing it to retreat to Luuq. **[1a]**

3.50 Gedo is claimed as one of the regions of the South West State of Somalia, declared by RRA leader Colonel Shaatigaduud in March 2002, but the SWS administration has no effective authority in Gedo. (See sections 3.92 - 3.94 on the SWS) **[7]**

ARTA CONFERENCE 2000, TNG & SRRC

3.51 A peace conference chaired by Djibouti's President Ismail Omar Guelleh opened in May 2000 at Arta, Djibouti under the auspices of IGAD. **[1a][1b][5a][12]** Arta was the 13th major peace initiative for Somalia since the collapse of central government in 1991. **[1a][12]** It was the first peace initiative that set out to work around civil society rather than just the armed clan-factions. **[12]**

3.52 Nearly 2,000 delegates, representing a wide spectrum of Somali society, including clan elders, religious leaders, NGOs, businessmen and intellectuals, attended the Arta conference, with the aim of drafting a power-sharing arrangement and a constitution, the Transitional National Charter, to see Somalia through a three-year transitional period. [1b][5a][12][13] Some leaders of armed clan-factions attended, most notably Ali Mahdi, but the Somaliland and Puntland authorities and faction leaders such as Hussein Aideed and Musa Sude stayed away from the conference. [12]

3.53 In August 2000 the conference adopted the Transitional National Charter and selected the 245-member Transitional National Assembly (TNA). [1a][5a] The Charter, which effectively serves as a constitution, provides for freedom of expression and association and separated the executive, legislature and judiciary, guaranteeing the independence of the latter. [1b]

3.54 The TNA is structured along clan lines and comprises equal numbers of members of the main Somali clan-families, the Dir (including the Isaaq), Hawiye, Darod and Digil-Mirifle (Rahanweyn), and reserved seats for representatives of minority groups and women. The seats for the clan-families are divided out amongst the various constituent clans and sub-clans. [1a][1b][12]

3.55 In August 2000 the TNA elected Abdiqassim Salad Hassan, a member of the Hawiye Habr Gedir Ayr clan, as transitional President of Somalia. [1a][1b][5a][12] Abdiqassim had held several ministerial positions under Siad Barre. [1a] Abdiqassim received public backing from the UN, EU, Arab League and was supported locally by business interests, Ali Mahdi and the Islamic Shari'a courts, some of which pledged their militia forces to the new administration. [12]

3.56 Ali Khalif Galayadh, a businessman and prominent member of the northern Darod Dulbahante clan, was named as Prime Minister in October 2000. [1a][5a][12] Like Abdiqassim, Galayadh had also served as a Minister under Siad Barre. [1a] Later in October 2000, Galayadh announced the formation of the 32-member Transitional National Government (TNG). [1a]

3.57 Abdiqassim made his first visit to Somalia in his new capacity as interim President when he visited Baidoa, in RRA-controlled Bay region, in early September 2000. Thousands of people attended a rally in Baidoa to welcome him. He made a surprise visit to Mogadishu later in September 2000 and met with no resistance from the clan-faction leaders, such as Hussein Aideed, that had threatened to oppose any such visit to the capital. [12][14a]

3.58 In September 2000 the Transitional National Government (TNG) began recruiting for a new 4,000-strong police force to restore order in Mogadishu. In November 2000 the TNG asked former soldiers to enrol in training camps to form a new national army. By the end of 2000, 10,000 former soldiers had enlisted. In March 2001 officers of the new police force began patrolling in Mogadishu for the first time. The force began tackling makeshift roadblocks set up by militias. [5c][10h][14b]

3.59 In December 2000 Hossein Haji Bod, a North Mogadishu 'warlord' and former deputy of Ali Mahdi previously opposed to the TNG, declared his support for Abdiqassim's transitional administration. Bod pledged the support of his militia to the TNG. [14c]

3.60 In March 2001 faction leaders, backed by Ethiopia, opposed to the TNG established the Somali Reconciliation and Restoration Council (SRRC) at a meeting in Addis Ababa. The SRRC has a presidential council, consisting of five co-chairmen: Hussein Aideed of the USC/SNA, Hilowle Iman Umar from North Mogadishu, General Adan Abdullahi Nur Gabyow of the SPM, Hasan Muhammad Nur Shatigadud of the RRA and Abdullahi Shaykh Isma'il of the SSNM. Hussein Aideed was chosen as the SRRC's first chairman, with a mandate for six months. [10g]

3.61 On 28 October 2001 the TNG of Prime Minister Ali Khalif Galayadh was voted out of office after it failed to defeat a no-confidence vote in the TNA. 174 members of the 245-seat TNA voted on the motion, with 141 supporting the TNG's dismissal. The motion was tabled by MPs who accused the Prime Minister of mismanagement and failing to bring peace to Mogadishu and Somalia as a whole. [10i][14d][15a]

3.62 The no-confidence vote took place on the eve of peace talks due to commence in Kenya at the beginning of November 2001 between President Abdiqassim and opponents of his administration, including members of the SRRC. President Abdiqassim remained in office as the interim president, as did the TNG, under acting Prime

Minister Osman Jamma Ali, on a caretaker basis pending the appointment of a new administration. **[10i][14d]**
[15a] Hassan Abshir Farah, a former Puntland interior minister, was appointed as Prime Minister by Abdiqassim in November 2001. **[14e]**

ELDORET PEACE CONFERENCE 2002

3.63 An IGAD-sponsored national reconciliation conference on Somalia in the Kenyan town of Eldoret in October 2002. **[10c]** Delegates included the TNG Prime Minister Hasan Abshir Farah, Puntland leader Abdullahi Yusuf, Hussein Aideed, Muse Sude Yalahow, Umar Finnish, Osman Ali Ato and other representatives of the SRRC. The conference was still in session at the end of October 2002. **[10c][10d]**

REPUBLIC OF SOMALILAND 1991-2002

3.64 Somaliland, although initially stable, saw clan rivalries within the dominant Isaaq clan-family emerge in December 1991 when an anti-SNM group seized Berbera. SNM forces recaptured the town but fighting broke out in January 1992 between rival factions within the army in Burao. Further heavy fighting took place in Berbera in March 1992. Somaliland's President Tur sent forces of his own clan, the Habr Yunis, to recapture Berbera from the Issa Muse clan. Six months of hostilities in Berbera and Burao ensued, ending in October 1992 after peace talks by Isaaq clan elders. Opposition to the SNM also came from non-Isaaq clans who opposed the secession of Somaliland and from Islamic fundamentalist groups. **[1a]**

3.65 A meeting of all signatories to the 1993 Addis Ababa agreement and the SNM from Somaliland intended for April 1994 did not take place. Divisions had also opened up within the SNM in Somaliland. The former Prime Minister of British Somaliland and the Somali Republic, Mohamed Ibrahim Egal, had become President of the breakaway state in May 1993. His predecessor, Abd ar-Rahman Ahmed Ali Tur, had declared that Somaliland should reintegrate within a reconciled state of Somalia but Egal vehemently opposed such an idea. **[1a]**

Secession of Somaliland

3.66 Having taken control of the north-west in 1991, the Isaaq-dominated SNM was divided over the issue of the region's secession from Somalia. The SNM's government, led by President Abd ar-Rahman Ahmed Ali Tur, was hampered by clan divisions over ministerial portfolios. Without international recognition, Somaliland was short of much-needed international aid, with only assistance from non-governmental organisations (NGOs) to help with reparation of the war-ravaged infrastructure. Following the SNM's take-over in early 1991, thousands of refugees returned to Somaliland from Ethiopia, with many more returning in late 1991 and early 1992 because of ethnic conflict in south-western Ethiopia. **[1a]**

3.67 Clan fighting broke out in Burao and Berbera in early 1992 between the Isaaq Habr Yunis and Habr Awal clans. Peace negotiations ended the conflict later in 1992, although Berbera remained outside government control. A national council of elders meeting in Boroma in early 1993, composed of all Somaliland's clans, formulated a national peace charter and a transitional structure of government. A Cabinet of Ministers and a bicameral Parliament, comprising the House of Representatives and the Council of Elders (the Guurti), each with 75 members, were established in May 1993. Mohamed Ibrahim Egal, a Habr Awal clansman and former Prime Minister of British Somaliland and of the Somali Republic, was elected President in May 1993, defeating the incumbent President Tur, of the Habr Yunis clan, by 97 votes to 24. However, clan differences remained. **[1a][16]**

3.68 The Habr Yunis objected to Egal's cabinet appointments in June 1993. In October 1993 the OAU rejected Somaliland's declared independence. Tur disavowed Somaliland's independence in 1994. In August 1994 Egal expelled UN representatives from Somaliland, accusing them of interfering in internal affairs. **[1a]**

3.69 Violent clashes between forces loyal to Egal's government and those defecting to Tur began in the Somaliland capital, Hargeisa, in October 1994. By December 1994, 30,000 people, three-quarters of the city's population, had fled, mainly to Ethiopia. Fighting spread to other areas of Somaliland in 1995. In April 1995

government forces clashed with Garhadji (Isaaq) clansmen who had allied themselves with the anti-secessionist USF of the Issa (Dir) clan. Peace talks between the rival factions were held in December 1995 and in May 1996 rebel forces surrendered their weapons in Hargeisa. **[1a]**

3.70 A new Constitution for Somaliland, containing a number of human rights provisions relating to the independence of the judiciary and protection against arbitrary imprisonment, became effective in February 1997 for a three year period and shortly after Egal was re-elected President by an electoral college for a 5-year term. **[1a]**

3.71 In September 1998, community leaders handed over military vehicles and weapons in Erigavo, in the eastern Somaliland region of Sanaag, under the terms of an agreement made in 1994 to demobilise local militia groups. Over 80 members of the Habr Yunis clan faction also joined the official Somaliland security forces. **[15b][17]**

3.72 Heavy rains in 1997 revealed mass graves in the Hargeisa area. In the same year a War Crimes Commission in Hargeisa began its investigation into the killings of at least 2,000 local people by Siad Barre's forces in 1988. The Commission continued to record eyewitness accounts and other evidence during 1999 and 2000. **[5c][5b][6b]**

3.73 In February 1999 President Egal hinted that he was not totally opposed to eventual Somali reunification. This apparent reversal of his earlier position regarding the secession of Somaliland angered some SNM members and Somaliland parliamentarians. In May 1999 Egal approved a resolution allowing for the introduction of multi-party politics in Somaliland providing that any new parties are not based on religion or clans. **[18a][19a]**

Independence Referendum 2001 and Legalisation of Political Parties

3.74 In May 2001 a referendum was held in Somaliland on a new constitution. The first article of the new constitution asserted the independence of Somaliland, while other articles made new provisions for political parties and elections. The referendum was peaceful. There was no electoral register but it was estimated that 1.3 million people voted and officials claimed that 97% of voters endorsed the constitution. An American, Swiss and British team of observers assembled by the Initiative and Referendum Institute concluded that the referendum was conducted freely and fairly. **[20][21]**

3.75 In July 2001 President Egal announced the formation of a new political party, the Allied People's Democratic Party (UDUB, meaning 'pillar'), in preparation for parliamentary and presidential elections expected in 2002. A senior official of Egal's administration was elected as Secretary-General of UDUB. Some elders declared the establishment of the new party unconstitutional. Several MPs tabled a parliamentary motion to impeach Egal, alleging mismanagement of state funds to finance the new party and treason, but their motion was rejected in August 2001. **[10o][20]**

3.76 In August 2001 the stability of Somaliland was affected by the arrests of five Sultans attending a gathering of traditional leaders. There were clashes between Somaliland Government forces and the Sultans' militias, resulting in five deaths. The Sultans had reportedly set up a council of clan chiefs in Burao. They were released in early September 2001 after agreeing to abide by the Somaliland Constitution. A mediating team of religious leaders, businessmen and neutral elders facilitated their release. **[10n][20]**

3.77 In October 2001, certificates of registration were issued to seven political parties, including UDUB. President Egal then held talks with the leaders of the now legally registered parties. This followed criticism that Egal's UDUB party would have an unfair advantage over other parties in the elections scheduled to be held in 2002. Egal and the party leaders agreed to hold further meetings. **[10m][22]**

3.78 In January 2002, the Somaliland council of elders extended President Egal's term of office by one year to give the opposition time to prepare for elections. 72 of the 74 members of the council present voted in favour of extending the President's term of office to February 2003. Several opposition parties had called for more time to prepare for elections, which had been scheduled to take place in February 2002. **[8i]**

Death of President Egal,2002

3.79 President Egal died in South Africa, where he was receiving medical treatment, in early May 2002. In accordance with Somaliland's Constitution, the Vice-President, Dahir Riyale Kahin, was inaugurated as the new president of Somaliland by senior government officials shortly after President Egal's death was announced. [14h]

(See also Sections 4.4 - 4.8)

PUNTLAND STATE OF SOMALIA 1998-2002

Establishment of Puntland

3.80 On 23 July 1998 the autonomous "Puntland State of Somalia" was proclaimed in Garowe, north-eastern Somalia by the Majerteen (Darod) clan-dominated SSDF administration following a conference between the SSDF, the United Somali Party (USP), from the eastern regions of Somaliland, the Somali National Democratic Union (SNDU), from the eastern, Marehan-populated, part of Galgadud region in central Somalia and other community representatives. SSDF deputy leader Colonel Abdullahi Yusuf Ahmed was proclaimed State President. Mohamed Abdi Hashi, leader of the USP, was declared Vice-President. Abdullahi Yusuf appointed a nine-member Cabinet in August 1998. The new regional state received conditional support from Ali Mahdi in Mogadishu but Hussein Aideed accused Ethiopia of supporting Ahmed and encouraging the secession of Puntland from Somalia. [1a][5b][5c][23a][24a]

3.81 The Somaliland Government criticised the establishment of Puntland and warned against threats to Somaliland's territorial integrity. In September 1998 Ethiopia reportedly donated military uniforms, light weapons and ammunition to the Puntland administration. In March 1999 forces from Puntland attempted to take over a police station in the town of Laascanood in Sool region, in eastern Somaliland. This raised tension between Puntland and Somaliland, both of which claim the region. Somaliland police maintained their hold on the station and the incident did not result in any casualties. There were further confrontations between Somaliland and Puntland over the Sool region in late 1999. [1a][19b][19c][25a]

3.82 A 69-member Puntland Parliament was inaugurated on 15 September 1998. Yusuf Haji Sa'id was elected as speaker of the new legislature. On 16 September 1998 the parliament approved the composition of the cabinet appointed in August 1998. The parliament approved a transitional three-year period prior to the holding of elections in Puntland, during which time all political parties are banned, from August 1998. [1a][5b][23b][24b]

3.83 A charter for Puntland was released on 22 September 1998 following ratification by the region's new parliament. The Puntland Charter reportedly provides for the territory to remain part of a federal Somali state, based on regional governments. In October 1998 Abdullahi Yusuf advocated power sharing between autonomous states, with equal representation, in a federal Somalia. [23b][26]

3.84 In December 1998 the Ethiopian Government appointed a special envoy to Puntland. It was reported in February 1999 that Ethiopia was supplying arms to the Puntland authorities. Also in February 1999 the Puntland administration announced the recruitment of 6,000 men for a new police force, drawn from militias and members of the former national police and military forces. [18b][19d][25b][25c]

Constitutional Crisis in Puntland 2001-2002

3.85 Under the terms of the Puntland Charter, the mandate of the Puntland administration was due to expire at the end of June 2001. In February 2001, the administration prohibited all political activities until June 2001, to avert unrest and maintain law and order. [1a][20]

3.86 Rather than undertake the presidential and parliamentary elections that were required under the Puntland Charter, Abdullahi Yusuf's administration sought a three-year extension of its term. In late June 2001 the Puntland House of Representatives approved the extension of the terms of office of itself and the executive for a further three years. However, this was declared unconstitutional by the Chairman of the Supreme Court of Puntland, Yusuf Haji Nur, who announced that, in accordance with the Puntland Charter, he was assuming office as the legal interim President of Puntland, pending the organisation of a conference. [5a][20]

3.87 Abdullahi Yusuf announced the suspension of Yusuf Haji Nur from office and the House of Representatives ratified this decision, but Nur's position as Supreme Court Chairman was upheld by a meeting of titled elders in July 2001. Following unsuccessful attempts by elders and businessman to promote a peaceful settlement to the constitutional crisis, fighting broke out in Bossaso in early August 2001 and Abdullahi Yusuf retreated to Galkayo, his home town. He announced that he remained the President, claiming Galkayo as an interim capital and blaming Islamic fundamentalists and the TNG for his difficulties. The fighting in Bossaso forced the evacuation of UN staff from the town and although staff were soon able to return to Bossaso, tensions remain high. **[18c][20]**

3.88 Yusuf Haji Nur stated that he had no political ambitions and announced a conference, as provided for in the Puntland Charter, to determine the future course of Puntland. The conference opened in Garowe in late August 2001 with over 400 participants from across Puntland. Abdullahi Yusuf declared the conference illegal and refused to participate. In October 2001 the Speaker of the Puntland Parliament, Yusuf Haji Sa'id, an ally of Abdullahi Yusuf, announced that former Puntland MPs had begun a meeting in Galkayo to discuss the political situation in Puntland. Speaker Sa'id claimed that the conference in Garowe was not an all-inclusive meeting. **[20][25d]**

3.89 It was reported in October 2001 that Abdullahi Yusuf was willing to step down from the Puntland presidency providing Muhammad Abdirashid Ali Shirmarke, son of the assassinated former Somali President Dr Abd ar-Rashid Ali Shirmarke, was nominated to be the new leader of Puntland. Delegates at the Garowe conference believed that Abdullahi Yusuf's apparent offer was intended to create confusion in the conference as Shirmarke had been barred from contesting the presidency. **[18d]**

3.90 In October 2001, Yusuf Haji Nur denied reports that the terrorist group al-Ittihad al-Islamia had camps or bases in Puntland. He stated that the reports were circulated by discredited Puntland politicians, meaning Abdullahi Yusuf, whose spokesman had claimed that al-Ittihad was more active than ever before in its efforts to create an extremist Islamic state in Somalia. **[10j]**

3.91 The Garowe conference, which had been suspended several times since it began in August 2001, resumed its deliberations in October 2001. **[10k]** In November 2001, traditional elders elected Jama Ali Jama as the new President of Puntland. Abdullahi Yusuf refused to accept the elders' decision and in December 2001 he seized Garowe by force, reportedly with Ethiopian support. Jama fled to Bossaso. Both Yusuf and Jama continue to claim the Puntland presidency. **[5a]**

(See also Sections 4.9 - 4.14)

SOUTH WEST STATE OF SOMALIA 2002

3.92 In March 2002, the Rahanweyn Resistance Army (RRA) set up a new regional administration, called the **South West State of Somalia** (SWS), in the Bay and Bakool regions that it controls. The decision to establish the SWS administration was taken at a meeting in Baidoa of the RRA's central committee and over 70 elders from the Digil and Mirifle (Rahanweyn) clans. The meeting elected RRA chairman, Colonel Hassan Mohamed Nur 'Shaatigaduud', as President of the new regional state. **[10t][27]**

3.93 The SWS administration will comprise Shaatigaduud as President, two Vice-Presidents, 19 Cabinet Ministers and 19 Deputy Ministers. Shaatigaduud will serve for an initial four-year period and will consult with elders over the choice of Ministers. The SWS administration will include representatives of the Darod and Dir clans as well as the Rahanweyn. There was speculation that the establishment of the SWS would lead to the demise of the SRRC, of which the RRA is a member. The RRA Governor of Baidoa announced that the RRA would attend peace talks due to take place in Nairobi as the SWS administration but that they would, however, still attend under the SRRC umbrella. **[10t][27]**

3.94 Colonel Shaatigaduud was inaugurated as President of the SWS in early April 2002. He announced the SWS's objective of bringing the regions of Middle Juba and Lower Juba under its authority and stated that force could be used to achieve this. He denied that the establishment of the SWS would undermine the SRRC and stated that it would participate at the forthcoming Nairobi conference either as a 'government' or as part of a political group. He stated that if the Nairobi conference did not take place he was ready to hold talks with the

TNG. [28]

3.95 Fighting between forces loyal to Colonel Shaatigaduud and those loyal to the two RRA Vice-Chairmen, Shaykh Adan Madobe and Muhammad Ibrahim Habsade, broke out in July 2002 in an apparent power struggle between Shaatigaduud and his two deputies. In early October 2002 forces loyal to the two vice-chairmen captured Baidoa from Shaatigaduud. After an initial spate of looting in Baidoa, aimed mostly at businesses of those seen as Shaatigaduud supporters, calm was restored to the town, with most of the militias removed from the town centre. The town of Bur Acaba also fell to the forces of Sheikh Adan and Habsade. Shaatigaduud's forces were reported to be regrouping north of Baidoa. [10v]

(See also Sections 3.38 - 3.41 & 4.21 - 4.23)

4. STATE STRUCTURES

THE CONSTITUTION

4.1 In the absence of a central government there is no functioning national constitution. The self-declared Republic of Somaliland adopted a constitution in 1997 and Puntland and the TNG both have 'charters'. The TNG's transitional charter had not been implemented by the end of 2001. [5a] The TNG's Transitional National Charter effectively serves as a Constitution. The Charter provides for freedom of expression and association and separates the executive, legislature and judiciary, guaranteeing the independence of the latter. [1b] The Charter prohibits the use of torture. [5a]

POLITICAL SYSTEM

General

4.2 Somalia remains, ten years after the fall of Siad Barre in 1991, without a central, functioning or internationally recognised government. Clan-based factions, traditional leaders and militia in different areas of the country have established various local administrations, some unrealistically claiming national authority. Somalia today is a mosaic of fluid, localised political entities with fragile administrative and civil society structures. In some areas, notably Puntland and Somaliland, local administrations function effectively in lieu of a central government. In these areas the existence of local administrations, as well as more traditional forms of conflict resolution such as councils of clan elders, helps to prevent disputes degenerating rapidly into armed conflict. [5b][16][29]

4.3 Somalia is, generally speaking, a country in the process of reconstruction, with the exception of some areas in southern Somalia in which the political situation remains unresolved. Economic activity continues to grow, both at a local level and across clan and faction boundaries. Many regional administrations have functioning administrations, including courts and civilian police forces. Thousands of internally displaced persons and refugees from neighbouring countries have been able to return to their homes in safe areas under arrangements made by the UNHCR with regional authorities. [5b][29][30][31][32][33]

Somaliland (North-Western Somalia)

4.4 The Isaaq-dominated SNM declared the independence of the north-west as the "**Republic of Somaliland**" in 1991. Since then Somaliland has had a functioning administration with its own police, courts and taxes, although it has not received international recognition as a separate state. The SNM authorities have worked with traditional structures and clan elders to establish their administration. To combat crime the government has built prisons in Hargeisa and other towns, partly funded by shopkeepers. An increasingly well-organised and partly uniformed police force of some 4,000 men has been recruited from former militia groups. Scheduled air services link several towns in Somaliland with Djibouti, where they connect with services to many international destinations. Berbera is a thriving and safe port, handling trade from Ethiopia, and the reduction in clan-based tension within Somaliland has allowed the re-opening of many roads. [16][30][31][32][33]

4.5 Since May 1993 Somaliland has had a Cabinet of Ministers and a Parliament with proportional clan representation comprised of two chambers with 75 members each; the House of Representatives and the Council of Elders (the Guurti). A Constitution based on democratic principles was adopted for a three-year period in February 1997. An independent legal authority is based mainly on British common law supplemented on occasion by Islamic law. In May 1999 President Egal approved a resolution allowing the introduction of multi-party politics in Somaliland providing that any new parties are not based on religion or clan. [5b][16][19a] In January 2001, the council of elders voted to extend President Egal's term of office by one year, to February 2003, to allow the opposition time to prepare for elections. [8i]

4.6 Clan tensions within Somaliland have diminished. The Somaliland authorities administer the area around the cities of Hargeisa, Berbera and Boroma but its representation is limited in eastern Somaliland. The Darod Warsangeli and Dulbahante clans have established a semi-autonomous region in eastern Somaliland, effectively governed by regional councils of elders. The SNM has been unable to implement taxation in this region, but there has been no fighting between the Somaliland government and the Darod clans. Opposition Habr Yunis militia handed in weapons in December 1996 as part of an agreement between the Somaliland government and opposition clans for ongoing demobilisation. Clashes in 1997 in the eastern town of Erigavo between the Isaaq Habr Yunis and Habr Jaalo clans were ended after mediation by the Darod clans. In September 1998 over 80 Habr Yunis militiamen joined the official Somaliland security forces. Traditional conflict-solving mechanisms in Somaliland have survived and are used, along with reconciliation conferences, to resolve difficulties. [17][30][31][32][33][34]

4.7 Members of non-Isaaq clans, including the Warsangeli and Dulbahante, are able to pass freely through Somaliland. Non-Isaaq clan members originating from the north-west have been able to settle in Somaliland permanently. Even Ogaden clan members, who had moved into the north-west under Siad Barre's administration, have been able to remain in Somaliland and live without undue harassment. Somalis from southern Somalia and the Bantu minority have been attracted to Hargeisa by the economic recovery and job opportunities. There is free movement between Somaliland and Puntland. While occasional localised clan-based outbreaks of fighting may occur, there is no general clan-based persecution in Somaliland. [16][30][31][32][33][34]

4.8 As with Puntland, the IOM considers that conditions in Somaliland are favourable for the return and reintegration of large numbers of displaced persons that originate from Somaliland. In June 1999 over 1,600 Somalis returned to Somaliland from Ethiopia under an agreement between UNHCR and the Somaliland authorities that provides for the return of 25,000 Somalis during 1999. 48,100 Somalis returned to Somaliland from Ethiopia in 1998. In November 1995 the Somaliland authorities issued a statement explaining their policy on UNHCR repatriations, confirming that any "Somalilander" has the right to return and that other Somalis may transit through Somaliland. The authorities expect infrastructural and rehabilitation assistance in return for facilitating returns. [8g][31][33]

(See also Sections 3.64 - 3.79 for further information on recent developments in Somaliland)

Puntland (North-Eastern Somalia)

4.9 North-eastern Somalia has been the most stable part of the country since the collapse of central government in 1991. The Majerteen-dominated SSDF has controlled the three north-eastern regions of Bari, Nugal and northern Mudug since 1991. Apart from a conflict with Islamic fundamentalists in 1992 and isolated clashes with SNA forces in Galkayo in 1993 there has been no fighting in the north-east. Colonel Abdullahi Yusuf Ahmed of the SSDF is one of the NSC's five co-chairmen. [30][31][32][33]

4.10 The SSDF developed an administrative system which combined the SSDF's own administrative organisation with a complimentary traditional "maamul guddi" administration of clan elders. The three main Majerteen sub-clans share the leadership of the SSDF. A split within the SSDF from 1994 to early 1996, based on Majerteen sub-clans, was resolved and allowed the establishment of a united regional parliament based in Bossaso covering the three north-eastern regions administered by the SSDF. Tensions in the regions of Nugal and Mudug, bordering on Hawiye territory, have diminished. In Galkayo, Mudug region, a joint Majerteen-Habr Gedir (Hawiye) police force was established in 1996. [16][30][31][32]

4.11 The autonomous "Puntland State of Somalia" was proclaimed on 23 July 1998 under the 'Presidency' of SSDF deputy leader Colonel Abdullahi Yusuf Ahmed after a Consultation Conference between the SSDF, the USP and the SNDU. A nine-member Cabinet was appointed in August 1998 and a 69-member Parliament was

inaugurated in September 1998. A charter released in September 1998 advocates Puntland remaining part of a federal Somali state based on regional governments. A constitutional crisis in Puntland in mid-2001 saw Abdullahi Yusuf removed from office by the Supreme Court Chairman. Traditional elders elected a new President, Jama Ali Jama, in November 2001 but Abdullahi Yusuf remained in control of Galkayo and Garowe. *(See also Sections 3.80 - 3.91 for further details in recent developments in Puntland)* [1a][5a][23a][23b][24a][24b]

4.12 A peace agreement was signed in October 1997 between the SSDF and the USC/SNA, which controls the mainly Habr Gedir (Hawiye)-populated southern part of Mudug province. The agreement was marked by a reconciliation parade in Galkayo by Majerteen and Habr Gedir clansmen. Since June 1998, southern Mudug province has been under the temporary administration of Puntland. At a meeting between Puntland leader Abdullahi Yusuf and a USC/SNA representative in August 1998, both sides argued for the strengthening of peaceful cohabitation throughout Mudug. 15 seats in the 51-seat Mudug Regional Council are reserved for the Hawiye. [16]

4.13 The air and sea ports of the main town Bossaso are fully functioning. Galkayo functions as a border town between Puntland and southern and central Somalia, facilitating free trade of goods and the passage of people. Bossaso is a busy port exporting large numbers of livestock from Somalia to Middle Eastern countries. A reliable scheduled air service has linked Bossaso with Djibouti since early 1997. [31][32]

4.14 The SSDF has been the most tolerant of Somalia's factions in allowing persons from other clans to move in and through the territory it administers. A large number of displaced Somalis from differing clans and minority groups from elsewhere in the country have moved to Puntland in recent years, reflecting the relative stability and security of the region. The International Organization for Migration (IOM) has noted that political, economic and social conditions in Puntland are suitable for the return and reintegration of a substantial number of displaced persons. In 1996 the UNHCR facilitated the repatriation of 2,100 refugees from Kenya to Galkayo with the co-operation of the regional authorities. Although the refugees were Majerteen, most originated from southern Somalia rather than from Puntland. [30][31][32][33][34]

Mogadishu (Benadir Region)

4.15 Mogadishu saw fierce fighting between rival factions in the power struggles after Siad Barre's overthrow and, while other areas of Somalia saw a return of relative stability and functioning local administration, the city remained deeply divided, with four main Hawiye clan-based administrations. The leaders of the factions controlling these divisions are Ali Mahdi, USC/SSA, in northern Mogadishu and part of the Bermuda district of southern Mogadishu, Hussein Aideed, USC/SNA, in southern Mogadishu, Ali Ato, head of a breakaway faction of the USC/SNA, in a small part of southern Mogadishu, and Musa Sude, Deputy Chairman of the USC/SSA, in the Medina district of southern Mogadishu. Ali Ato, General Aideed's former financier, became loosely allied with Ali Mahdi following his split with Aideed in 1995 and is also a member of the SSA. His administration is not in conflict with those of Ali Mahdi or Musa Sude. There are also at least three enclaves dominated by various clan groupings but these are allied with one of the four main administrations. [35]

4.16 There can be long periods of relative stability in Mogadishu, but the political landscape of the city is complicated and can be fluid at times, with sudden changes. Security conditions vary widely in different areas of the city. While most areas are firmly under the control of one particular faction or another, there are also violent armed bandits who operate independently of the political clan factions. Economic conditions are difficult and the main air and sea ports are closed because of factional disputes. The nearby port of Merka, controlled by Aideed's USC/SNA, is operational. Both Hussein Aideed's and Ali Mahdi's administrations control airports around the city. Banana exports and port duties from Merka provide income for Aideed's forces and administration. [35]

4.17 As before the civil war, Mogadishu, as the capital city, has a population containing people from virtually all clans and ethnic groups in Somalia, although the majority is Hawiye clan-family members. After Barre's overthrow, reprisals were exacted on members of his Marehan clan, with many leaving the city, but some Marehan have returned and generally do not face persecution. Members of the minority populations, such as the Reer Hamar, the original Benadir population of Mogadishu (known in Somali as Hamar) living in the Hamar Weyne and Shingani districts, and Bantu, found themselves particularly exposed at times of heavy fighting. As with Somalia as a whole, an individual in Mogadishu will be most secure in an area in which his or her clan is able to afford them protection. Members of small clans and minority groups are, inevitably, at more risk, although some minority groups, such as the low-caste Midgan, Tomal, Yibir, Ayle, Jaji and Yahar, who may risk harassment by Somali clans in rural areas, do not necessarily find themselves facing particular human rights or security problems

in Mogadishu. (See also Sections 5.39 - 5.53) [35]

4.18 The Cairo Declaration, signed in December 1997 by various clan factions including the USC/SNA and USC/SSA, was intended to pave the way for the reunification of Mogadishu and Somalia as a whole. The most immediate effect of the Declaration was the beginning of free movement in early 1998 across the green lines that had divided Mogadishu and the holding of joint peace rallies. On 30 March 1998 most of the signatories of the Cairo Declaration met in Mogadishu and agreed on the structure of an administration for the Benadir Region (the Mogadishu area), including ports and judiciary. [1a][8a][8b][15c][36][37][38]

4.19 The new unified civilian administration for the Benadir Region was finally established in early August 1998, with Ali Mahdi and Hussein Aideed as co-chairmen of the new body. 1,300 trainee officers, all former militiamen, in a new police force set up by the unified administration received their first allowances in September 1998. [1a][8c][15b][15d][15e]

4.20 The new police force, made up of 2,162 former militia fighters and 900 ex-members of the former Somali national police force, was deployed in December 1998. In November 1998 the Libyan Government gave US\$800,000 to cover the costs of the new force and Egypt provided uniforms. The force has concentrated its training on dealing with urban banditry. However, by April 1999 most of the police had left their posts as they had not been paid, which was attributed to the inefficiency of the new Benadir administration. Senior police officers met in June 1999 to discuss how to give fresh impetus to the work of the force. [1a][9d][39][40b]

(See also sections 3.35 - 3.37 & 3.51 - 3.62)

South West State of Somalia

4.21 General Aideed's Hawiye USC/SNA forces seized the south-western Bay and Bakool regions in September 1995, ousting the Rahanweyn-supported SDM Supreme Governing Council in Baidoa. Colonel Hasan Muhammad Nur 'Shatigadud', of the Harin sub-clan of the Rahanweyn, set up the Rahanweyn Resistance Army (RRA) to fight for the restoration of Rahanweyn control of the area. The USC/SNA withdrew from the town of Wajid in January 1998 following the Cairo Declaration but did not fulfil its pledge to remove its forces from Baidoa. The RRA captured Huddur in October 1998, prompting thousands to return to the town. In December 1998 the RRA established an administration for Bakool region in co-operation with traditional elders. Fighting spread to Baidoa in January 1999 and in June 1999 the RRA captured the town from the USC/SNA with Ethiopian assistance. RRA forces then began a move towards the coast, capturing Bur Acaba later in June 1999. [1a][1b][5a][7]

4.22 In March 2002, the Rahanweyn Resistance Army (RRA) set up a new regional administration, called the "State of Southwestern Somalia", in the Bay and Bakool regions that it controls. The decision to establish the new regional administration was taken at a meeting in Baidoa of the RRA's central committee and over 70 elders from the Digil and Mirifle clans. The meeting elected RRA chairman, Colonel Hasan Muhammad Nur 'Shatigadud', as President of the new regional state. [10t][27]

4.23 The new administration will comprise Shatigadud as President, two Vice-Presidents, 19 Cabinet Ministers and 19 Deputy Ministers. Shatigadud will serve for an initial four year period and will consult with elders over the choice of Ministers. The new administration will include representatives of the Darod and Dir clans as well as the Rahanweyn. There was speculation that the establishment of the new autonomous state would lead to the demise of the SRRC, of which the RRA is a member. The RRA Governor of Baidoa announced that the RRA would attend peace talks due to take place in Nairobi as the new state but that they would, however, still attend under the SRRC umbrella. However, Shaatigaduud was ousted from Baidoa in October 2002 by forces loyal to his two deputies in the RRA. [10t][10v][27]

(See also Sections 3.38 - 3.41 & 3.92 - 3.95)

Other areas on central & southern Somalia

4.24 Central and southern Somalia, including Mogadishu, witnessed the heaviest factional fighting in the aftermath of Siad Barre's overthrow in 1991. The political situation in many areas remains unresolved. Large parts of central and southern Somalia are much less homogeneous in clan terms than Puntland and Somaliland, which

is reflected in the large number of clan-based militia, some of which control only a small area. There are several regional clan-based administrations, some of which co-operate with neighbouring authorities that permit free movement of people and trade across regional boundaries. Many authorities are comprised of councils of elders, often heavily influenced by a dominant local militia. The security situation varies from area to area but in general a person will be safest in the area controlled by his or her own clan. Small clans and minority groups will be safest in areas where they enjoy the protection of a dominant clan. The areas of greatest conflict are where hostile militia come up against one another, such as Gedo and Lower Juba. [30][33]

4.25 The rival Hawiye factions control much of central and southern Somalia. Members of other clans, such as the Digil and Dir, also live in these areas but are not directly involved in the conflict but, like minority groups, risk becoming victims of hostilities although they are not a target of general persecution by the parties to the conflict. Hussein Aideed's USC/SNA is the most powerful clan militia, although the Habr Gedir clan is outnumbered and the majority of territory under USC/SNA control is not Habr Gedir populated. [16][33]

4.26 Economic activity has increased in central and southern Somalia, in spite of the fluid political situation. Goods are traded across clan and regional boundaries, although banditry remains a problem. Mogadishu and Kismayo ports remain closed and ports such as Bossaso in Puntland have benefited from the subsequent increase in trade as exports are diverted. The Juba and Shebelle river areas were severely affected by floods in late 1997. [33]

4.27 Kismayo has witnessed particularly fierce fighting between rival clans, such as the Marehan SNF and the Ogaden SPM. The Majerteen SSDF, dominant in Puntland, also operates around Kismayo. Rival factions of the SPM, one allied with Hussein Aideed's USC/SNA, the other with the SNF and Ali Mahdi's SSA, controlled different parts of Kismayo. The two sides maintained an uneasy peace from late 1996, with relatively free movement of people and trade between the areas they controlled, until heavy fighting broke out in early November 1998 as the SNF advanced on SPM-held territory. Peace talks were held in Nairobi in November 1998 but tension remained high and many people fled Kismayo. It was reported in January 1999 that the Puntland administration had sent arms to the Darod militia of General Morgan in Kismayo. [9b][18e][18f][18g][33]

4.28 In June 1999 the SNF and allied Habr Gedir forces, grouped together as the Allied Somali Forces (ASF), finally ousted General Morgan's SPM forces from Kismayo. Calm was quickly restored to Kismayo and ASF forces were moved to designated areas outside the town. The ASF appealed for international assistance for Kismayo and assured safeguards for the security of aid workers. (See also Sections 3.43 - 3.47) [9e][15k][19f][19g]

4.29 The **Middle Shebelle region** north of Mogadishu is dominated by the Abgal (Hawiye) clan and politically controlled by Ali Mahdi's USC/SSA. A sizeable Bantu population also lives in the area as well as smaller Hawiye clans. The Bantu were particularly vulnerable during the civil war but are now able to live and move freely in the area. The administrative organisation in the area was established during the UNOSOM period and has functioned effectively since. The area has remained stable since 1994, although localised fighting and banditry may occur. In Jowhar, the main town, a disarmament agreement has proved effective. A police force, set up by UNOSOM in 1994, operates in Jowhar, funded by taxes levied by the local council and is responsible for security rather than clan militia. A Shari'a court was established in Middle Shebelle in 1995. The area suffered severe damage to its infrastructure and agricultural land during the height of fighting in 1990-91 but reconstruction has been underway since 1993. [33]

4.30 The largest clan in the **Hiran region** is the Hawadle (Hawiye), which is allied with Ali Mahdi's Abgal clan and USC/SSA faction. The main town Belet Weyne is an important trading post, both within Somalia and with neighbouring Ethiopia. Aideed's USC/SNA took the town in 1994 but it was recaptured by the Hawadle USC/PM in April 1995, since when the region has remained peaceful, with no serious fighting or clan conflict. The local administration was established by UNOSOM and includes local councils and clan councils of elders. A volunteer police force, established by UNOSOM, is responsible for security. Belet Weyne's Shari'a court also maintains its own police force. Hiran's Shari'a courts use their influence to maintain a balance between legislative and executive bodies and successfully keep public order. The local authorities claim that crime levels have fallen, thereby boosting trade. Somalis of all clans can travel into Hiran region and, with permission, settle there. [16][33]

4.31 The **Galgadud region** adjoining Hiran is also relatively safe, with no reports in 1997 and 1998 of fighting between clans. Galgadud is predominantly Hawiye-populated but there are Marehan territories in the west of the region. [16]

4.32 The **Gedo region** bordering Kenya and Ethiopia has been mainly controlled by the Marehan-based SNF. The al-Ittihad al-Islamia fundamentalist group has been influential in the region between Bardera and Luuq. Ethiopian forces, with the co-operation of the SNF, occupied parts of Gedo in 1996 and 1997 in retaliation for alleged al-Ittihad attacks inside Ethiopia. Ethiopian forces were withdrawn in January 1998. Prior to its conflict with al-Ittihad, the SNF had established an effective administration, with a police force and Shari'a court for the region. Disagreements within the SNF emerged over co-operation with Ethiopia against al-Ittihad, and the SNF has become fragmented. In February 1998 the SNF leader General Omar Hadji Mohamed Hersi defected to support Hussein Aideed and Colonel Abdirizak Issak Bihi replaced him. [15f][15g][15h][15i][33][41]

4.33 A peace pact signed in Gedo region in August 1998 between the SNF and al-Ittihad soon collapsed. The SNF split into two warring factions, with each controlling three districts in Gedo and competing for control of Bardhere district. In April 1999 the leader of one of the factions was assassinated. [1a]

4.34 Ethiopian forces once more entered Gedo region in April 1999 and took control of Bulahow and Dolo. Ethiopia backed SNF Chairman Ahmed Shaykh Buraleh against a rival pro-Hussein Aideed SNF faction led by General Umar Haji Masaleh. In June 1999 Ethiopia occupied the border town of Luuq and in July 1999 advanced to take control of Garba Harre and Burdobo. Ethiopia's moves were seen as part of a wider strategy to establish a buffer zone inside Somalia to prevent Somalia being used by Eritrea as a second front in its border dispute with Ethiopia and by anti-Ethiopian Oromo separatists. [8h][10f][15i][42]

4.35 Many Marehan fled to Gedo from Mogadishu following the fall of Siad Barre and Hawiye reprisals against their clan. Minority groups, such as the Midgan, were particularly vulnerable in Gedo during the height of fighting in 1990-91, but no longer suffer persecution solely on the basis of their ethnicity. The small Asharaf group in Gedo remained aloof from the clan fighting and enjoys a secure position. Fighting in the north of Gedo between the SNF and al-Ittihad has forced many people to relocate to the south of the province. Also present in Gedo are Rahanweyn from Bay and Bakool who left their home regions when they were captured by the USC/SNA in 1995. [33][43]

4.36 The IOM believes conditions for substantial returns of refugees and displaced persons to central and southern Somalia to be marginal in many areas, particularly Gedo and the area between Mogadishu, Huddur and Kismayo, as political and military conflicts remain unresolved. [43]

JUDICIARY

4.37 Until 1991 the Constitution provided for the independence of the judiciary from the executive and legislative powers. Laws were required to conform to the provisions of the Constitution and general Islamic principles. [1a]

4.38 There has been no national judicial system since the fall of Siad Barre's government in 1991. The judiciary is presently organised locally and in most areas is a mixture of traditional and customary justice, Shari'a law and the pre-1991 penal code. Somaliland continues to use the pre-1991 penal code and some district and regional courts, including a "supreme court" in Hargeisa, are functioning. Somaliland bases its laws on British common law supplemented by Shari'a law. In Bardera, Gedo region, courts apply both the pre-1991 penal code and Shari'a, whereas in northern Mogadishu, part of southern Mogadishu, the Lower Shebelle and parts of Gedo and Hiran regions Shari'a law alone is applied. In Bossaso and Afmedow court authorities surrender criminals to victims' families who may exact blood compensation in keeping with Somali tradition. Ali Mahdi and Hussein Aideed, the co-chairmen of the newly established unified administration for the Benadir Region around Mogadishu, in February 1999 urged the implementation throughout the region of Islamic law. 5 Islamic courts operate in Mogadishu, aligned with different sub-clans. [5a][5b][16][30][40a]

4.39 Areas applying Shari'a and traditional and customary legal systems do not usually allow representation by a lawyer or an appeal against their decisions. In Puntland and Somaliland, where the pre-1991 criminal code still generally applies, a lawyer can assist an accused person and there is some form of appeal, even in the Shari'a courts. [5a][16][30]

4.40 The UN Secretary General's Independent Expert on Somalia has identified three main areas of concern with the operation of Shari'a law in Somalia: the expeditious nature of Shari'a law caused by the lack of procedural

rules, which often denies the right of defence, the lack of any right of appeal and the inhuman and degrading nature of most of the punishments, such as summary execution and amputation. [30]

4.41 In June 2001 the TNG announced that Mogadishu's Islamic courts had been nationalised and would henceforth operate under the government's justice ministry. TNG president Abdiqassim made the announcement while presiding over the incorporation of some judges from the Islamic courts into the regular judiciary. The move was an attempt by the TNG to set up a functioning judicial system for Mogadishu. [10u]

MEDICAL SERVICES

General

4.42 Medical care is rudimentary. Before 1991 Mogadishu had four major hospitals and numerous small clinics. With the fighting following the collapse of central government, all hospitals and clinics, except Medina Hospital, were looted, destroyed or occupied by displaced people. Medina is now the only public hospital serving southern Mogadishu. The International Committee of the Red Cross (ICRC) has renovated Medina, which is now well run. Northern Mogadishu is served by Keysaney Hospital, a former prison converted into a hospital by the ICRC. With the collapse of the public health system from 1991 onwards, a number of private medical facilities opened. These private facilities are not regulated, and some are reportedly run by unqualified staff. [44]

4.43 There is an outbreak of cholera every year in Somalia and the disease is endemic in many areas including Mogadishu. To October 2001, 120 cholera deaths had been recorded for the year out of 1,742 cases, making 2001, so far, the mildest outbreak since 1994. Figures to date for 2001 are less than one quarter of those recorded in 2000. UNICEF is active in preventative work on cholera and rehabilitated the cholera ward in Baidoa Hospital in Bay region in 2000. [20][29]

4.44 Diarrhoeal diseases, respiratory infections and malaria account for more than half of all child deaths in Somalia. With immunisation levels at about 30%, measles outbreaks result in many deaths. Somalia remains amongst the countries with the highest incidence of tuberculosis in the world. [29]

HIV/AIDS

4.45 AIDSOM, a group campaigning for AIDS awareness in Somalia, reported in October 2001 that the number of HIV/AIDS cases in Somalia was increasing, particularly in Mogadishu. AIDSOM has offices in Mogadishu, Baidoa and Garbaharrey. AIDSOM has registered 350 cases but doctors believe that the true figure is probably higher. Keysaney Hospital in northern Mogadishu reported 102 cases between 1993 and 2001. There is no compulsory screening for HIV/AIDS in Somalia. UNICEF promotes HIV/AIDS prevention and control awareness raising activities in Somalia and has trained 80 medical staff in managing sexually transmitted diseases. [10i][29]

People with Disabilities

4.46 In the absence of a functioning central state, the needs of people with disabilities are not addressed. There are several NGOs in Somaliland that provide services for people with disabilities. [5a]

EDUCATIONAL SYSTEM

4.47 Most children have had their education disrupted by the disorder of recent years, with 90% of the pre-1991 school infrastructure having been completely or partially destroyed and many staff being displaced. Less than 14% of children are enrolled in primary schools. The few operational primary schools function mainly through community and parental support and all secondary education is confined to highly urbanised areas. Somaliland has only three secondary schools and only 10% of the few children who enter primary school graduate from secondary school. Schools lack books and equipment and teachers are poorly trained and poorly paid. About

40% of teachers are unqualified. The long absence of a central authority has led to a lack of consistency in educational standards. Almost all 14 to 18 year olds are out of school and have no access to education. The lack of educational opportunities and the depressed economy contribute to the use of informal child labour. UNICEF is active in many parts of Somalia, promoting health, education, immunisation and the rights of children. Save the Children opened an office in Hargeisa, Somaliland in June 1999 to promote child protection and improve education for returned refugees. The literacy rate is approximately 25%. [5a][5b][16][20][45]

4.48 Koranic schools have continued to operate since the collapse of central government in 1991. They are primarily religious institutions imparting knowledge of the Holy Koran and do not offer opportunities for secular education. Pilot projects have been initiated for the inclusion of some elements of basic education in selected Koranic schools. [45]

4.49 There is no organised higher education system in most of Somalia. There are two universities in Mogadishu and two in Somaliland. [5a] In March 2000, construction began of the East African University in Bossaso, Puntland. The Puntland administration and local businessman fund the university. Also, the Government of the Malaysian state of Malacca announced in 1999 that it was considering setting up a university in Puntland to provide training for civil servants. A memorandum of understanding was signed between the Puntland administration and the Malacca Foundation College. [1a][46]

5. HUMAN RIGHTS

5A. HUMAN RIGHTS ISSUES

OVERVIEW

5.1 Political violence, banditry and famine since the fall of Siad Barre's government in 1991 have claimed thousands of lives, mostly civilians. Militia and police forces set up by factions have committed numerous human rights abuses. Human rights problems in the absence of a recognised central authority since 1991 have included the lack of political rights, harassment and abuse of minority groups, denial of fair trial and excessively harsh punishments given by courts set up by some faction administrations, arbitrary detention, societal discrimination against women and the almost universal practice of female genital mutilation. [4][5a]

5.2 The rule of law, guarantees of personal security and protection from human rights abuses vary from location to location. Much of the countryside, particularly Somaliland, Puntland and pockets of southern Somalia, are considered safe. Despite the basic perception of Somalia as 'anarchic', basic law and order is in fact the norm in most locations. Indeed, anecdotal evidence suggests that much of Somalia is safer for local residents than is the case in neighbouring countries, although there are shifting zones of very dangerous banditry in places such as Jowhar, the lower Juba valley and parts of Mogadishu. [45]

5.3 Most Somalis ensure their personal safety by residing in the 'home areas' of their clan, where they are assured full status and protection by their kinship group. This may in effect mean a form of internal displacement for some people in Mogadishu, who have to move from their actual homes in the city to traditional clan areas elsewhere. [45]

5.4 Certain minority groups, most notably the Bravanese and Benadiri people, have been particularly disadvantaged and targeted by clan militia since the collapse of central authority in 1991. Politically weak social groups are less able to secure protection from extortion, rape and other human rights abuses by criminal elements of more powerful clans and remain somewhat vulnerable wherever they reside. (See also Sections 5.39 -5.53) [4][5b][45]

HUMAN RIGHTS ORGANISATIONS IN SOMALIA

5.5 UN agencies and international human rights groups are able to operate in Somalia but the poor security

situation in some areas limits their activities. Staff employed by the UN and other international organisations occasionally fall victim to acts of common banditry. Kidnapping of international relief organisations' employees for ransoms has occurred and remains a problem. International organisations are permitted to visit prisons in some areas. UNICEF re-opened its office in Baidoa after the RRA ousted Aideed's forces from the town in June 1999. In March 1999 a female aid worker from the United States working for the United Methodist Committee was murdered in southern Somalia, near the border with Kenya. Ahmed Billie Hassan, leader of the al-Ittihad al-Islamia fundamentalist militia, denied that his group was responsible for the murder. Other groups operating in Somalia are Care, the Halo Trust and various de-mining agencies. Save the Children opened an office in Hargeisa, Somaliland in June 1999 to promote child protection and improve education for returned refugees. Local groups based in Hargeisa are able to operate freely and without harassment. [5b][5c][8e][9c][10e][16]

5.6 An Amnesty International delegation was permitted to visit Somaliland in October 1998. Amnesty conducted a seminar for local human rights NGOs, who appeared free to operate without harassment. Groups such as the Horn of Africa Human Rights Watch Committee and the Guardians for Civil Liberties in Somaliland and the Dr Ismail Jumale Centre in Mogadishu have reasonable freedom to operate and have contacts with Amnesty International. Several local human rights active in Mogadishu protest about the treatment of prisoners by Shari'a courts and organising peace demonstrations. Unidentified gunmen attacked the Dr Ismail Jumale Centre in northern Mogadishu in June 1999 but Ali Mahdi's militia drove off the attack, which it was believed might have been an attempt to take documents on human rights abuses. [5b][5c][5d][8f][16]

FREEDOM OF SPEECH & THE MEDIA

5.7 The Transitional Charter, adopted by the TNA in Mogadishu in 2000 but not implemented by the end of 2001, provides for freedom of speech and the Press. The Somaliland Constitution also provides for freedom of the Press but this right is restricted in practice. The Puntland Charter provides for freedom of the Press but providing the Press "respects the law". In 2001, there were incidents of harassment, arrest and detention of journalists in all areas in Somalia. [5a]

5.8 The major factions in Mogadishu and the Somaliland authorities operate small radio stations. Foreign news broadcasts, including the British Broadcasting Corporation's Somali language service, are widely received. Newspapers are widely circulated and consist of short photocopied dailies, some of which are produced by clan factions while others are independent and often critical of faction leaders. In 2001, the TNG administration in Mogadishu began operating a FM radio station and a new radio station funded by local businesses began operating in southern Somalia. [5a][14g][16] HornAfrik, owned by a local businessman, began broadcasting in 1999, is Somalia's only independent radio and television station. [14g][47]

5.9 There are about 20 newspapers published in Mogadishu, mostly privately owned and independent, such as *Ayaamaha*, *Qaran* and *Xog-Ogaal*. About 40 newspapers are published in Somalia as a whole. The newspapers reflect various shades of opinion and many address human rights issues. Journalists have experienced harassment, including detention, from various factions. Membership of the Somali Independent Journalists' Union was reported to be 217 in 1997, mainly in Mogadishu. There have been regular reports of threats against journalists critical of Hussein Aideed in the area controlled by his USC/SNA. [16][35]

5.10 Somaliland has two independent daily newspapers, one government daily and an English language weekly paper. The editor of the *Jamhuriya* newspaper was detained five times, twice for 15 days, during 1998 after his paper published articles criticising the alleged corruption and incompetence of the Somaliland authorities. He had been detained twice in 1997 for similar reasons. Police also questioned him at least 14 times in 1998 regarding information published in *Jamhuriya*. Generally, the Somaliland administration tolerated criticism by journalists during 2001. [5a][5b][5d]

5.11 In August 1998 the editor of *Iftiinka Africa* newspaper in Boroma, Somaliland was detained after he was accused of publishing a malicious article against the commander of the regional police force. The newspaper ceased operations. Treatment of journalists in Somaliland reportedly improved during 1999. [5b][25e]

5.12 In November 1998, the Puntland authorities banned correspondents of the Somali Service of the British

Broadcasting Corporation (BBC) from entering Puntland, claiming that the BBC was not neutral in Somali affairs and had misrepresented the situation in Puntland. Two journalists from the newspaper *Sahan* and one from the newspaper *Riyaq* were arrested by the Puntland authorities in 1999, reportedly for writing articles critical of the Puntland administration. They were released during the same year. [5a][5b][10e][19h]

5.13 In Puntland in July 2000, a reporter from the *Sahan* newspaper was abducted and beaten by police agents who confined him in a metal container for four hours. He was subsequently released without charge. The incident apparently resulted from an article in which the reporter criticised the Puntland authorities for boycotting the Arta conference in Djibouti. The reporter claimed that his abduction was the fourth such incident in the past year. In October 2000, the Puntland authorities also detained a journalist from the *Jool* newspaper as he was returning from the Arta conference. He was later released without charges. [47]

5.14 In August 2000, the militia of the Islamic court in Merka, Lower Shebelle region, detained the editor of the bi-monthly newspaper *Gaim*, reportedly for publishing a story on the decrease in security in the town. He was released on bail pending trial later the same day. It is not known whether he has since been tried. [5a]

5.15 In February 2001, senior parliamentary officials in Mogadishu barred journalists from covering proceedings of the TNA. [5a]

FREEDOM OF RELIGION

5.16 Islam has been made the "official" religion by some local administrations, including the TNG, Somaliland and Puntland. The overwhelmingly Sunni Muslim majority can view non-Sunni Muslims with some suspicion. In fundamentalist strongholds, such as Luuq in Gedo region, there is strong social pressure to respect Islamic traditions. Islamic Shari'a courts have become the main system of justice in some areas. The tiny Christian population maintains a low profile and Christian-based international relief organisations generally operate unhindered providing they refrain from proselytising. Christians and other non-Muslims who proclaim their religion sometimes face societal harassment. [5a][16]

5.17 Proselytising for any religion except Islam is prohibited by law in Somaliland and Puntland and effectively blocked by informal social consensus elsewhere in Somalia. In 1999, two Ethiopians were detained and deported from Somaliland, for allegedly engaging in Christian missionary activities. Later In 1999, a further seven Ethiopians were arrested in Somaliland for allegedly attempting to proselytise Christianity. They were released in early 2001. In 2000, nine Ethiopians were reportedly detained in Somaliland for one month for engaging in Christian missionary activities. They were deported following their release. [5a][5b]

FREEDOM OF ASSEMBLY & ASSOCIATION

5.18 Public gatherings occur frequently throughout Somalia, usually without incident. In safe areas, such as Somaliland and Puntland, and usually elsewhere in Somalia, there is effective freedom of association and assembly. However, the lack of security in some areas may effectively limit the right of free assembly. Political gatherings would usually require the consent of the dominant clan or political group in the area concerned. Amnesty International reported that in November 1996 20 people were arrested in Hargeisa, Somaliland after a peaceful demonstration against President Egal's administration. They were sentenced to one year's imprisonment, after an allegedly unfair trial, although one of those sentenced was released in December 1996. The rest were freed in January 1997 under an amnesty releasing all political prisoners and captured clan fighters imprisoned in Somaliland in 1996. [5b][6b][6c][16]

5.19 The 1979 Constitution was revoked in 1991 after the fall of Siad Barre's government but proposals to reinstate the 1960 Constitution were abandoned. Somaliland's 1997 Constitution established the right of freedom of association. In a referendum in May 2001, voters in Somaliland approved legislation governing the formation of political parties. Although the Puntland Charter provides for freedom of association, the Puntland administration

banned all political parties for a transitional period of three years, effective from August 1999. [5a][5b][6b]

EMPLOYMENT RIGHTS

5.20 The defunct constitution gave workers the right to form unions, but the civil war and factional fighting negated this right and broke up the then government-controlled General Federation of Somali Trade Unions. Given the political and economic breakdown and the lack of legal enforcement mechanisms, trade unions are unable to function freely. The Somaliland Constitution, the Puntland Charter and the Transitional Charter, adopted by the TNA in 2000 but not implemented by the end of 2001, all establish the right of freedom of association, but no unions or employer organisations yet exist. In 2001, unlike in 2000, labour disputes did not lead to the use of force. [5a]

5.21 Wages and work requirements in traditional Somali culture are established largely by ad hoc bartering, based on supply, demand, and the influence of a worker's particular clan. There has been no organised effort by any of the *de facto* regional administrations or factions to monitor acceptable conditions of work. [5a]

5.22 The pre-1991 Penal Code prohibited forced labour. However, local clan militias generally forced members of minority groups to work on banana plantations without compensation. The pre-1991 Labour Code prohibited child labour, but child labour occurs and there are child militia members. Trafficking in children for forced labour is a problem. Formal employment of children is rare, but youths commonly are employed in herding, agriculture, and domestic work from an early age and substantial numbers of children work. It is estimated that over 40% of children between the ages of years work. The lack of educational opportunities and severely depressed economic conditions contributed to child labour. [5a]

PEOPLE TRAFFICKING

5.23 The pre-1991 Penal Code prohibits trafficking; however, there were some reports of trafficking during the year. In 2000, Djibouti law enforcement authorities arrested members of a group that was smuggling Somali women to destinations such as Lebanon and Syria to work in brothels. The number of women being trafficked from Somalia appears to be small. There were reports that trafficking in children for forced labour is a serious problem. [5a]

FREEDOM OF MOVEMENT

5.24 There is relatively free movement between Puntland and Somaliland and between Puntland and the neighbouring USC/SNA controlled areas to the south. The Hiran and Galgadud regions are also safe to travel in. Reliable scheduled air services are also operating to Puntland and Somaliland from Djibouti. Repatriation of displaced persons generally proceeds unhindered with the improvement in the security situation in many areas, particularly in Somaliland. The ability to travel is effectively restricted in many areas, particularly those in which the political situation remains unresolved. In the areas of continuing conflict in central and southern Somalia rival factions operate checkpoints that restrict movement between and within areas. [5b][16][31][32][33]

5.25 Most Somalis will generally be able to receive the protection of their own clan in areas controlled by that clan. However, there are many thousands of internally displaced persons still living outside their traditional home area, particularly those whose home areas are controlled by rival clan factions. Many Somali clans are present in more than one area of Somalia, and also in areas beyond Somalia's borders, and people displaced from their home area may move to other areas populated by their clan. Somalis are increasingly able to both visit and live in cities outside their clan's traditional domain, but typically as guests of more dominant clans; such arrangements take time to arrange and may sometimes require protection money to be paid. [16][34][45]

5.26 Some areas have provided a safe refuge for people from other clans and minority groups displaced from

elsewhere in Somalia. The Majerteen-led Puntland administration has, for example, permitted Somalis from all clans and non-Somali minority groups, even former supporters of Siad Barre, to move freely through and settle in the area under its control. The SNM administration in Somaliland has allowed Somalis who originate from the north-west and minorities such as the Bantu to settle in its territory. The authorities in the peaceful Hiran region also allow all Somalis to move, and settle with permission, within their territory. Many Marehan living in Mogadishu fled to SNF-controlled Gedo region during the height of fighting after the removal of Barre's administration, although some have since been able to return to Mogadishu. (See also Sections 5.36 -5.53) [16][31][33][34][35]

5.27 As security conditions improve in Somalia, refugees and internally displaced persons continue to return to their homes. However, most properties that were occupied forcibly during the militia campaigns in 1993, particularly in Mogadishu and the Lower Shebelle region, remain in the hands of people other than their pre-war owners. In 1999 some 17,000 Somali refugees returned to Somalia from Ethiopia under UNHCR auspices, leaving some 180,000 Somalis remaining in Ethiopia by October 1999. Some 124,000 Somali refugees remained in Kenya at the end of 1999, down from more than 400,000 in 1992. Some 21,500 Somali refugees were still in Djibouti at the end of 1999. A small number of Ethiopian refugees were still in Somalia at the end of 1999, mainly around Bossaso in Puntland. Repatriation generally proceeded without incident although there were incidents of UNHCR food packages being stolen by militiamen. The Somaliland authorities continued to co-operate with the UNHCR in assisting refugees. [5b]

5.28 In the absence of central government, most Somalis seeking to travel outside Somalia have to arrange travel documents informally. Identity papers and passports can be obtained for payment in the markets of most towns in Somalia and in Djibouti and Nairobi. The Somaliland authorities issue Somaliland travel documents to "Somalilanders". [16]

5B. HUMAN RIGHTS - SPECIFIC GROUPS

WOMEN

5.29 Women and children suffered disproportionately heavily in the fighting following the fall of Barre's administration. Many women, who would traditionally have had the protection of men in their parents' and husbands' clans, have been left to head their families with the breakdown of normal structures. There were large numbers of rapes, abductions and forced marriages of women by the warring militia, especially in 1991-92, which has stigmatised the victims. Most vulnerable have been women who have been internally displaced within Somalia, who have lacked the protection of powerful clan structures, and those from minority clans and ethnic minorities. In 1998 there were no reports of systematic attacks on women in connection with the continuing conflict in certain areas. In April 1999 a domestic human rights group accused militiamen loyal to Hussein Aided of routinely raping women in 15 villages in the Qoroley district to the south-west of Mogadishu. [4][5b][5d][30][31][32][34]

5.30 The position of women in patriarchal Somali society is largely subordinate. While polygyny is allowed polyandry is not. Laws made by the former central government allowed female children to inherit property but only half the amount to which male siblings were entitled. In the traditional practice of blood compensation and under Shari'a law, those found guilty of killing a woman must pay only half as much to the victim's family as they would if the victim was male. While several women are important behind-the-scenes members of various factions, women as a group remain outside of the political process. There are no women holding prominent public positions. Several women's groups in Mogadishu, Hargeisa, Bossaso and Merka actively promote equal rights for women and advocate the inclusion of women in responsible government positions. Somaliland's 1997 Constitution has provisions prohibiting discrimination based on sex and national origin. There are five female representatives out of 69 in the Puntland Parliament. Women played a prominent role in the Arta peace conference in Djibouti that led to the establishment of the Transitional National Government in 2000. 25 seats are reserved for women in the Transitional National Assembly. [5a][5c][12][32]

5.31 Somali women engage in economic activity as producers and traders. Women organised anti-war demonstrations and set up co-operatives and credit associations in order to achieve greater economic independence during the civil war. Women run many local NGOs. [16]

5.32 A widowed woman would usually receive protection from her husband's clan. A widow and her children may be taken in by the direct family of her husband, whose brother, under the 'dumal' principle, would have the opportunity of marrying her. This traditional approach ensures that a widowed woman would only rarely find herself without protection. Although marriage is usually within the same sub-clan, inter-marriage across clan lines does occur. Only in exceptional cases does this present a difficulty for a widow. **[16][32][34]**

5.33 Although technically illegal under Barre's administration, the practice of female genital mutilation (FGM) remains widespread in Somalia with an estimated 98% of Somali women having been subjected to FGM. Infibulation, the most painful form of FGM, is carried out in Somalia. FGM remains illegal in Somaliland under the pre-1991 penal code that still applies there, although the law is not enforced. In 1999, the Puntland authorities passed legislation banning FGM in Puntland, but in practice the law is not enforced strictly. UN agencies and NGOs have made intensive efforts to educate people about the danger of FGM although no reliable statistics are available on the success of their programmes. **[5a][32]**

5.34 Domestic violence against women exists, although there are no reliable statistics on its prevalence. There are no laws that specifically address domestic violence although both customary law and Shari'a law address the resolution of family disputes. Rape is common in inter-clan disputes. Although laws exist prohibiting rape they are not enforced. There are no laws against spousal rape. **[5a]**

CHILDREN

5.35 Children have been major victims in areas affected by fighting. Many boys aged fourteen and fifteen have taken part in and been the victims of attacks by militias. Some youths are members of marauding "Morian" (meaning parasites or maggots) gangs. Somalis are regarded as adults when they reach fifteen and they may then carry weapons. **[5a]**

(see also Sections 4.47 - 4.49 on education)

ETHNIC GROUPS

Somali clans

5.36 The dominant clan in any particular area has generally excluded other clans and minorities from participation in power. An individual will be most secure in an area in which their clan is dominant and able to afford them protection. However, the Majerteen-dominated Puntland authorities have been willing to allow thousands of people from other clans and minorities to live in the territory they administer. Similarly, the Isaaq-dominated Somaliland authorities have been tolerant of non-Isaaq clan members living in their territory, even Ogaden clan members who moved into the area under Siad Barre's administration. The authorities in the central Hiran and Galgadud regions have also proved tolerant of Somalis from other clans and regions travelling into their territories and, with consent, settling there. **[5b][16][31][33]**

5.37 The Rahanweyn clans were largely excluded from political participation in the Rahanweyn-populated Bay and Bakool regions following their capture by General Aideed's Hawiye-based USC/SNA in September 1995, when the Rahanweyn-supported SDM regional administration was ousted. Since then the RRA has fought to reassert Rahanweyn control, capturing Huddur town from the USC/SNA in October 1998 and taking Baidoa in June 1999 with Ethiopian assistance. The RRA set up a new regional administration for Bakool region in December 1998. **[9a][11b][15f][16][33]**

5.38 After the fall of Siad Barre's Marehan-dominated administration in 1991 thousands of Marehan in Mogadishu died in the ensuing fighting at the hands of the Hawiye-dominated USC militia. Many Marehan consequently fled to their home region of Gedo but some have been able to return to Mogadishu and generally do not face persecution. The Galgadud region, where Marehan live in the west of the otherwise mainly Hawiye-populated

region, is regarded as safe and stable, with no reports of clan fighting in 1997 and 1998. [16][33][34][35]

(See also Annex B - Somali Clan Structure)

Minority groups

5.39 More than 80% of the population shares a common ethnic heritage and religion. The largest minority group is the Bantu who, it is believed, may be descended from slaves brought to Somalia some 300 years ago. Since the fall of Barre's government in 1991 the dominant clan in any particular area has generally excluded other groups from effective participation in government. Minority groups have been subject to harassment and abuse by armed militia of various factions. [5a]

5.40 The minority groups were the only people in Somalia who, when Siad Barre was overthrown in 1991, did not have their own armed militia to protect them. It is estimated that in the early 1990s 40% of the population south of Mogadishu belonged to minority groups, not considered to be Somali by the majority population. Warring Somali clans looted their food and property and gross human rights violations, including extra-judicial execution and rape, took place in the subsequent fighting. Bantu groups in the inter-riverine areas between the Juba and Shebelle rivers were caught in the fighting between the forces of Generals Aideed and Morgan. The small Gaalgale (Hawiye) clan, which had been armed by Barre's regime in its final days, was subjected to reprisals by Ali Mahdi's Abgal (Hawiye) clan after Barre's removal. 29 seats were reserved for members of minority groups in the Transitional National Assembly, established by the Arta peace conference in Djibouti in 2000. [4][5c][46]

5.41 The **Benadiri** (an urban people of East African Swahili origin, living mainly in the coastal cities of Mogadishu, Merka and Brava) and **Bravanese** (a people long established in the city of Brava, believed to be of mixed Arab, Portuguese and other descent), suffered particularly badly at the hands of armed militia and bandits as their home areas were fought over by the competing USC factions and the SPM. USC/SNA forces in particular singled out the Benadiri and Bravanese, with a campaign of systematic rape of women. Most homes belonging to the Reer Hamar (a Benadiri people) in Mogadishu have been taken over by members of Hawiye militias. [4][16][32][33][35][48]

5.42 Like the Benadiri and Bravanese, the minority **Bantu** are either remnants of former resident communities, or were taken to Somalia centuries ago as slaves. The Bantu include the Zigua, Zaramo, Magindo, Makua, Manyasa, Mushunguli and Yao people. In addition to their own language the Bantu usually speak broken Somali. Until 1991 they were principally engaged in agriculture in the Juba river delta. [16]

5.43 The Bantu did not take part in the civil war and are therefore not in danger of recriminations or reprisals, but they were displaced by the fighting and often lost their land along the Juba River and in the Middle Shebelle region. The UNHCR believes that many Bantu prefer to resettle in their ancestral lands rather than stay in Somalia. However, many Bantu have returned to the Juba valley where they live both in and outside refugee camps. Bantu have also found work in the construction industry in Somaliland. Bantu also live in the Middle Shebelle region where they move freely without problems. However, one incident reported in 1997 by Amnesty International involved the killing in a village in the Middle Shebelle region of 17 Bantu by faction militias and the rape of seven women. [6b][16]

5.44 The minority Gaboye/Midgan (usually referred to as the **Midgan** but also known as the Madhiban) traditionally settle in areas where they obtain protection from a clan and build up an economic activity. Although minorities have usually been able to avoid involvement in clan disputes they have sometimes come under pressure to participate in fighting in areas of conflict. This happened to the Midgan in Mogadishu following the collapse of the Barre administration, although Midgan and other minority groups who may risk harassment by Somali clans in rural areas do not necessarily find themselves facing difficulties in Mogadishu now. Midgan have been able to settle in Puntland. [16][35]

5.45 The Midgan, or Madhiban, have always been placed at the lower end of Somali society, but their position improves at times of stability and recovery. In some areas their position can even be slightly better than that of so-called 'noble' Somali clans. Midgan can trade freely, although they are usually unable to own property and livestock. [7] Although Midgan may have been easy prey for clan militias during the civil war, their situation improved and Midgan do not face depredation at the hands of militias or face persecution merely because of their ethnic origin. [33]

5.46 The small **Bajuni** population, numbering some 3,000 to 4,000, possibly as many as 11,000, are mainly sailors and fishermen who live in small communities on the coast south of Kismayo and on islands between Kismayo and the border with Kenya. The Bajuni are of mixed Arabic, Bantu, Somali and possibly Malay ancestry. Their principal language is Kibajuni, a dialect of Swahili. Bajuni elders who met with the delegation of a joint British-Danish-Dutch fact-finding mission on Somali minority groups to Nairobi in September 2000 informed the delegation that most Bajuni also speak Somali. The elders stated that younger Bajuni, who have lived mainly in exile, might only have a limited knowledge of Somali but they stressed that they should know at least some key words in Somali as their family elders would have taught them. The elders stated that the Bajuni do not regard themselves as a Benadiri people, although they had some trading links with the Bravanese people. [12][48]

5.47 The Bajuni had traditionally held a low status in Somalia. As Siad Barre's administration collapsed in the early 1990s, the Bajuni were attacked by groups of Somali militia who wanted to force them off the islands. Many Bajuni left Somalia for Kenya, the majority having fled during 1992. Some Bajuni earned money by transporting refugees out of towns such as Brava and Kismayo to Kenya. In Kenya the Bajuni went to the Jomvo refugee camp in Mombasa. When the Jomvo camp was closed in 1997 many Bajuni were returned by the UNHCR to the Bajuni islands, which at the time were considered safe. However, with the fall of Kismayo in 1999 to the allied forces of the SNF and Aideed's SNA, and subsequent attacks on the Bajuni islands, the UNHCR suspended returns. [12][48]

5.48 A visit by a UN official to the Bajuni islands in early 2002 found 3,000 Bajuni families living on the islands, compared to only 50 in 1994, after most Bajuni had fled the invading Marehan. Elders stated that the position of the Bajuni had improved of late. Bajuni were able to return to their home areas, although they were still not able to own boats with engines, only traditional sailing boats. Recent Marehan settlers still have effective control of the islands. Bajuni can work for the Marehan as paid labourers, which is at least an improvement over the period when General 'Morgan's' forces controlled Kismayo and the islands, when the Bajuni were treated by the occupying Somali clans as little more than slave labour. With the Bajuni, their position is more one of denial of economic access by Somali clans than outright abuse. [7]

5.49 Amnesty International regards certain minority groups as vulnerable, including the Bantu, the Benadiri, the Bajuni, the Midgan and other occupational-caste groups such as the **Tomal** and **Yibir** (who claim Jewish ancestry), as well as the agriculturalist Rahanweyn and Digil-Mirifle Somali clans, Ethiopian Oromo refugees and a few Christian converts from Islam who may be at risk from militant Islamists. [6a][6d]

5.50 While many displaced minority groups would not necessarily face persecution on the basis of clan membership or ethnicity were they to return to their home areas, they may well face difficulty in regaining their homes and land which were seized by clan militia which took control of their territories. Members of smaller clans and minority groups such as the Bantu have been able to settle in Somaliland and Puntland. Bantu have been able to find building work in Somaliland as economic recovery continues. As minorities often have skills such as weaving, fishing and building they are often economically better off than ethnic Somalis. Persecution solely on the basis of clan membership or ethnicity is now very unlikely in most areas of Somalia. [16][31][33][34]

Indians in Somalia (Hamar Hindi)

5.51 The small Indian community in Somalia numbered, at the most, 200 families, who were mainly engaged in cloth dying in Mogadishu and, in fewer numbers, Merka. Indians established businesses in Somalia during the 1940s and 1950s. There were also some Indians recruited by the Italians in the 1940s and 1950s as foremen on plantations, mainly around Qoryoley. The Indians were mainly from the Bohora community, which is also present in Mombasa, Kenya, and were mostly Muslims. There had also been approximately 200 Indians in Kismayo at one time but they had left the city, mostly for Mogadishu, by the early 1980s. The Indians were recruited directly from the Indian sub-continent rather than from the established Indian community in former British East Africa. Traditionally, Indians and Somalis were business rivals. Virtually all Indians had left Somalia by the time that Siad Barre's regime fell in 1991, mostly relocating to Mombasa. [7]

5.52 The name "Hamar Hindi", meaning "Mogadishu Indians", was applied to the Indian community in Mogadishu. Indian businesses were concentrated in an area that was also known as Hamar Hindi, a small area near the fish market and national museum, close to the Hamar Weyne district (district names in Mogadishu tend to relate to the original home of the inhabitants, e.g. Shingani is named after an area in Tanzania from where the original inhabitants had been brought as slaves). [7]

5.53 All Indians in Somalia could speak Somali, usually to a good standard but at the very least all would have had a basic command of the language. In the cities, the Indian businessmen would have had to speak Somali to be able to engage in business activities. Likewise, the Indian foremen on the Italian plantations, who each managed between 100 and 150 plantation workers, had to speak Somali in order to communicate with their workforce. Also, under Siad Barre's rule, society was much regulated and a good command of Somali would have been essential for Indians to be able to deal with official bureaucracy. **[7]**

RELIGIOUS GROUPS

5.54 Most Somalis are Sunni Muslims. **[1a][1b][2]** There is a small, low-profile Christian community. Christians and other non-Muslims who proclaim their religion sometimes face societal harassment. **[5a]** At the end of 2000 there were estimated to be around Roman Catholic adherents. **[1b]**

(See also Sections 5.16 - 5.17 on freedom of religion)

CONSCIENTIOUS OBJECTORS & DESERTERS

5.55 Since the collapse of central government in 1991 there have been no national armed forces in Somalia and the national service programme of the former Siad Barre administration therefore no longer applies. Conscription was introduced in Somalia in 1963 but was not implemented until 1986. All men aged between 18 and 40 years old and women aged between 18 and 30 years old were liable to perform national service for a two-year period. There were no provisions for conscientious objection. It is not clear whether the law was enforced systematically and whether women were also conscripted. There were reports of forced conscription by Siad Barre's administration, including recruitment of minors. **[49]**

5.56 There is no tradition of forced recruitment in the various armed Somali clan militias. Militias are apparently able to recruit their members on a voluntary basis. Refusal to join a clan militia would reportedly not have any negative consequences. **[49]**

HOMOSEXUALS

5.57 Homosexual activities are known to exist in Somalia but are rarely mentioned in public. **[14f]** Sexual intercourse with a person of the same sex is punishable under Article 409 of the Somali Penal Code, introduced in 1973, by imprisonment from three months to three years and an "act of lust" other than sexual intercourse is punishable by imprisonment from two months to two years. Under Article 410 of the Somali Penal Code, a security measure, which normally means police surveillance to prevent re-offending, may be attached to a sentence for homosexual acts. **[50]**

5.58 It is not clear whether the laws on homosexual acts apply to lesbian sexual acts. The International Lesbian and Gay Association (ILGA) concludes that, as the Somali Penal Code is based on the Indian Penal Code that applied in the former British Somaliland protectorate, Articles 409 and 410 of the Somali Penal Code probably do not apply to lesbian acts as the Indian laws do not. **[50]**

5.59 In February 2001, it was reported that two women accused of having a lesbian relationship had been sentenced to death by a court in Puntland. The pair were reportedly tried under law based loosely on Islamic Shari'a law. **[14f]** However, in March 2001, the Puntland authorities denied the story. The chief of police described the story as baseless and attributed it to a false story published in the War-Gal newspaper in Bossaso. **[10s]**

JOURNALISTS

5.60 Although the TNG's Transitional Charter, the Somaliland Constitution and the Puntland Charter all provide for freedom of speech and the Press, there were incidents in all areas of Somalia in 2001 of harassment, arrest and detention of journalists. (See further information on journalists in Sections 5.7 - 5.15 on freedom of speech and the media) **[5a]**

PRISON CONDITIONS

5.61 Prison conditions vary from region to region but conditions are generally harsh. Overcrowding, poor sanitary conditions, inadequate health care and the absence of educational and vocational training characterise prisons throughout Somalia. Tuberculosis is widespread. Abuse of prisoners by guards is reportedly common in many prisons. Conditions in the north Mogadishu prison of the Shari'a court system remain harsh and life threatening. **[5a]**

5.62 The Ismail Jumale Centre for Human Rights in Mogadishu visited prisons in the city during 2001. The Somaliland and Puntland administrations permit prison visits by independent monitors. In September 2001, the UN Secretary General's Independent Expert on Human Rights visited prisons in Hargeisa and Mogadishu and reported that conditions had not improved in the three years since his previous visit. **[5a]**

5.63 Juveniles are frequently housed with adult prisoners. Prisoners' clans usually pay the costs of detention. In many areas, prisoners are able to receive food from relatives and relief agencies. Members of minority groups make up a disproportionately large percentage of the prison population. **[5a]**

5.64 Lengthy pre-trial detention in violation of the 1991 Penal Code has been reported in Somaliland and Puntland. In Somaliland a special security committee that included the Mayor of Hargeisa and local prison officials was able to order an arrest without a warrant and sentence persons without a trial. In July 1999 the Somaliland Parliament abolished the emergency law that established special security committees and five men who had been sentenced to prison terms by the committee for disturbing public meetings were released in August 1999. **[5b]**

ANNEX A - CHRONOLOGY

26.6.1960 - Independence of British Somaliland protectorate

1.7.1960 - Merger of former British Somaliland and Italian-administered UN Trust Territory of Somalia as the independent Somali Republic; Somali Youth League (SYL) leads coalition government headed by President Aden Abdullah Osman with Dr Abd ar-Rashid Ali Shirmarke as Prime Minister

1964 - Dr Shirmarke replaced as Prime Minister by Abd ar-Razak Hussein who forms an all-SYL cabinet; territorial dispute with Ethiopia over Ogaden district leads to armed clashes

6/1967 - Dr Shirmarke becomes President; Mohamed Ibrahim Egal appointed Prime Minister

15.10.1969 - President Shirmarke assassinated

21.10.1969 - Military coup led by Commander-in-Chief Major-General Mohamed Siad Barre; Supreme Revolutionary Council (SRC) proclaims Somali Democratic Republic; Barre vows to eliminate clanism

10/1970 - Barre declares Somalia a socialist state and embarks upon programme of 'scientific socialism'

1976 - SRC dissolved, replaced by Somali Revolutionary Socialist Party with Barre as Secretary-General

27.6.1977 - Former French Somaliland becomes independent Republic of Djibouti

7/1977 - Somalia invades Ogaden district of Ethiopia; Soviet Union switches allegiance from Somalia to Ethiopia

3/1978 - Ethiopia regains Ogaden with Soviet and Cuban assistance; large numbers of refugees enter Somalia from Ethiopia

1980 - Barre officially becomes President of Somali Democratic Republic

1982 - Barre's Marehan clan consolidates grip on power

1981 - Formation of Majerteen-dominated opposition group DFSS (later becomes SSDF) and Isaaq-dominated SNM

7/1982 - DFSS guerrillas invade central Somalia and occupy two towns but invasion repelled by Government forces; severe reprisals against Majerteen clan

2/1983 - Mutiny in northern areas

11/1984 - Barre assumes all powers of government

12/1986 - Barre sole candidate in presidential election - rule confirmed for further 7 years

1987 - Increase in attacks on military targets by insurgents

4/1988 - Peace accord with Ethiopia; withdrawal of Ethiopian support for Somali insurgents

5/1988 - SNM invades north-western Somalia, occupying Burao and part of Hargeisa

6/1988 - Fierce counter-offensive by Government forces, led by General Morgan, against SNM in north-west; Hargeisa virtually destroyed, killing 40,000; 400,000 flee to Ethiopia

7/1989 - 400 protestors killed in anti-Government demonstrations organised by Hawiye USC in Mogadishu

8/1989 - Barre loses support of Ogaden clan; clashes with Ogaden SPM militia in south, fighting alongside USC forces; Barre offers to relinquish power

1/1990 - Barre dismisses his government but opposition refuses to take posts in new administration

8/1990 - USC, SNM and SPM co-ordinate military campaigns to overthrow Barre

11/1990 - SPM seizes Kismayo

1/1991 - USC forces led by General Aideed capture Mogadishu; SNM takes control of north-west

27.1.1991 - Barre flees Mogadishu

29.1.1991 - USC's Ali Mahdi proclaimed temporary President but SNM and SPM oppose his appointment

3/1991 - Increasing divisions along clan lines; opposition groups refuse to participate in USC-organised national conference

5/1991 - Fall of Mengistu regime in Ethiopia

16.5.1991 - SNM declares independence of "Republic of Somaliland" in north-west; SNM Chairman Abd ar-Rahman Ahmed Ali `Tur' declared President of breakaway state

6/1991 - Differences within USC, mainly along clan lines, emerge as supporters of Ali Mahdi and General Aideed clash in Mogadishu

6/1991 - Conference of national reconciliation held in Djibouti, attended by USC, SDM, SPM and DFSS; SNM refuses to participate

7/1991 - Second conference held in Djibouti, joined by SDA and USF; the 6 participants declare intention of defeating Barre's SNF and implementing cease-fire; Ali Mahdi confirmed as President for 2-year period

7/1991 - USC Central Committee elects General Aideed as its Chairman

18.8.1991 - Ali Mahdi sworn in as President

9/1991 - Armed clashes in Mogadishu between rival USC factions leave 300 dead

11/1991 - Aideed supporters capture most of Mogadishu, forcing Ali Mahdi to flee, but Ali Mahdi regains northern Mogadishu by end of month

12/1991 - Ali Mahdi asks UN to send peacekeeping force

1/1992 - General Aideed opposes UN involvement and sets up his own administration; UN imposes arms embargo on Somalia

3/1992 - Escalation of violence in Mogadishu - 14,000 dead; inter-clan rivalry leads to clashes in Somaliland, which last until 10/1992

4/1992 - SNF's advance on Mogadishu repelled by Aideed's forces; Barre flees Somalia (dies in Nigeria in 1995)

4/1992 - UN sets up UNOSOM

5/1992 - Aideed forms SLA military alliance with other groups including SPM and SDM, which captures Kismayo from SNF

6/1992 - SLA in control of large area of southern and central Somalia; UNOSOM deploys 50-man observer group

8/1992 - SLA forms SNA, headed by Aideed; Ali Mahdi in alliance with anti-Aideed groups, including SSDF and faction of SPM; UNOSOM deploys 500 troops to protect UN personnel and escort food supplies

12/1992 - 1,800 strong US-led force takes control of Mogadishu's port and airport; Ali Mahdi and Aideed sign peace agreement under US auspices, but agreement soon broken

1/1993 - 33,000 UNITAF troops in Somalia; UN-organised peace negotiations in Addis Ababa attended by 14 groups

2/1993 - UNITAF forces clash with SNF in Kismayo and with armed youths in Mogadishu

3/1993 - UN-sponsored reconciliation conference in Addis Ababa; UN sets up UNOSOM II, with reduced US role; UNOSOM II tasked with enforcing peace and institution-building

4/1993 - SNF recaptures Kismayo

5/1993 - Belgian UN troops clash with SPM around Kismayo; Mohamed Ibrahim Egal replaces Tur as President

of Somaliland; Tur denounces Somaliland's secession

6/1993 - Aideed's forces kill 24 Pakistani UN troops in Mogadishu - UNOSOM retaliates with air strikes; UN Security Council issues warrant for Aideed's arrest but he evades capture; clashes between UN forces and Somali militia cause many civilian deaths

9/1993 - 18 US troops and 300 Somalis die in clashes in Mogadishu leading to US reappraisal of its role and decision to withdraw US forces by 3/1994

11/1993 - Ali Mahdi assumes leadership of SSA alliance

3/1994 - Cease-fire agreement signed in Nairobi between SSA and Aideed but agreement soon broken

6/1994 - Further heavy fighting in Mogadishu between Aideed and Ali Mahdi supporters

7/1994 - Aideed's forces take control of Belet Weyne from Hawadle (Hawiye) clan

10/1994 - Fighting between Ali Mahdi's forces and Murosade clan in Mogadishu, lasting to 1/1995

2/1995 - UN forces withdraw from Mogadishu headquarters; fighting between rival USC/SNA factions (led by Aideed and Ali Ato) for control of airport

3/1995 - End of UNOSOM intervention - 136 UN personnel and hundreds of Somalis killed in UN operation, which failed to bring peace, but which did provide significant famine relief and establish local administrations in many areas

6/1995 - Divisions within USC/SNA become apparent - Ali Ato faction breaks with Aideed and loosely allies itself with Ali Mahdi; Aideed declares himself President but is recognised only by Libya

9/1995 - Aideed's forces capture Baidoa

10/1995 - Ali Mahdi and Ali Ato supporters ban banana exports to deny Aideed revenue

1/1996 - Aideed's forces capture Huddur

7/1996 - General Aideed fatally wounded in clashes in Mogadishu

8/1996 - General Aideed dies on 1.8.1996; replaced as "President" by his son Hussein Aideed on 4.8.1996

10/1996 - Hussein Aideed, Ali Mahdi and Ali Ato attend peace talks in Nairobi - cease-fire agreed but broken by Ali Ato's forces

12/1996 - OAU, IGAD and Ethiopian Government-backed talks involving 26 Somali factions held in Sodere, Ethiopia

1/1997 - Sodere talks lead to formation of National Salvation Council (NSC) to create transitional government - Aideed and SNM not involved in process; Aideed and Ali Mahdi hold talks on implementation of Nairobi agreement but hostilities resume in 2/1997

3/1997 - League of Arab States and Egyptian Government-sponsored talks held in Cairo

5/1997 - Aideed and Ali Ato hold talks in San'a, Yemen

11/1997 - Aideed and Ali Mahdi jointly chair talks in Cairo

- 12/1997** - Cairo Declaration signed between Aideed and NSC factions - provides for cease-fire, reunification of Mogadishu and a reconciliation conference as prelude to transitional government and new constitution; conference supposed to commence in Baidoa in 2/1998 after withdrawal of Aideed's forces from the town
- 1/1998** - USC faction leaders agree to re-opening of Mogadishu's air and sea ports, demobilisation of clan militia and dismantling of green lines
- 2/1998** - Large peace rally in Mogadishu attended by Hussein Aideed, Ali Mahdi and Ali Ato; free movement begins as green lines dismantled; however, Aideed's forces still occupying Baidoa and reconciliation conference postponed to 31.3.1998, raising doubts over the future of the Cairo peace process
- 3/1998** - Aideed and Ali Mahdi sign agreement on structure of Benadir (Mogadishu area) regional administration; Baidoa conference postponed (again) to 15.5.1998
- 7/1998** - Autonomous "Puntland State of Somalia" declared in SSDF-administered north-east
- 8/1998** - Unified civilian administration established for Benadir Region (Mogadishu) under co-chairmanship of Ali Mahdi and Hussein Aideed; Ali Ato denounces new authority but city remains calm
- 8/1998** - Peace deal agreed between SNF and al-Ittihad in Gedo region; Ethiopian forces cross border into Gedo but withdraw the next day
- 8/1998** - Nine-member Cabinet appointed by Puntland's "President", Colonel Abdullahi Yusuf Ahmed
- 9/1998** - World Food Programme warns of impending humanitarian crisis in southern Somalia owing to food shortages
- 9/1998** - New police force in Mogadishu made up of demobilised militiamen receives first allowances; Habr Yunis clan militia incorporated into Somaliland's 'national' security forces; 10,000 Somalis voluntarily repatriated to Somaliland from Ethiopia
- 9/1998** - 69-member Puntland Parliament inaugurated; Puntland charter released, advocating federal structure for Somalia; Ethiopia donates military equipment to Puntland administration
- 10/1998** - RRA captures Huddur from USC/SNA; thousands return to Huddur, prompting food shortages
- 11/1998** - Heavy fighting in Kismayo between SNF and SPM; peace talks commence in Nairobi between SNF and SPM; many flee Kismayo; Medina Hospital in Mogadishu reopens
- 12/1998** - RRA establishes new regional administration for Bakool region; new 3,000-strong police force deployed by unified administration in Mogadishu
- 1/1999** - Fighting between RRA and USC/SNA spreads to Baidoa
- 2/1999** - Ethiopia reportedly supplies arms to RRA; RRA alleges that 60 civilians massacred by USC/SNA forces in Baidoa area
- 4/1999** - Ethiopia enters Gedo region, taking control of Bulahow and Dolo, as effects of Ethiopia-Eritrea border war spill over into Somalia
- 5/1999** - Fresh fighting for Kismayo between pro-Aideed SNF faction and Morgan's SPM forces
- 5/1999** - Fighting in Gedo region between rival factions of SNF, with Ethiopian involvement
- 5/1999** - President Egal approves resolution allowing for the introduction of multi-party politics in Somaliland

6/1999 - RRA ousts USC/SNA from Baidoa, with Ethiopian assistance; RRA advances to take Bur Acaba and closes in on Aideed's airstrip at Balidoogle

6/1999 - SNF and allies in ASF grouping take Kismayo from General Morgan

6/1999 - Ethiopian forces take Luuq

7/1999 - UNICEF re-opens office in Baidoa as RRA consolidates its hold

7/1999 - Ethiopian forces advance in Gedo region to take Garba Harre and Burdobo

5/2000 - Peace conference opens at Arta, Djibouti attended by clan elders and other leaders of Somali civil society

8/2000 - Arta peace conference elects members to Transitional National Assembly (TNA), a new clan-based parliament for Somalia; TNA elects Abdiqassim Salad Hassan as interim President of Somalia

9/2000 - Abdiqassim visits Baidoa and Mogadishu, without opposition from clan-faction leaders

12/2000 - North Mogadishu 'warlord' Hossein Haji Bod declares his support for Abdiqassim's Transitional National Government (TNG)

12/2000 - 10,000 former soldiers recruited by TNG to form new national army

3/2001 - Hussein Aideed and other warlords opposed to the TNG set up rival Somali Reconciliation and Restoration Council (SRRC)

5/2001 - Referendum in Somaliland endorses new Constitution and independence of Somaliland and provides for political parties and elections

6/2001 - Juba Valley Alliance (JVA), a pro-TNG grouping, establishes new regional administration in Kismayo

6/2001 - Abdullahi Yusuf seeks three-year extension to term of office as Puntland President but declared unconstitutional by Puntland Supreme Court; Supreme Court Chairman Yusuf Haji Nur assumes Puntland presidency

7/2001 - Puntland elders back Yusuf Haji Nur's removal from office of Abdullahi Yusuf

7/2001 - President Egal of Somaliland founds new party, Allied People's Democratic Party (UDUB)

8/2001 - Fighting in Bossaso, Puntland - Abdullahi Yusuf retreats to Galkayo; conference on Puntland constitutional crisis opens in Garowe

8/2001 - General Morgan's forces recapture Kismayo but JVA drives them out the next day; JVA goes on to take Bu'aale from Morgan

10/2001 - Interim Puntland President denies existence of al-Ittihad bases in Puntland

10/2001 - Seven political parties legally registered in Somaliland ahead of elections due in 2002

10/2001 - TNG of PM Ali Khalif Galayadh voted out of office by TNA - Abdiqassim remains interim President and will appoint new PM and administration

11/2001 - Jama Ali Jama chosen as new President of Puntland

12/2001 - Abdullahi Yusuf captures Garowe, forcing Jama Ali Jama to flee to Bossaso

1/2002 - term of office of Somaliland's President Egal extended to 2/2003, postponing elections

3/2002 - RRA establishes new autonomous region - "State of Southwestern Somalia" - in Bay & Bakool regions

5/2002 - Death of President Egal of Somaliland; Vice-President Riyale becomes new president of Somaliland

10/2002 - IGAD-sponsored peace conference opens in Eldoret, Kenya, attended by TNG, SRRC and other key factions

ANNEX B - SOMALI CLAN STRUCTURE

MAJOR SOMALI CLAN-FAMILIES:

1. DIR:

Issa
Gadabursi
Bimal

2. ISAAQ:

Habr Awal:

Saad Muse
Issa Muse
Ayub

Habr Garhadjis:

Habr Yunis
Aidagalla
Arab

Habr Jaalo (Habr Toljaalo):

Mohamed Abokor
Ibrahim
Muse Abokor
Ahmad (Toljaalo)

3. DAROD:

Marehan
Ogaden

Harti Confederation:

Majerteen
Dulbahante
Warsangeli

4. HAWIYE:

Hawadle
Waadan
Habr Gedir
Abgal
Murosade
Gaalgale

5. DIGIL:

Dabarre
Jiddu
Tunni
Geledi
Garre

6. RAHANWEYN:

33 clans in two loose alliances:

The "Eight":

Maalinweyna
Harien
Helleda
Elai, and others

The "Nine":

Gassa Gudda
Hadama
Luwai
Geledi, and others

[31]

(See annexes C and D for political factions, mostly clan-based, and prominent people)

For further detailed information on the Somali clan system refer to Annex 1 to the Netherlands Situation in Somalia report of 1997 (source [32]) and Annex 3 to the Report of the Joint British, Danish and Dutch Fact-Finding Mission to Nairobi, Kenya on Minority Groups in Somalia, September 2000 (source [12])

ANNEX C - POLITICAL ORGANISATIONS

Al-Ittihad al-Islamia (Islamic Union Party) - radical Islamic group aiming to unite Somalis in Somalia and surrounding states in an Islamic State; based in Gedo region; opposed by SNF and Ethiopian government; outside of Sodere and Cairo peace efforts; thought to support terrorist activities in Ethiopia and linked to Osama bin Laden's terrorist network

Allied People's Democratic Party (UDUB) - Somaliland party established 7/2001 by late President Egal of Somaliland in preparation for elections in 2002

Allied Somali Forces (ASF) - alliance of SNF faction and others that captured Kismayo from General Morgan's

SPM forces 6/1999; became the Juba Valley Alliance

Juba Valley Alliance (JVA) - pro-TNG grouping of Marehan, Ogadeni and Habr Gedir factions that controls Kismayo (formerly the ASF)

Northern Somali Alliance (NSA) - founded 1997 as an alliance between USF and USP

Rahanweyn Resistance Army (RRA) - established 1995 to resist occupation of Rahanweyn-populated Bay & Bakool regions by Aideed's USC/SNA; captured Huddur 10/1998 and Baidoa 6/1999; set up autonomous State of Southwestern Somalia in 3/2002; backed by Ethiopia

Somali African Muki Association (SAMO) - represents Bantu minority population; member of SSA

Somali Democratic Alliance (SDA) - founded 1989; represents Gadabursi (Dir) clan in north-west; fought with Siad Barre's forces against SNM and opposes secession of Somaliland; led by Mohamed Farah Abdullah; member of SSA

Somali Democratic Movement (SDM) - a militarily weak group representing Digil/Rahanweyn clan families; split in 1992 into 2 factions: pro-Ali Mahdi/SSA faction led by Abdulkadir Mohamed Adan and pro-Aideed/SNA faction led by Adam Uthman Abdi (Chairman) and Dr Yasin Ma'alim Abdullahi (Secretary-General)

Somali Eastern and Central Front - founded 1991; opposes SNM's secessionist policies in Somaliland; Chairman Hirsi Ismail Mohamed

Somali National Alliance (SNA) - coalition founded in 1992 by General Aideed comprising his faction of USC, a faction of SDM, Omar Jess' faction of SPM and SSNM (which withdrew in 1993); led by Hussein Aideed following Gen Aideed's death

Somali National Democratic Union (SNDU) - small group established 1992 representing two small Darod clans in Galgadud region of central Somalia; led by Ali Ismail Abdi; allied with Ali Mahdi's USC/SSA; participated in 1998 discussions with SSDF and USP to set up Puntland state

Somali National Front (SNF) - founded 1991 in southern Somalia by Siad Barre loyalists; represents Marehan clan; seeks restoration of SRSP government; controls most of Gedo region; member of SSA; leader General Omar Hadji Mohamed Hersi defected to Aideed and replaced by Colonel Abdirizak Issak Bihi in February 1998; backed by Ethiopia, particularly in its conflict with al-Ittihad al-Islamia

Somali National Movement (SNM) - founded in London 1981; represents Isaaq clan-family; guerrilla group, initially supported by Ethiopia, until 1991 when took control of north-west, proclaiming independence of Republic of Somaliland; leads government of Somaliland, led by Mohamed Ibrahim Egal

Somali National Union (SNU) - minor group representing non-ethnic Somalis; member of SSA

Somali Patriotic Movement (SPM) - founded 1989 by Colonel Omar Jess; represents Ogaden clan in south; divided into 2 factions, one led by Adan Abdullahi Nur Gabeeyow and allied with General Morgan, and member of SSA, the other led by Gedi Ugas Madhar allied with USC in SNA

Somali People's Democratic Union - founded 1997; breakaway group from SSDF; led by Mohamed Jibril Museh

Somali Reconciliation & Restoration Council (SRRC) - grouping of 'warlords' opposed to the TNG, established 3/2001, five co-chairman, Hussein Aideed first chairman

Somali Revolutionary Socialist Party (SRSP) - from 1976 to 1991 the sole legitimate political party under Siad Barre's administration; SNF seeks restoration of SRSP government

Somali Salvation Alliance (SSA) - grouping of 12 anti-Aideed factions formed 1993, led by Ali Mahdi: USC/SSA, SAMO, SNU, USF, SDA, SDM, SPM, SSDF, SNDU, SNF, SSNM and the Ali Ato faction of the USC/SNA

Somali Salvation Democratic Front (SSDF) - founded 1981 as Democratic Front for the Salvation of Somalia (DFSS) as a coalition of 3 factions; represents Majerteen clans in north-east; has formed administration of north-east since 1991 & declared "Puntland State of Somalia" in 7/1998; smaller SSDF group operates in Kismayo in alliance with SNF against SNA; member of SSA; Chairman General Mohamed Abshir, deputy Colonel Abdullahi Yusuf Ahmed ('President' of Puntland from 7/1998)

Somali Youth League (SYL) - founded 1943 in former Italian Somaliland; dominated governments of independent Somali Republic 1960 to 1969; removed from power by Siad Barre's military coup

Southern Somali National Movement (SSNM) - based on southern coast mainly representing Bimal (Dir) clan; set up under Aideed's sponsorship to support Omar Jess' SPM against SNF; part of SNA 1992-93; allied with Ali Mahdi from 1993; member of SSA; Chairman Abdi Warsameh Isar

Transitional National Government (TNG) - established as a result of the Arta peace conference in 2000; in process of establishing its authority in Mogadishu; led by interim President Abdiqassim Salad Hassan

UDUB - see Allied People's Democratic Party

United Somali Congress (USC) - founded 1989 in central Somalia; represents Hawiye clans; overthrew Siad Barre in Mogadishu in 1991 but subsequently divided into factions:

-**USC/SNA [1a]** - led by General Aideed and from 1996 his son Hussein; represents Habr Gedir clan; controls southern Mogadishu, Merka, Brava and large parts of Bay and Bakool regions

-**USC/SNA [2]** - dissident Habr Gedir USC/SNA faction expelled from SNA in 1995, led by Ali Ato; controls small part of southern Mogadishu; loosely allied with USC/SSA

-**USC/SSA** - led by Ali Mahdi; represents Abgal clan; controls northern Mogadishu; part of NSC

United Somali Congress/Peace Movement (USC/PM) - based on Hawadle (Hawiye) clan; controls most of Hiran region and a very small area around Benadir Hospital in Mogadishu; allied with Ali Mahdi and Musa Sude; member of SSA; led by Colonel Omar Hashi Aden

United Somali Congress - small Murosade (Hawiye) clan faction which controls the Wardhigley district of northern Mogadishu, independent of both Ali Mahdi's and Hussein Aideed's USC factions; led by Abdullahi Moalim

United Somali Front (USF) - founded 1989; a marginal group representing Issa (Dir) clan in north-west and opposed to SNM; member of SSA; led by Abd ar-Rahman Dualeh Ali (Chairman) and Mohamed Osman Ali (Secretary-General); allied with USP in 1997 to form NSA

United Somali Party (USP) - represents Darod clans who oppose SNM's secessionist policies in Somaliland; led by Mohamed Abdi Hashi; allied with USF in 1997 to form NSA; participated in 1998 discussions with SSDF and SNDU to set up Puntland state

ANNEX D - PROMINENT PEOPLE

- Adam Uthman **Abdi** - Chairman of SDM/SNA; Rahanweyn clan

- **Abdiqassim** Salad Hassan - elected interim President of Somalia for three years by Transitional National

Assembly (TNA) following Arta conference in Djibouti 5-8/2000, former Minister of Interior & Deputy Prime Minister under Siad Barre, Habr Gedir (Hawiye) clan, sub-clan Ayr

- Mohamed Farah **Abdullah** - leader of SDA; Gadabursi (Dir) clan
- Dr Yasin Ma'alim **Abdullahi** - Secretary-General of SDM/SNA; Rahanweyn clan
- General Mohamed **Abshir** - SSDF leader (Chairman); Majerteen (Darod) clan
- Abdulkadir Mohamed **Adan** - leader of SDM/SSA, one of 5 co-chairmen of NSC; Rahanweyn clan
- Hussein Mohamed **Aideed** - son of General Aideed who succeeded him as Chairman of USC/SNA, and self-styled 'President' of Somalia, in 1996; first chairman of SRRC 2001; Habr Gedir (Hawiye) clan
- General Mohamed Farah **Aideed** - military commander of USC, Chairman of SNA; declared himself 'President' of Somalia 1995; died 1996; Habr Gedir (Hawiye) clan
- Abd Ar-Rahman Dualeh **Ali** - Chairman of USF; Issa clan
- Mohamed Osman **Ali** - Secretary-General of USF; Issa clan
- Osman Hassan Ali '**Ato**' ('Ali **Ato**') - former aide of General Aideed and leader of breakaway USC/SNA faction, loosely allied with Ali Mahdi's USC/SSA, heads administration in small area of southern Mogadishu; one of 5 co-chairmen of NSC; Habr Gedir (Hawiye) clan
- Colonel Hassan Dahir **Aweys** - commander of al-Ittihad al-Islamia fundamentalist militia
- Major-General Mohamed Siad **Barre** - military ruler 1969-80, Chairman of SRC 1969-76, Secretary-General of SRSP 1976-91, President of Somali Democratic Republic 1980-91; died in exile 1995; Marehan (Darod) clan
- Colonel Abdirizak Issak **Bihi** - SNF leader from February 1998, replacing General Omar Hadji Mohamed Hersi
- Hossein Haji **Bod** - North Mogadishu 'warlord' and former deputy of Ali Mahdi; declared his support for the TNG in 12/2000
- Mohamed Ibrahim **Egal** - Prime Minister of British Somaliland before independence, Prime Minister of Somali Republic 1967-69, President of "Republic of Somaliland" 5/1993 until his death in office 5/2002; Habr Awal (Isaaq) clan
- Hassan Abshir **Farah** - TNG Prime Minister 11/2001 to present (replaced Ali Kalif Galayadh); former Puntland interior minister
- General Adan Abdullahi Nur '**Gabeeyow**' - SPM/SSA, Kismayo-based, one of 5 co-chairmen of NSC; Ogaden (Darod) clan
- Ali Kalif **Galayadh** - appointed interim Prime Minister of Somalia by interim President Abdiqassim Salad Hassan 10/2000 but removed from office 10/2001 following no-confidence vote in TNA, Dulbahante (Darod) clan
- Mohamed Abdi **Hashi** - leader of USP; Darod clan
- Ahmed Billie **Hassan** - leader of al-Ittihad al-Islamia
- General Omar Hadji Mohamed **Hersi** - former leader of SNF, realigned behind Hussein Aideed February 1998; replaced as SNF leader by Colonel Abdirizak Issak Bihi

- Abd ar-Razak **Hussein** - Prime Minister of Somali Republic 1964-67; Darod clan
- Seyyid Abdullah **Issa**, SYL leader - 1st Prime Minister of Somali Republic
- Jama Ali **Jama** - elected President of Puntland by traditional elders 11/2001, opposed by Abdullahi Yusuf
- Colonel Ahmad Omar **Jess** - set up SPM in 1990, allied his faction of SPM with General Aideed 1991 onwards
- Gedi Ugas **Madhar** - Chairman of SPM/SNA; Darod clan
- Ali Mahdi Mohamed ('Ali **Mahdi**) - temporary President appointed by USC 1991, leader of faction of USC, chairman of SSA and one of 5 co-chairmen of NSC; Abgal (Hawiye clan)
- General Omar Haji **Masalle** - SNF leader, defected to Hussein Aideed February 1998 and replaced by Abdirizak Issak Bihi
- Abdullahi **Moalim** - leader of small Murosade (Hawiye) United Somali Congress in northern Mogadishu, independent of Ali Mahdi's and Hussein Aideed's USC factions
- General Mohamed Siad Hersi '**Morgan**' - son-in-law of the late Siad Barre, led campaign against SNM in Somaliland in late 1980s and responsible for the destruction of Hargeisa, former leader of SNF, allied to General Adan Abdullahi Nur Gabeeyow's faction of SPM; Majerteen (sub-clan Abdirahim)
- Yusuf Haji **Nur**, Chairman of the Puntland Supreme Court, assumed position as interim President of Puntland 6/2001 to 11/2001 after Abdullahi Yusuf removed from office in constitutional crisis
- Dr Aden Abdullah **Osman** - 1st President of Somali Republic 1960-67
- Dahir **Riyale** Kahin - President of Somaliland 5/2002 to present; succeeded President Egal upon the latter's death; formerly Egal's Vice-President
- Yusuf Haji **Sa'id** - elected as speaker of Puntland's 'parliament' 9/1998
- Colonel Hassan Mohamed Nur '**Shaatigaduud**' - leader of the RRA; Rahanweyn clan (Harin sub-clan); elected as President of South West State of Somalia 3/2002
- Dr Abd ar-Rashid Ali **Shirmarke** - 2nd Prime Minister of Somali Republic 1960-1964, President 1967-69, assassinated; Darod clan
- Musa Sude Yalahow (Muse **Sude**)- Deputy Chairman of USC/SSA, heads administration in Medina district of southern Mogadishu; Abgal (Hawiye) clan (Wabudan sub-clan)
- Abd ar-Rahman Ahmed Ali '**Tur**' - SNM Chairman and 1st President of "Republic of Somaliland" 1991-93, later allied with Aideed administration; Habr Yunis (Isaaq) clan
- Colonel Abdullahi Yusuf Ahmed (Abdullahi **Yusuf**) - SSDF deputy leader, one of 5 co-chairmen of NSC, President of Puntland 1998 until removed from office in constitutional crisis 6/2001, but still claims to be the legal President; Majerteen (Darod) clan

ANNEX E - REFERENCES TO SOURCE MATERIAL

[1] Europa Publications Ltd, UK:

- (a)** Africa South of the Sahara 2002, 31st Edition, Europa Publications Ltd, London September 2001
- (b)** Europa World Year Book 2002, 43rd Edition, London June 2002
- [2]** The Columbia Encyclopaedia, Sixth Edition 2001, Columbia University Press, USA
- [3]** Understanding Somalia (Part One: The Social Setting), I M Lewis 1993
- [4]** Somalia: A Nation in Turmoil, Dr Said S Samatar, Minority Rights Group International Report, London 1995
- [5]** United States Department of State Bureau of Democracy, Human Rights and Labor, March 2002:
 - (a)** Somalia Country Report on Human Rights Practices for 2001, March 2002
 - (b)** Somalia Country Report on Human Rights Practices for 1999, February 2000
 - (c)** Somalia Country Report on Human Rights Practices for 2000, February 2001
 - (d)** Somalia Country Report on Human Rights Practices for 1998, February 1999
- [6]** Amnesty International:
 - (a)** Somalia: Building Human Rights in the Disintegrated State, November 1995
 - (b)** Amnesty International Report 1998 (covers 1997)
 - (c)** Amnesty International Report 1997 (covers 1996)
 - (d)** Somalia: Putting Human Rights on the Agenda: A Human Rights Training Workshop, July 1997
- [7]** Report on Political, Security and Human Rights Developments in Southern and Central Somalia, Including South West State of Somalia, and Puntland State of Somalia: Joint British-Danish Fact-Finding Mission to Nairobi (Kenya) and Baidoa and Belet Weyne (Somalia) 20 May to 1 June 2002, Danish Immigration Service, Copenhagen July 2002
- [8]** Xinhua News Agency, China:
 - (a)** Somalia's Baidoa still under control of H Aideed, 6 February 1998
 - (b)** 31 January 1998
 - (c)** 3 September 1998
 - (d)** 10 November 1998
 - (e)** 23 March 1999
 - (f)** 14 June 1999
 - (g)** 18 June 1999
 - (h)** 21 April 1999
 - (i)** Somaliland extends President's term by one year, 13 January 2002

[9] *Qaran* newspaper, Mogadishu (via BBC Monitoring):

(a) 19 December 1998

(b) 3 January 1999

(c) 29 March 1999

(d) 3 April 1999

(e) 12 June 1999

[10] UN Office for the Co-ordination of Humanitarian Affairs, Integrated Regional Information Network (IRIN):

(a) 15 June 1999

(b) 11 June 1999

(c) Peace talks underway in Kenya, 15 October 2002

(d) Peace talks resume after short break, 22 October 2002

(e) 6 August 1999

(f) 2 July 1999

(g) 26 March 2001

(h) 13 March 2001

(i) 15 October 2001

(j) 3 October 2001

(k) 30 October 2001

(l) 29 October 2001

(m) 4 October 2001

(n) 3 September 2001

(o) 22 August 2001

(p) 24 June 2001

(q) 7 August 2001

(r) 30 August 2001

(s) Puntland police say court case was fictitious, 2 March 2001

(t) RRA sets up autonomous region, 1 April 2002

(u) TNG announces Islamic courts "nationalised"

(v) Baidoa calm after spate of looting, 7 October 2002

[11] Africa Research Bulletin, London:

(a) Vol. 36, No. 7, July 1999

(b) Vol. 36, No. 6, June 1999

[12] Report on Minority Groups in Somalia: Joint British, Danish & Dutch Fact-Finding Mission to Nairobi, Kenya 17-24 September 2000, Danish Immigration Service, Copenhagen December 2000

[13] Transitional National Charter of the Somali Republic, issued by the Arta peace conference July 2000

[14] British Broadcasting Corporation (BBC) News Online:

(a) 1 September 2000

(b) 7 November 2000

(c) 12 December 2000

(d) 29 October 2001

(e) Somali PM pledges reconciliation, 13 November 2001

(f) Death sentence for Somali lesbians, 22 February 2001

(g) Country profile: Somalia, 10 January 2001

(h) Somaliland appoints new leader, 3 May 2002

[15] Reuters News Service:

(a) 28 October 2001

(b) 3 September 1998

(c) 31 January 1998

(d) 4 August 1998

(e) 4 August 1998

(f) 4 January 1998

(g) 22 September 1996

(h) 12 June 1997

(i) 10 February 1998

(j) 2 May 1999

(k) 13 June 1999

(l) 5 June 1999

[16] Situation in Somalia in Connection With Asylum Procedures, Netherlands Ministry of Foreign Affairs, October 1998 - European Union Council Paper 13496/98, Brussels 14 December 1998 [*update of document 31*]

[17] Radio Hargeisa, Somaliland, 30 August 1998 (via BBC Monitoring)

[18] *Ayaamaha* newspaper, Mogadishu (via BBC Monitoring):

(a) 21 February 1999

(b) 1 February 1999

(c) Deposed Puntland leader opens new HQ in central town, 14 August 2001

(d) 2 October 2001

(e) 8 November 1998

(f) 9 November 1998

(g) 11 November 1998

[19] *Xog-Ogaal* newspaper, Mogadishu (via BBC Monitoring):

(a) 12 May 1999

(b) 25 July 1998

(c) 21 March 1999

(d) 21 February 1999

(e) 23 January 1999

(f) 11 May 1999

(g) 16 June 1999

(h) 9 November 1998

[20] UN Security Council - Report of the Secretary-General on the Situation in Somalia, 11 October 2001

[21] *Financial Times* newspaper, UK, 8 June 2001

[22] *Jamhuuriya* newspaper, Somaliland, 2 October 2001 (via BBC Monitoring)

[23] Keesing's Record of World Events:

(a) Volume 44, No. 8, August 1998

(b) Volume 44, No. 9, September 1998

[24] *The Puntland Courier*, Puntland State Information Newsletter, Ministry of Information, Culture & Telecommunications, Garowe, Puntland, Somalia:

(a) No.01, August 1998 Vol.02

(b) No.03, 19 September 1998 Vol.04

[25] *Mogadishu Times* newspaper, Mogadishu (via BBC Monitoring):

(a) 2 September 1998

(b) 3 February 1999

(c) 12 December 1998

(d) 7 October 2001

(e) 26 August 1998

[26] Pan African News Agency (PANA), Addis Ababa 7 October 1998

[27] Agence France-Presse, Paris: Faction declares autonomous state in south-west Somalia, 1 April 2002 (via Riverineland Online Website, Somalia)

[28] AllSomali.com Website, Canada - Leader of southwest region ready to talk to transitional government, 2 April 2002 (via BBC Monitoring 4 April 2002)

[29] UN Children's Fund (UNICEF) - UNICEF Emergency Programmes, Somalia, Donor Update, Geneva 20 June 2000

[30] Background Paper on Refugees & Asylum Seekers from Somalia, UNHCR Centre for Documentation & Research, Geneva 5.2.1997

[31] Report of Fact-Finding Mission to North East & North West Somalia (Somaliland) 13.4.-8.5.1996, Danish Immigration Service, Copenhagen September 1996

[32] Situation in Somalia, Netherlands Ministry of Foreign Affairs, Asylum & Migration Affairs Division, The Hague January 9, 1997

[33] Report on the Nordic Fact-Finding Mission to Central and Southern Somalia 15 February to 14 March 1997, Danish Immigration Service and Swedish Immigration Service, Copenhagen May 1997

[34] Report of the Fact-Finding Mission to Somalia and Kenya, 27 October to 7 November 1997, Danish Immigration Service, European Union Council Paper 5522/98, Brussels 1998

[35] Report of the Nordic Fact-Finding Mission to Mogadishu, Somalia 28 May to 13 June 1997, Danish Immigration Service, European Union Council Paper 11747/97, Brussels October 1997

[36] MENA News Agency, Cairo 29 December 1997 (via BBC Monitoring)

[37] Radio Mogadishu, Voice of the Masses of the Somali Republic, 6 February 1998 (via BBC Monitoring)

[38] Radio Mogadishu, Voice of Somali Pacification, 1 April 1998 (via BBC Monitoring)

[39] Somalia: No Nation, New Regions, Africa Confidential 18 December 1998

[40] Radio Mogadishu, Voice of the People of the Somali Republic (via BBC Monitoring):

(a) 3 February 1999

(b) 25 June 1999

[41] Jane's Defence Weekly, 2 October 1996

[42] *The Independent* newspaper, UK, 12 April 1999

[43] Report of the IOM Initial Assessment Mission for Somali Return Program Potential, International Organization for Migration, Geneva January 1997

[44] UN Somalia - Somalia: A Health System in Crisis, Mogadishu 20 December 2000

[45] Norwegian Refugee Council/Global IDP Project Geneva - Profile of Internal Displacement: Somalia, 10 October 2001

[46] *New Sunday Times* newspaper, Malaysia, 25 April 1999

[47] Committee to Protect Journalists, New York, USA - Africa 2000: Somalia Country Report

[48] Victims & Vulnerable Groups in Southern Somalia, Occasional Paper by Lee Cassanelli for Immigration and Refugee Board, Ottawa, Canada May 1995

[49] Refusing to Bear Arms - a World Survey of Conscription & Conscientious Objection to military Service, War Resisters' International, London September 1998

[50] International Gay & Lesbian Association (ILGA), World Legal Survey 1999

[51] Map of Somalia showing regional and district boundaries, United Nations Development Programme (UNDP) for Somalia, Nairobi, Kenya [hard copy of assessment only]