

Somalia

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Overview:

In early December, Prime Minister Abdi Farah Shirdon, who had been in power for just over a year, lost a no-confidence vote, reportedly after he refused to approve President Hassan Sheikh Mohamud's cabinet picks ahead of a planned reshuffle. Mohamud soon afterward tapped Abdiweli Sheikh Ahmed, an economist, to serve as Somalia's new prime minister, and the parliament approved the appointment in late December. A new cabinet had yet to be installed at year's end. A constitutional referendum set for 2015 requires an electoral framework that has not yet been established.

The active African Union (AU) force in Somalia, as well as Kenyan forces, in 2011 and 2012 successfully pushed the Shabaab, an extremist group that once controlled most of southern Somalia, out of its major strongholds in Mogadishu and Kismayo—a development that effectively cut off the group's financial lifelines. However, security challenges remain pervasive, with the Shabaab retaining an active presence in the south-central region of the country. International actors, including the U.S., have assisted in targeting the Shabaab's leaders in Somalia.

While pirates continue to use Somalia as a launchpad for attacks, the number of attacks has declined dramatically. According to the European Union Naval Force–Somalia, there were only 7 attacks by pirates in the Gulf of Aden in 2013, down from 35 in 2012 and 176 in 2011. The last successful hijacking in the region occurred in May 2012. In October 2013, pirate ringleader Mohamed Abdi Hassan, who was thought to be responsible for dozens of hijackings since 2008, was captured at an airport in Brussels, Belgium.

Questions remain regarding the status of the many federated regions of Somalia that have operated with relative autonomy since General Siad Barre's regime collapsed in 1991, giving way to more than two decades without a permanent federal government. Since then, the northwestern region of Somaliland has functioned with relative stability as a self-declared independent state, though it has not received international recognition. In 1998, the northeastern region of Puntland declared temporary autonomy until the establishment of a permanent federal government in Somalia. However, calls for full independence have been on the rise and the Puntland government has yet to formally accept the new Somali government. Further, Puntland has suspended relations with the new Somali federal government until a federal constitution is adopted. A new Puntland legislature was appointed by clan elders in December, after plans for direct elections were scrapped due to security concerns and a lack of necessary infrastructure.

Political Rights and Civil Liberties:

Political Rights: 0 / 40 [[Key](#)]

A. Electoral Process: 0 / 12

Prior to the swearing-in of President Mohamud and the House of the People, the lower house of the Federal Parliament, in 2012, the state had largely ceased to exist in most respects, and had no governing authority with the ability to protect political rights and civil liberties. The new government is working to create permanent institutions, but has little capacity to govern beyond Mogadishu.

Mohamud was elected to a four-year term by Somalia's provisional legislature in September 2012, from a field of 22 candidates. The 275 members of the House of the People serve four-year terms and were selected by traditional Somali elders. After being vetted for links with militant groups as well as for basic literacy, were sworn in in August 2012. A number of the elders involved in the selection process were chosen by the previous transitional government, which had been deeply unpopular domestically and had faced corruption allegations. Additionally, the U.S. embassy in Somalia ahead of the new legislature's swearing-in had cited "multiple credible reports of intimidation and corruption" during the process by which the new lawmakers were selected. The Upper House, which would have 54 members, had yet to be formed.

In December, Prime Minister Shirdon lost a no-confidence vote amid disagreements with Mohamud, who then tapped Abdiweli Sheikh Ahmed as his replacement.

The region of Puntland has a 66-member legislature nominated by clan elders to five-year terms. Plans for direct elections in May were scrapped amid security concerns and a lack of necessary infrastructure. A new legislature was then approved in December 2013. Puntland's president is elected by the legislature, and may serve up to two five-year terms. A presidential election is set for January 2014; President Abdirahman Mohamed Farole plans to run for a second term. Relations between authorities in Puntland and federal authorities in Mogadishu have been tense. In August, Farole suspended cooperation with the new Somali government until a federal constitution is adopted and national consultations held.

Jubaland, a semiautonomous region in the country's south, held a presidential election in May, drawing complaints from Mogadishu. Some 500 tribal elders in Jubaland elected Sheikh Ahmed Mohamed Islam as the region's first president, though Somali President Mohamud called the vote illegitimate. Jubaland authorities dispute allegations from Mogadishu of secessionist activity, and maintain that the regional administration is permitted under Somalia's federal constitution. In August, the Somali federal government signed an agreement officially recognizing the Jubaland administration, and in November held a reconciliation conference with Jubaland officials in Mogadishu.

B. Political Pluralism and Participation: 0 / 16

While the creation of several political parties has been announced in recent years, the political process is largely driven by clan loyalty. Nevertheless, the new Somali parliament is highly regarded. Since taking power in mid-2012, federal leaders have outlined an ambitious agenda and have begun hearings to tackle the country's most critical challenges.

Somali citizens have little power to exert influence over the system, either as individuals or through civil society. Citizens rarely have relationships with or access to their local members of parliament. There are few accountability mechanisms for government officials; however, to the extent that these mechanisms exist, they largely come from the international community.

C. Functioning of Government: 0 / 12

Corruption in Somalia is rampant. A July report by the UN Monitoring Group on Somalia and Eritrea indicated that 80 percent of withdrawals from Somalia's central bank were made for private purposes. The report further stated that an average of 33 percent of customs and port fees deposited to the bank monthly are unaccounted for. The UN linked the irregularities to Central Bank Governor Abdusalam Omer, who was replaced in September. In October, however, Omer's successor, Yussur Abrar, resigned, citing pressure from fellow government officials to make illegal withdrawals from foreign banks. Corruption is also

pervasive in Puntland, where the authorities have been complicit in piracy. Somalia ranked 175 out of 177 countries and territories surveyed in Transparency International's 2013 Corruption Perceptions Index.

Civil Liberties: 2 / 40

D. Freedom of Expression and Belief: 1 / 16

While the new constitution calls for freedom of speech and the press, the new government has taken a heavy-handed approach toward the media. For example, in January, journalist Abdiiaziz Abdinuur was arrested for conducting an unpublished interview with a woman allegedly raped by government soldiers. After being held without charge for 19 days, Abdinuur was assigned a one-year prison sentence for "offending state institutions" and "false reporting." He was released in March after the Supreme Court threw out the case, citing insufficient evidence. In October, federal authorities raided the Mogadishu offices of the Shabelle Media Network, beating several journalists and shutting down two radio stations. In November, Mohamed Bashir, a Radio Shabelle reporter, and Abdiimalik Yusuf, the head of the Shabelle Media Network, were detained in connection with an interview of an alleged rape victim; her alleged attackers reportedly were two journalists with a government-run radio station, and one had filed a defamation suit in response to the interview. The two Shabelle workers were tried in December; Bashir received a six-month prison sentence and Yusuf, one year. Both were also given the option to pay a fine, which they chose to do in order to avoid prison. However, the alleged rape victim was handed a six-month suspended sentence.

Meanwhile, in July, the federal cabinet passed a draft media law that includes a proclamation of media freedom and initiatives to encourage media transparency. However, it also permits censorship by the Information Ministry, requires broadcasters to seek permission to air foreign media, and prohibits the dissemination of material "harming the country, the people or the religion." The law had not been adopted at year's end.

In Puntland, authorities in March banned broadcasters from airing programs that were produced outside the region, specifically noting two Kenya-based stations and one Somaliland-based station, all of which receive significant funding from European nations. Horseed FM, a Puntland-based independent broadcaster, was suspended by Puntland authorities in October 2012 and remains off the air. In September, Puntland officials indefinitely suspended the private television station Universal TV, reportedly because it did not offer a live broadcast of a speech delivered in Brussels by Puntland's president. In December, however, Puntland's government adopted a media law that won some praise from local journalists.

Somalia remains one of the most dangerous countries in the world for journalists. According to the Committee to Protect Journalists, 52 journalists have been killed since 1992, including 4 in 2013 and 12 in 2012. In March, Radio Abudwaq reporter Rahmo Abdulkadir was fatally shot in Mogadishu by two gunmen after leaving an internet café with a friend. The following month, Radio Mogadishu journalist Mohamed Ibrahim Raage was murdered by two unidentified gunmen near his home in the capital. In July, Liban Abdullahi Farah, a Puntland-based journalist, was shot and killed in that region, and in October, Mohamed Mohamud of Universal TV was shot and killed in Mogadishu. The federal government at the beginning of 2013 established a task force to address violence against journalists, but it has not taken any meaningful action.

Radio is the primary news medium in Somalia. Internet and mobile telephone services are widely available in large cities, though poverty and illiteracy limit access to these resources.

Nearly all Somalis are Sunni Muslims, but there is a very small Christian community. Both Somalia's new constitution and Puntland's charter recognize Islam as the official religion, though the constitution does include religious freedom clauses. The Shabaab has imposed crude versions of Islamic law in areas under its control, banning music, films, and certain clothing, and in one area has prohibited men and women from walking together or talking in public. Anyone accused of apostasy risks execution by the Shabaab, which has also denied religious freedom to moderate Muslims and has caused deep offense among many Somalis by destroying the graves of Sufi saints. The education system is severely degraded due to the breakdown of the state.

E. Associational and Organizational Rights: 0 / 12

Freedom of assembly has not been respected amid ongoing instability and violence in Somalia. Many nongovernmental organizations (NGOs) and UN agencies operating in the country have reduced or suspended their activities in recent years. In October 2012, the Shabaab banned Islamic Relief, one of the few remaining aid organizations, claiming that the group was "covertly extending the operations of banned organizations." According to the Aid Worker Security Database, a total of 15 aid workers were killed in 2013, which included nine domestic and six international aid workers.

Freedom of assembly was also seriously stifled in Puntland in 2013. Demonstrations against Farole's government were met with a heavy security response and live ammunition fired toward protesters, leaving at least one person wounded.

Existing labor laws are not adequately enforced. With the exception of a journalists' association, unions in the country are not active.

F. Rule of Law: 0 / 16

There is a weak judicial system functioning at the national level. The new constitution outlines a judicial framework that includes the creation of a Constitutional Court, Federal Government courts, and Federal Member State courts, though these institutions have yet to be established. The harshest codes are enforced in areas under the control of the Shabaab, where people convicted of theft or other minor crimes are flogged or have their limbs amputated, usually in public.

The Shabaab is based in Somalia, and controls large swaths of the south-central region. In one notable attack that the group claimed responsibility for, a suicide bomber in October killed 13 people and injured another 10 in Beledweyne. Its most notable act in 2013 was the September attack on Westgate shopping mall in Nairobi, the Kenyan capital, in which 67 people were killed. Four suspects in that strike, reportedly ethnic Somalis, have since been arrested in Kenya.

Various foreign military forces occasionally carry out operations against the group on Somali territory. In late October, Ibrahim Ali, a key Shabaab explosives specialist, was killed in a U.S. air attack in the Somali town of Jilib. Days before, the Kenyan military had successfully targeted a Shabaab training base in Somalia's Dinsoor region, killing an estimated 300 fighters, according to Kenyan military officials. Additionally, U.S. Navy SEALs (Sea, Air, Land Forces) in early October embarked on an unsuccessful raid in Baraawe in a reported attempt to capture a Shabaab commander known as Ikrima. However, the commandoes reportedly retreated without capturing him after encountering a high number of civilians.

The Somali government has had limited success in prosecuting suspected Shabaab members. A federal military court in October convicted four individuals suspected of belonging to the Shabaab in connection

with various acts of terrorism, including a bombing at a military base in Mogadishu. However, the Shabaab is believed to have undercover agents operating within the Somali government. In late October, a former custodial corps chief who had been convicted in absentia of having ties to the Shabaab was apprehended.

Most Somalis share the same ethnicity, but clan divisions have long fueled violence in the country. The larger, more powerful clans continue to dominate political life and are able to use their strength to harass weaker clans.

Same-sex sexual activity is punishable by up to three years in prison. LGBT (lesbian, gay, bisexual, and transgender) individuals are not protected by antidiscrimination statutes and are subject to broad social stigma and hostility. They face harsh punishments in areas controlled by the Shabaab.

G. Personal Autonomy and Individual Rights: 1 / 16

The autonomy and individual rights of Somali citizens are severely restricted in practice, primarily because the absence of functional democratic institutions over a period of many years has given way to a lawless environment. Residents must also contend with abuses committed by warlords, clan leaders, and the Shabaab in the absence of government control in several areas of the country—which, among many other violations, have reportedly included the recruitment of child soldiers.

Somalia's economy is largely informal. Agricultural activity accounts for about 40 percent of gross domestic product, though telecommunications and businesses handling the administration of remittance payments also account for some economic activity. More than 40 percent of Somali residents rely on remittances, which total an estimated \$1 billion annually. There had been serious concerns in Somalia in 2013 about a plan by British banking giant Barclays PLC to close an account held by the Dubai-based money-transfer operator Dahabshiil Holdings Ltd.; such a move would block many Somalis from collecting remittance payments. However, Dahabshiil obtained an injunction against the planned move by Barclays, and its operations in Somalia, which lacks a formal banking system, remained undisturbed at the year's end.

Women in Somalia face considerable discrimination. Although outlawed under the new constitution, female genital mutilation is still practiced in some form on nearly all Somali girls. Sexual violence is rampant due to lawlessness and impunity for perpetrators, and rape victims are often stigmatized. The new constitution outlines the expectation that women be included in all branches of government and includes a nondiscrimination clause that specifically mentions women. Of the 275 seats in Somalia's new parliament, women hold 38, or 14 percent, falling short of the country's new 30-percent quota.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

[Full Methodology](#)

Explanatory Note:

The numerical ratings and status listed above do not reflect conditions in Somaliland, which is examined in

a separate report.