

# SOMALIA

## **Putting human rights on the agenda: A human rights training workshop**

### **1. INTRODUCTION**

This report is about the urgent need for strategic action to create better protection of human rights in the disintegrated state of Somalia. After a short account of the current political and human rights context, it describes an Amnesty International human rights training workshop for Somali organizations. Some general conclusions are presented, which are relevant for human rights training in general.

In the face of widespread disillusionment about the prospects for peace and recovery in Somalia, the report seeks to show how Somalis and those of the international community concerned about the tragedy of Somalia can usefully work for a better human rights future in the devastated country.

### **2. BACKGROUND -- THE DISINTEGRATED STATE**

A major problem for human rights in Somalia is that there is still no recognized or central government. Some believe that human rights protection will not be established until there is peace and at least a transitional government. There have been, and still are, numerous initiatives by the international community and Somali groups to achieve a real and comprehensive peace settlement based on a firm political agreement between all the factions. Amnesty International and others are pressing for firm safeguards for human rights to be incorporated into any peace agreement and future new administration. This is particularly important, considering the poor human rights record and commitment of some of the strongest armed groups among the current 28 or more Somali political organizations.

But what can be done for human rights protection *now*? The current pattern of human rights abuses is extremely serious and there may be further setbacks to peace negotiations. These human rights issues should not, however, be considered hopeless and they should not be postponed to be put right by a future government. In this and other disintegrated states, the challenge to the international community, as well as to Somalis themselves, is not to give up but to find what will make a difference for human rights.

This situation has arisen in a complex background of state disintegration. Two years after the UN withdrawal, the former Somali Republic is still a disintegrated or "collapsed" state -- unavoidable descriptions for a tragedy which has brought enormous suffering to all Somalis in the past six years. State-type institutions and public services

have hardly begun to be reconstructed or physically re-built. Although there is now relative peace in many parts, several regions are still subject to frequent flare-ups of faction fighting. This threatens to perpetuate the civil wars which broke out in 1991 in the already partially-collapsed state, when the 22-year dictatorial Siad Barre regime was overthrown.<sup>1</sup>

Somali faction-leaders signed another peace agreement in January 1997. The "Sodere Agreement" (named after the Ethiopian town hosting the conference) received new and important international and regional backing. A National Reconciliation Conference is promised by the new National Salvation Council to take place in the town of Bosasso in northeastern Somalia later in 1997, with the aim of agreeing a Charter for a future "Transitional Central Authority or Provisional Central Government". But without two Somali groups which did not participate in the Sodere Conference -- Hussein Aideed's Somali National Alliance (SNA) and the Somaliland Republic under re-elected President Mohamed Ibrahim Egal -- it remains to be seen whether this process will succeed in resolving the key political issues.

The end in March 1995 of the three-year UN intervention (UNOSOM) had seemed to be the opportunity for Somalis to determine their own future without the political and economic distortions brought about by this much-criticised and hugely expensive (US\$2.5bn) venture. The UN withdrew without settling the political conflicts or continuing any support for the decentralized administrative and policing structures which it had developed. However Somalia is still on the agenda of the UN Security Council, and the UN Commission on Human Rights.<sup>2</sup>

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<sup>1</sup> For the human rights background and Amnesty International's activities and proposals, see "*Somalia: Building human rights in the disintegrated state*", Amnesty International, November 1995, AI Index: AFR 52/03/95. In line with its principle of impartiality, Amnesty International takes no position on the status of the former Somali Republic, and as an independent non-governmental organization it cannot itself convey "recognition" of any party claiming governmental authority. It holds all political groups responsible for protecting human rights in the areas they control. References to "Somalia" here are intended to be applicable to the breakaway "Somaliland Republic" too.

<sup>2</sup> In April 1997 the UN Commission on Human Rights, repeating its earlier calls to all parties in Somalia to respect human rights and international humanitarian law, called upon donor governments, international organizations and NGOs to "incorporate human rights principles and objectives into the humanitarian and development work they carry out in Somalia". It supported the recommendations of its new Independent Expert on Somalia to establish a program of advisory services and technical assistance on human rights, starting with a detailed assessment of the needs. This could represent a useful step forward, provided that the Independent Expert receives the necessary resources and cooperation.

Economic reconstruction is being attempted but so far on a very small scale and only in selected "recovering" localities. The UN appealed for US\$100m in December 1996 to fund ambitious plans for 1997 involving UN agencies and international NGOs.<sup>3</sup> But Somalia in 1997 is "out of the news", superseded by other humanitarian and political crises in Africa and other parts of the world. In possibly the worst case so far of "donor fatigue" (sometimes described even as "donor death"), the international community is evidently no longer willing to provide more than a fraction of the relief and reconstruction funds needed. By May 1997 less than 4% had been pledged to the UN's 1996 appeal and its previous 1994 appeal gained only one-tenth of its US\$70 million target. NGO interest is also understandably low: several NGOs with a long history of involvement in Somalia are still reluctant to revive programs where they have had staff killed or kidnapped and relief materials looted by gunmen with faction connections. A viable environment for country-wide reconstruction and development, which requires peace and general acceptance of the rule of law, including effective action to stop widespread criminal impunity and abuses of basic human rights, has not yet emerged.

How long this impasse will remain, or how long it will be permitted to continue by the major armed Somali factions and the dispersed, fragmented and seemingly disempowered civil society, are sadly impossible to predict. Most Somalis are impoverished with little hope in the near future for their right to a better life. Somali society has been forced to adapt in different ways to state disintegration and the absence of development. Societal collapse has been avoided by the resilience of traditional cultural values and mechanisms of protection and conflict-resolution which stand opposed to the political violence. But faction militias (in the south particularly), partly uncontrolled or funded by business profits made from the violence and contributing to it, and free-lance armed criminal gangs, are dangerous features of life. Weapons and ammunition still flow in to swell the huge amount of weapons already there since 1991, despite a UN arms embargo.

### **3. THE HUMAN RIGHTS PICTURE**

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<sup>3</sup> UN Consolidated Inter-Agency Appeal, Department of Humanitarian Affairs, December 1996, vols 1-3.

This section describes the current human rights situation, in which serious abuses of basic human rights are still being committed in several areas (*see box below on "Current Human Rights Concerns"*)<sup>4</sup> but there are also opportunities for progress. About one-sixth of the estimated nine million population have fled abroad, with half a million Somali refugees in neighbouring countries and over a million more throughout the world. A further quarter of a million have been displaced from their homes and reduced to near-destitution in other Somali regions. Somali refugees scattered throughout the world have also found their new situations increasingly precarious as host governments adopt more restrictive policies towards refugees, fail to apply international standards of refugee protection, misjudge "safe return areas" and risk categories, or do not protect refugees from abuses.<sup>5</sup>

**Current human rights concerns**

- deliberate and arbitrary killings by faction militias, often of unarmed civilians including women and children, and deliberately targeted killings of clan opponents
- arbitrary detentions without charge or trial or any due legal process of prisoners of conscience and other political prisoners
- unfair trials of political prisoners
- hostage-taking
- torture and ill-treatment of prisoners
- rape of women and girl-children
- cruel, inhuman and degrading punishments of amputation and flogging
- the death penalty -- generally imposed and carried out without fair trial

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<sup>4</sup> See also the Somalia entry in the *Amnesty International Report, 1997*.

<sup>5</sup> Those at particular risk of persecution on return to Somalia are: members of a clan locally excluded from power, members of a minority group (*see note 9 on page 5*), or perceived opponents to the locally dominant faction. There has been a particular pattern of abuses against Somali women in refugee camps in Kenya. When evaluating the prospects for return of refugees to so-called "*safe return areas*", it is essential that the respect for fundamental human rights is measured over a period of time to ensure that it is of an enduring character. No one should be sent back to any area unless the conditions exist for their fundamental human rights to be respected. It is also important to consider whether the basic humanitarian needs of returnees and their families will be met to ensure their smooth return and reintegration. Particular problems will be presented by the environment of political instability and the absence or inadequacy of governmental authorities and the rule of law. Also, they will face major difficulties in establishing and sustaining an acceptable livelihood. It is clear that their humanitarian needs will not be met if, for example, there is drought, famine, widespread disease, landmines or other threats to life.

To combat these abuses, a basic program for building human rights in the disintegrated Somali state has been proposed by Amnesty International<sup>6</sup> and is summarised in the box below on Human Rights Protection.

**Human rights protection**

- Somali political authorities should take responsibility to protect human rights, both in the areas they control and in other areas, including acting to stop abuses and building safeguards to prevent abuses
- the international community should establish a comprehensive human rights program of institution-building and human rights promotion
- Somali civil society should work for human rights and lobby the factions to publicly support human rights

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<sup>6</sup> *Somalia: Building human rights in the disintegrated state*, Amnesty International, 1995

Reconstruction and creating a culture of human rights cannot be just a matter of going back to the previous pre-civil-war situation. After the overthrow of the Siad Barre government in 1991 the repressive structures of the "clannist" and corrupt "security state" were immediately dismantled. But new stabilising structures were not developed before the split in the new forces led rapidly to further disintegration and abuses. There was no opportunity for a new and more socially accountable state structure to develop. The question of bringing to account officials of the Siad Barre government who were responsible for major violations of human rights or leaders of factions which abused human rights in the subsequent civil wars is still a live issue. There is a new mood in Africa of "no impunity" and "justice for the victims", and a momentum towards establishing an International Criminal Court for the worst crimes against humanity.<sup>7</sup>

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<sup>7</sup> Amnesty International's view on this question of accountability was stated as follows: *"There can be no question of implicitly condoning gross human rights abuses or accepting total impunity. How the abuses of the past 25 years are eventually dealt with in respect of former state officials and security officers and the subsequent faction leaders and their militias will need extensive discussion in due course among many sectors of Somali society. There are various routes which could be followed, for example setting up a 'truth-telling forum' or embarking on formal judicial proceedings where there is sufficient evidence and when there is an effective and impartial criminal justice system. What is important at this stage is to ensure that there is no impunity from now. The seeming impunity so far for past abuses should not be taken for granted or seen as encouragement to commit new abuses and hope to get away with them."* (*Somalia: Building human rights in the disintegrated state*, Amnesty International, 1995, p4)

Important social issues are also now being discussed -- the rights of women<sup>8</sup>, the integration of under-privileged vulnerable groups and minorities into the mainstream clan and pastoralist-based society<sup>9</sup>, drawing on Islamic religious concepts in constructing an effective and internationally recognizable system of justice, and developing a vigorous new civil society.

One important feature of an emerging new civil society would be the formation of independent and active Somali non-governmental organizations (NGOs)<sup>10</sup>. It is important that the new authorities should respect their right to freedom of association and expression. The Siad Barre government and its National Security Service controlled all institutions and associations, including the judiciary, public administration, the news media, educational institutions, and the legal and other professions. Dissent was fiercely suppressed and monitoring or criticism of human rights violations were not tolerated.<sup>11</sup> Even government and ruling party officials and members of President Siad Barre's Marehan clan ended up in prison if they seemed to oppose the regime. A new human rights culture is needed now to enable an NGO sector to flourish. Restrictive attitudes have been displayed towards Somali NGOs (as well as towards international NGOs and inter-governmental organizations including UN agencies) by General Aideed and (after his death in 1996) by his son Hussein Aideed, and also by President Egal in Somaliland.

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<sup>8</sup> For example: exclusion of women from decision-making, equal opportunities, equal treatment under the law, female genital mutilation and other gender issues.

<sup>9</sup> The vulnerable minorities are the agriculturalist "*Bantu*" communities of East African origin; urban "Coastal" (*Benadiri*) communities of Middle Eastern origin; the small sea-faring Bajuni community of East African Swahili origin; "occupational caste-groups" such as the Tomal, Midgan and Yibir, who traditionally engage in occupations such as metal and leather work and hunting; and a few individual Christian converts from Islam who may be at risk from militant Islamist groups. Other vulnerable communities are the agriculturalist *Rahanweyn* (or *Digil-Mirifle*) clans and Ethiopian Oromo refugees.

<sup>10</sup> The term "NGO" is used here to refer to non-faction groups of civil society but not to cover all the small "community based organizations" (CBOs) which have sprung up in all regions and among all clan divisions. UNOSOM encouraged the formation of Somali "NGOs" but few became well-established. There have been many conferences and workshops in Somalia and abroad for civil society groups, including journalists and women's groups in particular. Abroad there are academic groups, peace groups and refugee community groups -- some independent, others aligned to home political or clan/community groups.

<sup>11</sup> Only one lawyer consistently defended political prisoners before the National Security Court (and was himself a prisoner of conscience three times) -- Ismail Jumaale Ossoble, who died abroad in 1990. The Dr Ismail Jumaale Center for Human Rights was later established in Mogadishu in his memory as an independent human rights organization aiming to perpetuate his work and ideas.

#### **4. A HUMAN RIGHTS TRAINING WORKSHOP**

Amnesty International consulted extensively with a wide range of Somalis about its strategic objectives to promote a wider awareness of human rights issues and to help equip Somali organizations to work for human rights in their own country. This identified the practical need for human rights training for Somali organizations.

Amnesty International therefore organized a human rights training workshop for independent Somali organizations, which took place in Kenya in October 1996. Kenya was chosen for the venue because of the concentration of Somalis in this nearest safe area to Somalia, and because it is where most international IGOs and NGOs working in Somalia are also based. Consultations with Somalis in Nairobi and London and months of preparatory work preceded the workshop.

#### **4.1 The workshop and participants**

This workshop was a specially-designed three-day residential course. It was co-sponsored by Oxfam's Somalia unit, which had similar objectives of improving the capacities of Somali civil organizations and working to create a better environment for relief and development. The workshop, planned with limited financial resources, was held from 28 to 31 October 1996 in the modestly-priced Sportsview Hotel in Kasarani near Nairobi, which has conference facilities used by other NGOs. There were four workshop facilitators: two were from Amnesty International's Eastern Africa team at the organization's International Secretariat in London, and two were Somali staff of Oxfam-Somalia and ACORD-Somalia respectively, based in Nairobi, who also performed vital roles in making the practical arrangements. In addition there was a representative of Amnesty International's Netherlands section (and its Special Project for Africa).

There were 19 workshop participants invited, all from Somali civil organizations and none identified with any political faction. It was decided to work at this stage with independent groups who would focus on human rights and not partisan political objectives. They were selected on the criteria of evidence of human rights commitment, both personally and as representatives of organizations willing and able to do human rights work in Somalia.<sup>12</sup> They included members of Somali Peace Line (from France, Nairobi and Mogadishu), the newly-formed Dr Ismail Jumaale Center for Human Rights (Mogadishu), the Somali Independent Journalists Union (Mogadishu -- linking over 15 newspapers in Somalia and Somaliland), Save Somali Women and Children, Forum for Women's Rights, Community Peace Action, Somali Youth League, a Somali trainer from the Swedish Life and Peace Institute, members of various Somali minority communities, and members of other associations of Somali intellectuals, professionals and artists. Three of them travelled from Mogadishu, and the other 16 were Nairobi-based. Two more invited from Somaliland were unfortunately unable to obtain Kenyan visas quickly enough to attend. The participants were also selected with the aim of representing as far as possible the range of Somali regions, clans and minority communities (as well as different age groups). This was fairly successful except, unfortunately, for the absence of participants from Somaliland who were unable to obtain Kenyan visas and so could not attend. A gender imbalance could not in the end be completely rectified and there were only four women as participants, and two as facilitators. Six participants as well as the two Somali facilitators had prior contact with Amnesty International and were familiar with its work.

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<sup>12</sup> These Somali NGOs or voluntary organizations who were invited (and there might be others too with similar interests and capacities) were at different stages of development and varied in their aims, types of projects, resources, levels of activity and achievement, and representative membership.

## **4.2 Workshop aims**

The aims of the workshop were to enable participants to:

- identify key human rights issues
- identify ways to stop and prevent abuses
- monitor and investigate human rights abuses
- integrate human rights into the work of their organizations

The course contents were designed to fulfil specific training needs which had been identified in the prior consultations. It was considered essential to base the course on the Somali experience of human rights issues over the past 30 years, from the Siad Barre dictatorship to the civil wars.

## **4.3 Sessions**

The workshop started with a welcome and introductions, which had already been done informally the previous evening when participants registered, received information packs and filled in questionnaires about their work. Ground rules were agreed about time-keeping, making contributions short and precise, keeping to the agenda, respecting the views of others (with nobody dominating anybody else), language policy (English for full sessions, Somali for working groups), and “no smoking”. The aims of the workshop were explained and there was discussion of the proposed schedule and agenda, which were amended and then agreed by participants.

The course consisted of seven formal sessions which are described below, and two informal evening sessions -- one for an extended discussion on international human rights and Somali cultural values, and the other for viewing two videos brought from Somalia:

- a visit by the Somali Independent Journalists Union (whose chairman was a workshop participant) to a group of detained hostages whose release they were appealing for, and
- a public human rights ceremony in Mogadishu -- the opening of the Dr Ismail Jumaale Center for Human Rights, whose co-director was a workshop participant

Participants and facilitators also had useful opportunities during meals, refreshment breaks and other free time for informal exchanges and contacts.

### **4.3.1 *What are human rights?***

The presentation in the first session was focused on raising human rights awareness among participants, including discussing definitions and practical applications. The main theme was that international human rights standards were developed through struggles for human rights in many societies and cultures. These standards are not the property of

any one culture and indeed the human rights record of wealthier Northern societies included slavery, colonialism and racism, both in regard to poorer societies in the South and within their own societies. Human rights treaties and humanitarian law, such as the Universal Declaration of Human Rights, the International Covenants, the African Charter of Human and Peoples' Rights and the Geneva Conventions (applicable to civil war as well as inter-state war), have been drawn up to make governments respect the rights of their own citizens (*see box below on "Relevant Internationally-Recognized Human Rights"*). They assert standards internationally for the protect of universal rights inherent in every human being without distinction and without discrimination of any kind. Individual rights and community rights, and civil, political, social, economic and cultural rights, are indivisible and inter-dependent.

**Relevant internationally-recognized human rights<sup>13</sup>**

- the rule of law is crucial for human rights
- every person has equal rights
- everyone has the right to life -- not to be arbitrarily killed
- everyone has the right not to be tortured or subjected to cruel, inhuman or degrading treatment or punishment
- everyone has legal rights, such as the right to a prompt and fair trial before an independent court on the basis of a formal charge relating to a recognizable criminal offence
- recognized rights include, the right to freedom of expression and opinion, the right to form associations freely with others, the right to freedom of movement, the right to work, the right to security, the right to possess property, the right to leisure, the right to education, the right to healthcare, and a range of other rights

The relevance of these human rights to Somalis -- even if Somalis might describe them differently -- was examined through recent historical periods so that human rights issues often thought of in the abstract could be made understandable from real situations which participants were familiar with or had lived through. These were the periods of:

- colonialism and the divisions of Somali territory
- post-independence civilian democracy (1960-1969), where human rights were generally respected
- the Siad Barre military/marxist dictatorship (1969-1991), with its persistent pattern of severe human rights violations
- the 1991 collapse of the state into civil war, humanitarian disaster and human rights crisis
- the much-criticised UN intervention (1992-1995)
- the continuing factional impasse.

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<sup>13</sup> Selected from the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the African Charter of Human and Peoples' Rights.

The human rights treaties ratified by Somalia after independence, including by the Siad Barre government, are in principle binding on future governments.

As more time was evidently needed to discuss the question of the relevance and meaning of international standards in the Somali cultural context, an additional evening session was set aside for participants to meet with the Somali facilitators to discuss these issues. The session continued with a survey of the current human rights situation. Three distinct "zones"<sup>14</sup> were apparent in different Somali regions including those in Somaliland (*see Map*) -- zones of "Crisis" (where there were frequent outbreaks of faction-fighting, insecurity, plunder and threats of a humanitarian emergency), "Transition" (where faction-fighting was rare, there was an emergent political stability and the beginnings of economic rehabilitation) and "Recovery" (where new administrative bodies were providing communities with some basic governance, stability and services, and local production and trade were reviving). Participants then broke up into three sub-groups to discuss the human rights abuses found in these different situations and how to stop them. The three zones and the results of these group-discussions are set out in the box below.

#### HUMAN RIGHTS IN DIFFERENT "ZONES"

**The "Crisis" zones** (*The divided city of Mogadishu [North and South Mogadishu], Kismayu port, and the regions of Bay, Bakol, Lower & Middle Juba, Lower Shebelle*)

- *Abuses:* all basic rights, unlawful killings of civilians, political assassinations, kidnappings and abductions, violence against women and children, sexual harassment, oppression of minorities, looting and stealing of property
- *Rights Violated:* rights to life, liberty and security
- *How to stop the abuses:* human rights education through the news media, awareness-raising campaigns with the participation of grassroots organisations, educating the elders in human rights, cultural reform, democratisation, creation of job opportunities, support for entrepreneurial activities, institution-building.

**The "Transition" zones** (*Galgadud, Hiran, Gedo, Mudug, Middle Shebelle, Togder, Sool, Sanag regions*)

- *Abuses threatened:* violations of peace agreements, lack of law and order, lack of governance, poverty and unemployment, uncontrollable militias
- *Risks:* violations of peace and stability
- *How to avoid and prevent risks:* dialogue and tolerance among different clans, peace monitoring committee, grouping militias in designated areas, educating people about human rights issues, empowering communities economically

**The "Recovery" zones** (*Bari, Nugal, Awdal, Woqooyi Galbeed regions*)

- *Problems:* poor local administration, few public services, limited resources and few employment opportunities, weak police and judiciary,

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<sup>14</sup> The zone analysis above differs slightly from UN categorizations.

- *How to protect rights:* improve local administration, strengthen local authorities and the rule of law, meet social needs, develop income-generating activities and market facilities
- *Methods of protection:* power-sharing, disarmament and rehabilitation of militias, job creation, proper use of natural resources, build governmental institutions.

The workshop schedule was adjusted so that the results of the extra discussion on international human rights and Somali cultural values could be brought back in a continuation of this session on the third morning. In Somali culture there are customary laws (*xeer*) and regulations applying equally to all. Somalis talk about values and regulations rather than rights, and infractions of the laws of the community rather than violations of human rights. These cultural values included tolerance and forgiveness, and, in the context of war, strict rules (similar to the Geneva Conventions) against harming or killing women (who are also peace-makers), children, neighbours, guests, the elderly, religious leaders, prisoners of war, travellers, refugees, the weak and helpless, the sick and wounded, orphans and peace envoys.<sup>15</sup>

Participants listed other human rights values in Somali culture in addition to the “laws of war”, including numerous sayings, songs, poems, proverbs and exhortations (some of Islamic reference), which represented values found also in international treaties and other cultures.

Participants agreed that they should not just look for differences and contradictions between international human rights standards and Somali values but for integration between Somali values, Islamic law (the *Shari'a*) and international human rights standards. A human rights education program should be developed by Somali professionals working with Amnesty International or with other human rights experts to integrate these three elements. Somali NGOs should tell their people that the rights which Amnesty International and other human rights groups work for are not alien to Somali culture. Somali humanitarian, human rights and peace organizations all work for the same people and the same objectives -- peace and human rights, which are inseparable. It is up to Somalis themselves to integrate human rights and local values. There can be no human rights without peace and no peace without human rights. One participant said, “*We cannot claim to be different from the world, we are part of the world.*”

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<sup>15</sup> A new publication by the International Committee of the Red Cross, “*Spared from the spear: traditional Somali behaviour in warfare*” (ICRC Somali delegation, Nairobi, February 1997), describes the results of new research into traditional Somali conventions regulating conflict and institutions to facilitate peace-making. The ICRC has also collaborated with the BBC Somali Service in preparing radio programs promoting Somali codes of war conduct alongside the international conventions.

Participants concluded that their own cultural values and activities (for peace and development, for example) already include and embrace what are called "human rights". They also accepted that they too are part of the international community, particularly by virtue of the diaspora of Somali refugees throughout the world -- a new generation of Somalis is growing up in other countries and societies to which they also belong but without losing their Somali identity. The international standards are also useful for Somalis, just as international organizations such as Amnesty International are there to help Somalis in their own struggles for human rights. On how to make international standards relevant to local human rights work, one participant proposed adoption of the well-known international slogan -- "*Think globally, act locally*".

#### **4.3.2 Human rights campaigning**

The second session on the first day aimed to introduce participants to campaigning techniques to use in their human rights work in Somalia. It addressed the questions, "*What is campaigning?*" and "*How do you ensure success in a campaign?*" It included a group exercise on devising a campaign in order to enable participants to practise campaigning skills.

Participants were shown that they were already "campaigning for human rights" in various of their existing activities within their own organizations, such as:

- conflict-resolution and peace building
- recording human rights abuses
- raising awareness about human rights, e.g. among militias, elders, etc
- planning organizational activities
- teaching literacy, training women's groups
- lobbying faction-leaders
- organizing workshops, seminars, round-table discussions

All campaigns need to set realistic goals, evaluate resources and needs, and choose realistic methods. Evaluation are vital to future activities. Goals, audiences (or "targets") and methods need to be clearly identified, suitable to the situation, realistic for the capacities of the campaigning group, and achievable.

Participants split up into sub-groups to brainstorm ideas for a human rights awareness-raising campaign of their choice. The outcome from the report-backs and plenary discussion is described in the box below ("*Campaign Example*"), as it developed through interactive discussion and facilitation.

##### **Campaign Example**

*Goal:* Teach a group of Somali mothers in rural areas that they have rights -- e.g. the right to rest

*Audiences:* (i) Those we persuade to take action -- victims, perpetrators, nomads, mothers

(ii) Those we ask to help to persuade them, e.g. religious leaders, healthcare workers, elders, World Health Organization staff, artists

*Methods:* Talks (e.g. at clinics), songs, poems, drama performances, market meetings, posters (in simple pictorial or cartoon form), messages/slogans (e.g. mother with head-load and baby strapped on her back depicting “*the right to rest*”), discussion of presentation problems

*Evaluation:* Check back continually to the goal, audiences/targets and methods; build on success and avoid repeating problems in new campaigns (in new areas or on new issues); ask mothers “*Did you get more rest?*”

*Remarks:* Choose methods in relation to resources, anticipate and prevent problems

### **4.3.3 Monitoring human rights and investigating abuses**

The third session started on the second day with a discussion of what “human rights organizations” do. Some do human rights promotion and education -- most countries have several of these, which are fairly uncontroversial. Others monitor and report on human rights observance -- this is more difficult and often brings them into difficulties with the government (or factions, in the Somali case). A combination of both is recommended.

The cycle of investigatory work starts with identifying rights which need monitoring. Monitoring identifies violations and abuses, which have to be investigated, assessed, recorded and reported. Then action needs to be taken to stop, prevent or remedy the violations. You evaluate your action by monitoring what happened, and then the cycle begins again.

Knowledge about rights and abuses is power. Reporting of abuses brings pressure on the authorities and faction leaders. They have to provide responses and justify their actions. Reporting the truth exposes the violators or the leaders who do nothing to stop the abuses.

There followed a discussion of one key aspect of investigation -- use and evaluation of sources, and the strengths and risks of each type. Participants brainstormed the range of sources, looking at the positive and negative sides of each. They gave critical assessments of the reliability of sources: journalists, victims of abuses, prisoners, lawyers, victims’ relatives, eye-witnesses, government officials, opposition representatives, religious groups, rumours, social groups and associations (trade unions and NGOs, for example), refugees, doctors, diplomats, UN employees, court officials, local NGOs. While preferring direct first-hand sources, participants concurred on the need to develop and utilize a variety of sources to enable investigators to discover the truth and avoid mistakes or being misled. There was some discussion about the importance of confidence-building with contacts.

Interviews need to be planned carefully in their three stages, as set out in the box below which summarised the conclusions of discussion on “*Interview Planning*”.

#### **Interview planning**

*Before the interview:* Confidence-building (people have to know the purpose and why they should give information), organising the interview (the interviewer should be well-informed, with questions prepared in advance), reducing anxiety, setting the scene well, good practical arrangements, and guaranteeing confidentiality

*During the interview:* Agreement on note-taking, seeking facts and not just opinions, respectful and sympathetic attitude to the interviewee

*After the interview:* Explanation of follow-up, deal with problems, thanks, assessment, writing-up notes

Participants split up into three sub-groups for discussion of three types of interview, which are described in the box below on "*Interview Situations*".

#### **Interview situations**

- *Released political prisoner:* a check-list of questions included duration of imprisonment, health condition, torture and inhuman treatment, visiting rights, judicial process; afterwards, thank the interviewee, check and investigate background material, be careful about contacting the authorities about complaints as they may take reprisals, assess and analyse the problems described, possibly provide financial assistance, evaluate the interview
- *Witness of a political assassination:* find out personal/identity details of the witness and of the victim (e.g. clan, subclan, profession), introduce the interviewer as a human rights activist, assure confidentiality, arrange a safe place for the interview, pre-select questions carefully to solicit reliable information, obtain permission to take notes (perhaps not immediately but after some conversation without notes); a check-list of questions included details of the incident, the scene, distance of the witness from it, number of people involved, type of weapon used, motive, action and appearance of the killer; cross-check the information provided by the witness, write a report.
- *Minister of Internal Affairs:* before the meeting - clarify the purpose of the meeting, gather information from other reliable sources about the violations in question, try to make the meeting informal, use close confidential channels to set up the meeting; managing the meeting - fix the appointment in an informal setting, use diplomatic language, plan how best to obtain information but not necessarily taking notes at the time; after the meeting - write notes, use the information obtained, be open about contacts with the authorities or else the public may distrust you.

Participants then split up again into sub-groups to discuss standards of research and issues of safety and security in investigating abuses. The three boxes below describe the groups' conclusions on the three issues of "*Impartiality and Independence*", "*Personal Safety*", and the related topic of "*Security*".

#### **Impartiality and independence**

- *key benefits:* being seen to be impartial and independent gives credibility and creates trust and respect, open access to crucial information, enhances your self-confidence and commitment, enables you to have influence
- *areas of risks and problems:* you could become a victim of your own social importance and beliefs, you could become an outcast from your own group (e.g. clan or political faction), opponents may attempt to tarnish your reputation by disseminating negative propaganda
- *how to deal with these risks and problems:* focus on rights and violations without taking sides, plan gradual steps to fulfil programs of action, avoid direct confrontation, portray yourself as not being politically ambitious, be tolerant of negative propaganda, be brave, have confidence in yourself, be impartial but not so “neutral” as to be non-involved

**Personal safety** (*for investigators and their contacts*)

- have a proper plan, collect up-to-date information of the situation you want to analyse
- use impartial and efficient investigators
- select the best investigation methods appropriate to the situation
- be well-organized
- create a cooperative environment with the local community (e.g. respect the traditional elders) and with the international organizations in the area
- if security threats are received, local investigators should make immediate contact with the threatening group, foreign investigators should evacuate if necessary
- establish personal security guidelines (e.g. tell other people where you are going and when you plan to come back) and what to do in an emergency
- guarantee and observe confidentiality for informants and other contacts
- fear is sometimes stronger than the reality -- by facing threats, you can create space for your work

**Security**

- work openly, be open about your organization
- your organization must be committed to the safety and health of its staff, especially during field visits
- staff should present themselves clearly as representative of their organization
- risks have to be taken but it is equally important that the organization can continue its work, so try to avoid risks as much as possible
- make risk assessments whenever needed
- work within the law (providing it is consistent with international law), inform the authorities of the nature of your work, be careful not to be followed, keep information and notes safe

One further issue relating to investigations was discussed -- whether or not to pay informants for their information. Participants pointed out that it would be polite to offer informants refreshments (food or drink) as a social gesture but they should not pay or give money for information as this might lead people to fabricate information or blackmail investigators.

**4.3.4 Reporting the findings and making recommendations**

This session had to be shortened because of lack of time and there was no opportunity to go into these subjects in detail or to do practice exercises on them. Some examples of publications and campaign materials by Amnesty International and other organizations were distributed or available on a "display table". It was suggested that Amnesty International could send participants a sample pack of different forms and styles of human rights reports and campaigning materials for different target-audiences so that they could see from the range what might be appropriate for Somalia. Resources to compile and prepare such materials are a major problem, considering that in Somalia even basic reading and writing materials are very difficult to obtain, are very expensive, and are not always appropriate where there are high rates of illiteracy but a highly-developed oral-communication culture.

With regard to making recommendations for human rights action, some basic guidelines were discussed but further assessment would be needed about the most appropriate style and format for human rights recommendations organizations in Somalia and in the Somali language. In principle, it was agreed that recommendations for action by local authorities and faction leaders should be clear, realistic and based on the facts, and should avoid discourtesy, political bias or emotionalism.

This session was enlivened by three unscheduled happenings:

- Flaggingspirits were at one point raised by the singing of Somali songs, which gave a warm tone to the proceedings -- at another point a poet from the Somali Artists Association gave a similar heightened cultural focus to the discussion with a recitation of poetry extolling peace and reconciliation
- A minute of silence was observed when an example of a news release, an Amnesty International communique about the murder of a Somali peace activist, was distributed. Mohamud Ali Ahmed (known as “*Elman*”), a widely-respected humanitarian figure in south Mogadishu, had been the victim of an execution-type killing in March 1996. A relative of his happened to be among the participants and gave a moving and inspirational account of Elman’s work and hopes, at which all participants stood in silence to pay respect.
- In a discussion of the real experiences of those who had been victims of human rights violations -- and the risks to human rights defenders -- one participant interjected to speak of his own experience of being a prisoner of conscience for three years under the Siad Barre government in the 1970s. His powerful testimony sensitized everyone to the urgent need to do everything possible to oppose and combat human rights violations as well as to protect one another.

#### **4.3.5 Working with others to protect and promote human rights**

In this session, some general guidelines which emerged from discussion by participants were that organizations sharing mutual objectives of working for human rights should:

- keep in regular contact with each other
- make themselves available to assist other organizations
- share information about their aims, objectives and activities
- be cooperative on issues of common interest rather than competitive -- cooperation does not mean losing the focus of your own organization or the specialization which can make and keep your organization effective.

Participants pointed out the importance of local organizations who know the local situation. They should share their knowledge and experience with international organizations who should in turn respect their expertise.

Proposals for how organizations could work together included:

- forming a coordinating (or “umbrella”) committee or forum
- communicating with each other regularly
- sharing press releases and publications with other NGOs, influential people and local people
- setting clear short-term campaigning goals, as well as long-term goals, for cooperation and exchange of information

In a discussion about how to work with Amnesty International, the importance was stressed of local organizations sending Amnesty International information about human rights and violations of human rights which it could use for its research and campaigning. They could tell Amnesty International about their activities and plans and Amnesty International could help them with information they might need or refer them to other organizations as appropriate. They could be in direct contact with Somalia coordinators in Amnesty International sections in different countries. Amnesty International could bring them into its own work to put human rights on the agenda of other international NGOs and the international community in general. Specifically it could also give advice about their own organizations’ campaign plans and help to organize human rights training workshops in Somalia.

The Amnesty International representatives pointed out that Amnesty International is not a funding organization -- funding for Somali NGOs was not under discussion during this workshop -- and that the organization does not campaign actively on all rights. While it promotes awareness of and adherence to the full range of human rights, its mandate for action focuses on civil and political rights. Other organizations work on other humanitarian or development issues.

#### **4.3.6 *Integrating human rights into the work of your organization***

After an extra discussion at the start of the third day about Somali cultural values and international human rights, the main remaining session was on integrating human rights work into participants’ own organizations. Participants broke up into three sub-groups according to the nature of their organization and then reported back on their discussions about how rights issues could be integrated into their work and what support Amnesty International could provide [*see boxes below on "Women’s Organizations", "Peace Organizations", and "Other Organizations"*].

### **Women's organizations**

Women's rights are human rights. Many of the human rights of women have been violated in Somalia -- their legal rights and civil rights, in particular. Women want political empowerment. They are engaged in campaigning against violence to women. They are also working to increase awareness of the link between peace and human rights, the right to education and the right to economic empowerment.

When a girl has equal intellectual abilities as a boy, she should get the same opportunities, for example in education. Women should have equal voting rights as men -- traditionally women were not allowed to vote. Women are vulnerable and have been the main victims of famine and war. Because of the fighting, women have often been left as the sole family bread-winners. Yet there is a lack of awareness among women about their rights and some new constraints have arisen.

*How could Amnesty International help?* Amnesty International and other national and international organizations could assist women to obtain their rights by helping them with campaigns, research, training workshops and seminars, networking and cooperation with other organizations. The areas where human rights could be integrated into the work of women's organizations are legal rights, civil rights, political empowerment, non-violent activism, peace promotion, education and economic development.

### **Peace organizations**

The Somali peace organizations have human rights promotion programs in their mandates. Human rights are an essential aspect of promoting the culture of peace. Human rights work is already being done, even if people do not realise it and even though they may not call it "human rights". For example, they can expose human rights violations in the mass media, organize peace and reconciliation conferences, hold workshops, visit prisoners and hostages and campaign for their release. Women have a special role in peace promotion, e.g. in peace "healing-missions".

*How could Amnesty International help?* There could be collaboration with Amnesty International and other organizations in human rights campaigning, human rights awareness-raising, information-sharing and networking. Amnesty International could help Somali peace organizations in capacity-building, training, research and advocacy. It could encourage the UN and international NGOs (such as the Life and Peace Institute) to promote human rights as part of their programs and to work together with local Somali organizations. Unfortunately they sometimes claim Somalis are not interested in human rights or are not ready for human rights, which is not true. Amnesty International and Somali organizations themselves should address these misconceptions and misunderstandings.

### **Other organizations (human rights groups, minority community organizations, health care groups, professional and development groups, and environmental groups)**

Human rights activities which they have already done include:

- organizing meetings for local and international lobbying about the plight and suffering of Somali minorities
- campaigning to eradicate epidemic diseases and malnutrition
- campaigning for equal opportunities for Somali professionals to return and work freely throughout Somalia regardless of their clan origins

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- creating awareness of the right of displaced people to live in a clean and safe environment
- campaigning against environmental destruction and degradation
- campaigning, monitoring, documenting and reporting on human rights abuses

**[Other organizations, contd]**

*How could Amnesty International help?* Amnesty International could urge international organizations operating in Somalia to add human rights issues to their own programs and to help local NGOs in their human rights activities. These local groups have made dedicated efforts for human rights. Amnesty International could help to prepare radio programs on human rights to be broadcast in the Somali language, and assist with publicity, networking, research and campaigning. Short-term and long-term action-planning is needed, particularly on working against current human rights abuses, and research projects could be initiated on links between traditional cultural values and human rights, the problems of minorities and vulnerable communities, and the rights of women and children.

Participants recognized that just as human rights work was earlier seen to have been done even if it was not thought of as being so, human rights work did not have to be called human rights. What was particularly important was that a constructive atmosphere should be created to facilitate work for human rights.

**4.3.7 Review and Action Program**

In the final and seventh session, there was a rapid review and discussion about how the workshop went. More could obviously have been said on all the issues covered but the main issues were all covered and expectations were largely met. Participants made concluding proposals for a "*Human Rights Action Program*" [see box below]. Keen commitment was expressed informally by all participants to work for human rights, which could take different forms -- as human rights defenders and activists, as officials of organizations which will integrate human rights into their activities, or as human rights trainers.

**THE WORKSHOP'S PROPOSALS FOR A HUMAN RIGHTS ACTION PROGRAM****I. Research Topics**

- monitoring and investigating human rights abuses ("*for immediate action*")
- minorities and vulnerable communities
- women's rights
- rights of the child
- correspondences and integration between Somali cultural values and international human rights standards
- trust-building between different Somali communities
- Shari'a, customary law and the modern judicial system
- women and Islam

**II. Campaigning**

- creation of human rights awareness through local newspapers, radio programs (e.g. with the BBC Somali Service), artists, leaflets, school textbooks
- seek support from elders, and at mosques, community centers, gathering places
- build human rights from a family basis
- link peace-promotion and human rights
- peace-and-human rights missions between different clans

**[A human rights action program, contd]****III. International NGOs and IGOs**

- press them also to incorporate human rights into their programs
  - increase local awareness about their work
  - encourage cooperation with Somali NGOs
  - ensure that these international organizations understand and support the human rights commitment of Somali NGOs and community organizations
- IV. Human rights training**
- further training in human rights monitoring and campaigning
  - training to create a pool of human rights trainers
- V. Information sharing**
- more exchange of information and communication between Somali NGOs
  - help Somali NGOs to understand how international NGOs and IGOs work
  - provide Somali NGOs with materials to use about human rights
  - establish a human rights newsletter for Somalis

An initial evaluation of the workshop was made through questionnaires and discussion. The workshop then ended with short speeches and presentation of Certificates of Successful Attendance to all participants. Participants then left for Nairobi, tired but in good spirits. The BBC World Service (Nairobi bureau), following an earlier broadcast about the workshop by the BBC Somali Service, later broadcast interviews with some of the participants.

#### **4.4 Evaluation**

Based on evaluations of the course by participants and facilitators, the workshop met many of its aims. It increased awareness of human rights, provided information and practice in identifying human rights issues, and helped participants to consider what human rights activities they could engage in. The participating individuals and organizations agreed that human rights would be on their agendas. Strong interest was expressed in follow-up. The focus on civil society away from political or clan factions was maintained. A very good atmosphere of discussion and potential future cooperation was noted by participants and facilitators, both in the working sessions and also in informal gatherings during rest and refreshment periods..

Participants said they liked the venue and the workshop schedule, which broadly met with what they had earlier said they wanted out of the workshop. Most participants had previously attended workshops and were familiar with participative and interactive workshop techniques, which worked fairly well.

Participants were pleased that the course was focussed directly on the Somali experience. Some of the presented material was new to them -- for example, on international human rights standards and campaigning techniques -- but the materials and exercises were geared as much as possible to their own experiences and capabilities and to real Somali situations, so as to offer realistic preparations for local advocacy and lobbying.

More time was needed for discussion of particular issues [*see box below*] which were only touched on briefly. Realistically this would have meant adding at least two days to an already intensive and exhausting schedule. Some of these issues could be introduced into further training workshops on more specialized topics or they could be the subject of special discussion seminars.

**Issues for further training, discussion or human rights work**

- practise in skills of monitoring and investigating human rights abuses, e.g. interviewing, role-play in advocacy, and discussion of lobbying situations
- report-writing and preparing campaigning materials
- networking and coalition-building, cooperation between Somali organizations, working with international NGOs including Amnesty International, voluntary work, seeking funds and local fundraising
- helping each organization to prepare its own strategy and action plan
- materials for use in human rights work and for human rights training
- minorities and other vulnerable communities
- *Shari'a* courts
- gender issues and women's rights
- accountability for human rights violations -- punishment or forgiveness?
- any lessons from other collapsed states

Facilitators had explained the criteria for “successful attendance” by participants. They advised participants to consider what they needed to learn from the course, what their own strengths and weaknesses were in regard to being activists for human rights, and to ensure they achieved these personal objectives. Some should hold back to give space to others; others should push themselves forward, participate more and ask more questions. They should widen the range of issues that interested them, and not ignore particular areas. In an early feedback to participants at the start of the second day, facilitators expressed appreciation that participants who came from different backgrounds and in many cases did not previously know each other were talking freely and non-confrontationally about human rights. They were interacting positively with each other and participating well, thus demonstrating that *"human rights are everyone's business"*.

One purpose of being together in this workshop was to share what was learned with one's own organization and not keep it to oneself. The facilitators felt that participants had genuinely come in order to learn more about human rights and that they had found many more similarities between human rights and Islam and Somali culture than they had expected. The facilitators were pleased to note that participants now realized that they had been doing human rights work already. In retrospect the workshop might have ended with a Declaration or Appeal or some such public statement building on participants' enthusiasm and commitment to human rights work, both personally and through their organizations.

Cooperation between the facilitators was good, with a very positive sharing of tasks and responsibilities. The Somali facilitators were effective communicators between the participants, who often switched into the Somali language for group discussions, and the Amnesty International facilitators (who were not Somali-speakers) sought to pass on their research and campaigning experience and skills in an international human rights organization. Post-workshop meetings among the facilitators helped to clarify ideas for follow-up.

#### **4.5 Follow-up**

The workshop is intended to start a longer-term program of human rights promotion in Somalia and Somaliland. The workshop participants said at the start that one workshop without follow-up would be a waste of resources and a source of frustration.

At participants' request, Amnesty International plans to hold a follow-up workshop and meetings with participants' organizations in Kenya in mid-1997. Amnesty International is contacting the participants to find out and evaluate what human rights work they have done or are planning to do as a consequence of the October 1996 workshop, and to hear their views on what they need to be included in the new workshop. In addition to the new workshop sessions, it is intended that they will also receive assistance in designing and implementing action-plans for their human rights work. They will be consulted about what further steps are needed for in-country human rights training.

If this process is successful, it is expected that a series of further workshops will be organized in several Somali regions and Somaliland. They will retain the emphasis on human rights awareness-raising through the Somali experience. Trainers in Somalia will be Somalis, as far as possible, who are independent, experienced and with human rights expertise. The workshops in Somalia will be held mainly or exclusively in the Somali language and using Somali materials.

### **5. CONCLUSION**

As will be evident from the reporting above, the workshop was a valuable and encouraging experience for the participants and facilitators. As an experiment in a new area of human rights training it yielded useful lessons for how such workshops are planned and conducted. The participants clearly felt the value of attempting to develop human rights promotion activities through independent civil organizations, and worked out for themselves how problems of political interference, security, inadequate resources and different understandings of "human rights" might be overcome. What was most heartening was that participants overcame anxieties about what "human rights work"

might be when they came to see that many of their existing activities -- for peace, reconciliation and development, for example -- were in fact "human rights" activities. The term "human rights" initially caused confusion and raised cultural barriers: in the end, these misconceptions diminished and the possibilities of cooperation increased substantially.

Assuming the further success of the follow-up workshop planned for mid-1997, which takes the momentum further towards specific action-planning for a dozen or more organizations across the spectrum of regions, clans and target-objectives, this process will have a "multiplier" effect as other workshop training is developed to take the program further. Not all issues can of course be addressed in one or two workshops, and much work remains to be done in preparing training materials appropriate to in-country workshops where participants will vary in educational levels and knowledge of the outside world and international community. Trainers will need to be prepared for their tasks, and resources will have to be found from the limited areas of funding possibilities available to enable the work to be done, even at a basic level and on a largely voluntary basis. But the prospects of the program advancing seem to be good.

What will it eventually achieve? Even in the world's poorest country, human rights are universal and indivisible -- development *means* human rights. Somalis deserve and want a better human rights future. The human rights movement is global and Somalia no less than anywhere else *needs* its own human rights community of local civil organizations who systematically spread greater awareness of rights and consistently monitor and correct actions by the authorities. The work will not be easy but it deserves international support. There are many political constraints and developing a new NGO is itself a complex matter. The workshop was an important step on the long and difficult road ahead.

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